

Historical and Jurisprudential Issues Pertinent to the Ziyaratu Ashura

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Article

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As a prelude to the study of the chains of transmission of Ziyaratu 'Ashura' and in order to clarify the subject, several themes surrounding it will be discussed.

Reliability of the Traditions

Early Shi'ite scholars classified traditions into two: the reliable and the unreliable. Those traditions that were corroborated by circumstantial evidence were considered reliable and authoritative. Those that were not, were considered unreliable.

So, what is circumstantial evidence? Circumstantial evidence can be defined as any of the following:

- 1) The presence of a tradition in many of the four hundred primary works of traditions that were circulating among the early scholars and which they transmitted on the authority of their teachers in an unbroken continuous chain, which linked them to the infallible Imams (as).
- 2) The recurrence of a tradition in one or more primary works of traditions by means of multiple reliable chains. Alternatively, the existence of a tradition in a primary work attributed to a disciple of any of the Imams whose reliability and truthfulness was unanimously attested by the scholars. Examples of such disciples are Zurara bin A'yan, Muhammad bin Muslim and Fudhayl bin Yasar.
- 3) The existence of a tradition in one of the primary works that was presented to one of the Imams who commended it and praised its compiler. Examples are the book of traditions of 'Ubaydullah al-Halabi (presented to Imam al-Sadiq), or the books of Yunus bin 'Abd al-Rahman and Fadhl bin Shazan (presented to Imam al-'Askari).
- 4) The citation of a tradition from the books in circulation among the predecessors of the early scholars, provided the books were reliable, trustworthy and credible, irrespective of whether the compiler was an Imami or a non-Imami. Examples of such works from Imamis are the book on the ritual prayers of Hurayz bin 'Abdullah al-Sijistani or the books of the two sons of Said bin al-Husayn al-Ahwazi and 'Ali bin Mahzayar. From the non-Imamis these include the book of Hafs bin Ghiyath al-Qadhi and Husayn bin 'Ubaydullah al-Sa'di as well as the book on the prayer direction (*al-Qibla*) of 'Ali bin al-Hasan al-Tatari. The early scholars therefore judged the transmitted traditions of some of the narrators as

authentic and correct even when those narrators were not from the Imamiyya, such as 'Ali bin Muhammad bin Riyah.^{[1](#)}

These are some of the examples of circumstantial evidence used to determine the authenticity of traditions. There are many other types of evidence too, but for the purposes of this discussion, the above-mentioned evidence will suffice.

With regards to the later Shi'ite scholars, they had to relinquish the two-fold classification in favour of a four-fold classification of traditions: authentic (*sahih*), dependable (*muwathaq*), good (*hasan*) and weak (*dha'if*). The reason for the adoption of a four-fold classification was the lack of circumstantial evidence, due to the passage of time and the loss of reliable primary compilations of traditions. Thus, the evidence rendering a tradition authentic due to the knowledge that it originated from the infallible Imams, was also lost. The four-fold classification of the traditions was now based on an analysis of the chains of transmission of the traditions and an investigation into the circumstances, conditions and positions of the narrators who featured in these chains.

Hence, for the early Shi'ite scholars, if the origin of a tradition was from the infallible Imams, it was confirmed by circumstantial evidence and was considered to be authentic. However, as a consequence of a loss of this evidence over time, the same was not the case for the later Shi'ite scholars.

The Probative Authority of a Tradition (hujjiyyat al-khabar)

The ultimate question is: can a tradition be proven as reliable based on the fact that it is transmitted by a reliable narrator or can it only be authoritative if it is rendered certain that the text originated from an infallible? There are two perspectives on this.

The most correct position is the latter one; the reliability of a tradition based on the certainty that the text originated from an infallible. It is for this reason that, in the instance where the reliability and truthfulness of the narrator is not established, but circumstantial evidence proves the report to have originated from an infallible, the report assumes probative authority. As a consequence, it is adopted in law, which completes and lends credence to the practice of the intelligent people in this field.

Rational jurists (*al-Usuliyyun*) focussed on discussing the probative authority of a reliable person's reported speech in their studies in a way that suggested that the divine Legislator intended to establish this as a principle above all else. However, an investigation into the matter shows that there is no evidence in the law that this is the case. Even the evidence from Qur'anic verses in favour of the principle, is not definitive, as is apparent to anyone who refers to the works of jurisprudence.^{[2](#)}

With regards to the transmitted traditions pertaining to this issue, all of them are concerned with the latter position. This is because the query contained in the relevant traditions is associated with concerns in favour of the second position and there is nothing in the traditions that legitimately points to the

establishment of the first position. Hence for example, it is sometimes the case that a narrator would ask the Imam:

“Is Yunus bin 'Abd al-Rahman reliable and *should I take from him what I need of the religious directives?*”³

Or the Imam is reported to have said,

“Al-'Umari and his son are both reliable, therefore whatever they claim to convey from me *then that is from me*”.⁴

The sole evidence for the probative authority of a singly transmitted report is therefore the practice of intelligent people, implemented in their daily lives. This practice transpires into a reliance on a reliable and authentic report originating from an Infallible. The reliability of the reporter of such a report must also be one of the circumstantial pieces of evidence that renders the report certain as originating from an Infallible. It is for this reason that in the instance where the reliability and truthfulness of a narrator is established and circumstantial evidence does not prove the origins of a tradition to be from an Infallible, the tradition is abandoned.

In conclusion, for the early scholars the criterion for the probative authority of a tradition lay in the testimony of internal and/or external circumstantial evidence for the provenance of a tradition's origins to be from an Infallible.

Widespread Practice of a Tradition Mitigates the Weakness of its Chain

The widespread practice of the contents of a tradition compensates for the weakness of its chain. A tradition may be divided into three types in terms of its fame and renown.

1) Fame and renown due to widespread transmission: A tradition may be renowned and famous due to its wide transmission among narrators and transmitters of hadith as well as its transmission in books, irrespective of its utilisation by the jurists and scholars.

2) Fame and renown due to widespread reliance and use by jurists: A tradition may be renowned and famous due to jurists' widespread reliance on it and their use of it in issuing verdicts. An example is the Prophetic tradition “every person is responsible for what he undertakes till he discharges that responsibility,” or the Prophetic report “people have authority over their possessions”.

Both these traditions, even though they are not transmitted in the Shi'ite books of traditions, have been applied in the juridical exercises of jurists. Therefore, widespread reliance on and use of the contents of traditions by jurists indicates the existence of circumstantial evidence related to those traditions, which makes it certain that the origins of those traditions are from an Infallible.

It is known that the widespread transmission of a tradition produces benefit if the transmission is coupled with practice. However, if the hadith is merely transmitted widely without being practiced then this negates its authority and instead engenders suspicion about the tradition's authenticity.

3) Fame and renown of a juridical verdict: Sometimes, there is a famous and renowned juridical verdict regarding a particular issue, irrespective of a relevant tradition existing in its favour or the verdict being contrary to a tradition. In such a case the question is: does such renown possess probative authority or not? The matter is a lengthy and detailed one, which has been explained in my jurisprudential lectures.

However, in general, a tradition that is widely utilised in juridical deduction (indicating wide reliance on it by jurists) compensates the weakness of its chain, if a chain exists, and engenders certainty regarding its authentic provenance.

The evidence for such a stance is the 'accepted' report (*maqbul*) of 'Umar bin Hanzala.⁵ Here the Imam was asked about two contradictory traditions which were transmitted by two reliable persons. Ibn Hanzala reports that he said to the Imam,

“Both the narrators are veracious and acceptable to our companions such that it is not possible to prefer one over the other.”

The Imam responded,

“Look into what they are transmitting from us regarding the matter under consideration and *the tradition which is unanimously agreed upon among your colleagues is the tradition and judgement to be accepted as originating from us and the contrary report* (i.e., the one which is rare and unknown among your colleagues) *is to be set aside*. This is because *the matter that is unanimously agreed upon is beyond doubt* (*fa inn al-mujma' 'alayhi, la rayba fihi*). Indeed matters are of three types. A matter, whose correctness is established, has to be obeyed. A matter whose error is manifest has to be avoided and finally a matter which is doubtful and ambiguous has to be returned to Allah and His prophet.”⁶

Evidence in Favour of this Perspective

The meaning and intent of the phrase '*that which is unanimously agreed upon*,' does not mean a tradition that is *unanimously* transmitted by all but rather that the tradition is transmitted *widely* among the Shi'ite.

This understanding is supported by the following statement from the Imam,

“...and the rare tradition is to be set aside; that which is rare and unknown among your colleagues.”

A tradition that is renowned in its transmission among the Shi'ite means that it is one that is renowned in transmission as well as practice according to its contents and its utilisation in issuing juridical verdicts.

As mentioned earlier, a tradition that is simply transmitted but not practiced inspires doubt about its authenticity.

Furthermore, the meaning of the statement '*a unanimously agreed upon tradition is beyond doubt*' is the absolute negation of doubt. The vocabulary used is similar to the Qur'anic verse (2:2) '*This Book, there is no doubt in it (dhalik al-kitabu la rayba fihi...)*' where the negative phrase 'there is no doubt in it' contains the word '*rayb*', meaning 'doubt', in the indefinite form. The use of the indefinite form denotes generality (the definite form would have been '*al-rayb*').

Therefore, if a renowned and practiced tradition is one that has no doubt in it, then a rare tradition would have the opposite connotation: there would be no doubt about its invalidity from a logical perspective. When the validity and correctness of one part of a proposition is certain and beyond doubt then the other part is obviously invalid and incorrect. Otherwise it would require the combination of certainty and doubt regarding a single matter, which is logically unacceptable. For example, if the veracity of Zayd is beyond doubt then its contrary, his dishonesty, is negated beyond doubt too.

From the above discussion, it can be concluded that a renowned tradition belongs to the first part of the tripartite division mentioned by the Imam, that is, a matter whose correctness is established and is therefore required to be obeyed, while the rare tradition belongs to the second part of the tripartite division, that is, a matter whose error is manifest and therefore needs to be avoided. The rare tradition cannot be said to belong to the third part of the tripartite division, that is, a matter which is dubious and which requires its knowledge to be returned to God and His Prophet.

Therefore the meaning of the Imam's statement '*that which is unanimously agreed upon is beyond doubt*' is the tradition that is renowned and practiced among the Shi'ite and not a tradition regarding which there is mere unanimity that it originates from the infallible. This is because the narrator in the tradition above assumes that both the contradictory traditions, which two veracious and acceptable narrators report, ensue from the Imam and that is why neither one can be preferred over the other, for if the converse were true, and only one of the traditions was unanimously known to originate from the Imam then there would have been no crisis of ambiguity.

The significance of a renowned tradition having its meaning elucidated as above lies in its ability to stimulate certainty with respect to its origins (being from an Infallible). It is this that makes it the subject of the principle of the probative authority of a tradition.

Therefore, in light of the above discussion, it should be known that when the five chains of transmission of Ziyaratu 'Ashura', each of which varies in its reliability and concomitant authority, are collectively considered along with the circumstantial evidence that accompanies them, then this bequeaths certainty and conviction regarding its divine origins. As a result, the faith and devoutness professed in it has come about in light of its probative authority and the reciter will be awarded according to the rewards specified in the tradition.

The analysis of the chains of Ziyaratu 'Ashura', according to the criteria of the science of biographies, is a significant and substantial affair. However, to restrict oneself to its conclusions and to disregard the

large amount of circumstantial evidence proving its authenticity and correctness would be to make a mistake. The circumstantial evidence presented in this study will perhaps bestow a level of reliability to the narrators or to the tradition itself.

The Book of Biographies of Al-Ghadha'iri and its Scholarly Significance

The scholar, al-Husayn bin 'Ubaydullah al-Ghadha'iri or his son Ahmad bin al-Husayn are attributed to have had a book of biographies of the narrators of traditions compiled. The collection is entitled '*Kitab al-Du'afa*',⁷ which, as its title makes apparent is a book that purports to contain information on hadith transmitters deemed weak and unreliable.

However, the authenticity of this attribution has not been verified. This is because this book was lost for a couple of centuries between the time of al-Ghadha'iri (d 411 AH) and his son, till its discovery two centuries later by Seyyid Jamal al-Din Abu al-Fadha'il Ahmad bin Tawus al-Husayni al-Hilli (d 673 AH). In light of these facts, how is it possible to rely on this work?

In addition to the above, circumstantial evidence related to this book proves that it does not belong to the aforementioned individuals. Seyyid al-Khu'i has elaborated on this matter in his book *Mu'jam Rijal al-Hadith*⁸ and we have done the same in our book *Kuliyyatu fi 'Ilm al-Rijal*.⁹ Those who wish to be apprised of the details should refer to these books.

Furthermore, the early scholars of Qum have disparaged a huge number of the narrators but their disparagement was not based on the report of a veracious person from a veracious person, but rather on the basis of their theological differences with those narrators. Therefore if they noticed anything in a tradition that seemed like an exaggeration (*al-ghuluww*) in doctrinal issues, they would criticise the tradition as being exaggerated or fabricated.

Al-Muhaqqiq al-Bihbahani writes: 'It is clear that many of the early scholars and especially the scholars of Qum, of which al-Ghadha'iri was one, used to profess distinctly special beliefs regarding the Imams on the basis of their personal research and they would not tolerate any infringement of those beliefs.

They used to consider any infringement of their theological stance to amount to doctrinal exaggeration (*al-ghuluww*) to the extent that they considered the negation of forgetfulness for the Imams to be akin to such exaggeration. It is possible that they even considered any concept of the delegation of divine powers, any sort of elevation, miracles and extraordinary acts, negation of defects, and knowledge of the secrets of the heavens and the earth attributed to the Imams as doctrinal exaggeration and worthy of censure. This is especially in light of the fact that people professing deviant religious ideas and beliefs had concealed themselves among the Shi'ite, mixing with them and deceiving them.

In short, it is clear that the early scholars disagreed on theological issues such that there would be a

matter considered by some of them to amount to disbelief or doctrinal exaggeration while the same matter would be considered a requirement of the faith by others, or it could be that the matter was neither this nor that. Or perhaps the source of their disparagement would be their feeling that a tradition was a fabrication by those deceitful exaggerators or that the claim of the leading scholars of the sect that a certain tradition was a fabrication of those extremists'.

Al-Muhaqqiq al-Bihbahani writes: 'It should be known that (Ahmad bin Muhammad bin 'Isa and) al-Ghadha'iri used to accuse a narrator of lies or fabrications *after* having accused him of doctrinal exaggeration as if his transmission indicated that'.¹⁰

The Utility of a Weak Report

Previously, it was pointed out that the later Shi'ite scholars classified the traditions into a fourfold division: *sahih*—authentic, *hasan*—good, *muwathaq*—reliable and *dha'if*—weak. A *sahih* tradition is one that has been transmitted from an infallible by a continuous chain consisting of veracious Imamis. A *hasan* tradition is one that has been transmitted from an infallible by a continuous chain consisting of commendable Imamis but where there is no explicit or clear statement of their veracity.

A *muwathaq* tradition is one that has been transmitted from an infallible by a continuous chain consisting of veracious individuals, some of whom may espouse unorthodox beliefs and ideas. Given these definitions, a *dha'if* tradition is contrary to all three categories, though it may be in accord with reality and perhaps more so than the other three categories. However, due to the criteria established in the science of hadith, verification of such a tradition will not have probative authority.

Hence, in light of this explanation, if there is a tradition regarding a specific matter that is judged weak, it is not possible to abandon it simply on the basis of its weakness. This is because every tradition has an effect and a bearing on the soul of an individual with respect to its reliability. Therefore, if reasons for its reliability increase then the degree of its reliability also increases in the estimation of a person.

In light of the above, if it is assumed that the chains of Ziyaratu 'Ashura' are weak (although such an assumption is incorrect as will be proven later), then these five chains, especially in light of the individuals who feature in them who are peerless and who cared to transmit this salutation, still inspires confidence in its truthfulness when the separate chains are considered together and in their totality. One should therefore not be hasty in rejecting this salutation on the basis of the weakness of its chain.

Principle of Leniency in Deducing Proofs for Recommended Acts (al-tasamuh fi adillati al-sunan)

The principle of leniency in deducing proofs for recommended acts is one that is widely known among scholars. The significance of this principle is that a researcher does not insist on the fulfilment of those

stringent conditions that are necessary in establishing obligatory acts and duties, when attempting to ascertain recommended acts. For example, one of these stringent conditions is that the narrators in a chain must be absolutely reliable and trustworthy.

This condition is however, not mandatory in ascertaining recommended acts. It is sufficient even if a recommended act is transmitted by means of an inferior chain in terms of the reliability and trustworthiness of the narrators who appear in it.

This principle is addressed and discussed by both Sunni and Shi'ite scholars. The Sunni scholars refer to it as 'an act based on a weak tradition, (which is nevertheless encouraged) because of the merits of virtuous acts'- *al-'amal bi al-khabar al-dha'if fi fadha'il al-a'mal*. The following scholars have alluded to this principle in their respective works:

- 1) Al-Shahid al-Awwal in his work, *Al-Dhikra*.
- 2) Ibn Fahd al-Hilli (d 8541 AH) in his work, *'Uddat al-Da'i*.
- 3) Al-Shahid al-Thani (d 966 AH) in his work, *Al-Diraya*.
- 4) Baha al-Din al-'Amili (d 1030 AH) in his work, *Al-Arba'ina*.
- 5) Shaykh al-Ansari (d 1282 AH) in a special treatise devoted to discussing this principle.

Shaykh al-Kulayni transmits the following authentic report from Ibn Abi 'Umayr who in turn reports from Hisham bin Salim who heard from Abu 'Abdullah al-Sadiq (as) that:

“One, who learns of the merits and virtues of an act and as a result carries it out, will be eligible for that reward, even if later that report proves to be inauthentic”.^{[11](#)}

Scholars have elaborated at length on this and other traditions similar to it, as well as discussing whether or not such reports accord the act a position of being meritorious and recommended. However, further discussion on this subject is not necessary here as the issue has been considered at length both in this paper and in our jurisprudential lectures.^{[12](#)}

It should be noted that there is no aim to encourage the transmission and propagation of weak reports by means of these traditions, rather the aim is to preserve the teachings and traditions of the Prophet and the Imams so that they may not be abandoned simply because the chain is deemed weak.

Therefore, if it is assumed that the chains of this Ziyarat are weak, (an incorrect assumption), a Shi'ite Muslim will still obtain the rewards mentioned for this Ziyarat if he recites it with a heart brimming with grief and sadness due to the oppression and injustices to which Imam al-Husayn (as) was subjected.

Some pertinent points have been mentioned briefly here. A reader who gives due consideration to these points and those to follow in the study of the chains of Ziyarat 'Ashura' will come to realize that the

Ziyarat is a reliable one, which has its origins with the Imams of the Ahlulbayt (as). It ensued from a pained and sorrowful heart, denouncing the politics of tyranny and oppression perpetrated by the Banu Umayya against the Ahlulbayt and that it was and continues to remain radiant throughout the centuries.

Post Script

The article of the author in which he analyses the chains of transmission of the Ziyaratu 'Ashura' is available for study at the following sites:

<http://www.aimislam.com/resources/15-beliefs/1420-an-analytical-study-of...> [3]

<http://www.al-islam.org/ziyarat-ashura-study/Ziyarate-Ashura-An-Analytic...> [4]

http://www.al-mubin.org/index.php?option=com_content&view=category&id=28... [5]

Thank you.

1. Al-Wafi, volume 1, pages 11–12, in the second introduction.
2. Refer to our lectures transcribed in the book 'Al-Mahsul fi 'Ilm al-Usul' and 'Irshad al-Uqul fi 'Ilm al-Usul', in the context of the discussion of the probative authority of solitary traditions.
3. Wasa'il al-Shi'a, volume 18, chapter 11, hadith number 33. This chapter contains traditions on the attributes and qualities necessary for a judge.
4. Ibid, hadith number 4.
5. A similar report is ascribed to Zurara bin A'yan and is identified as marfu'. A marfu' report is defined as one whose chain has some narrators omitted. A marfu' tradition can also be termed as mursal. A mursal tradition is defined as one which has either all or some of the intermediary narrators omitted. Shaykh Subhani points out that he has not cited the marfu' tradition of Zurara here and has instead preferred the maqbula report of Ibn Hanzala. This is because the marfu' report of Zurara is mursal and that is because 'Allama al-Hilli (d 726 AH) has reported it from Zurara (d 150 AH) (without providing the intervening chain). Shaykh Subhani writes that such a report cannot be used as evidence.
6. Wasa'il al-Shi'a, volume 18, chapter 11, hadith number 1. This chapter contains traditions on the attributes and qualities necessary for a judge.
7. This title would be translated as: 'the book of weak narrators'.
8. Mu'jam Rijal al-Hadith, pages 113–114 of the introduction, in the Najaf edition and pages 101–103 of the Lebanon edition.
9. Kuliyyatu fi 'Ilm al-Rijal, page 81–106.
10. Al-Fawa'id al-Rijaliyya of Wahid al-Bihbahani, pages 38–39, printed at the end of the work Rijal al-Khaqani. The same may be found on page 8 of this work printed as part of the introduction of Minhaj al-Maqal.
11. Wasa'il al-Shi'a, volume 1, chapter 18, hadith number 6. This chapter contains traditions on the acts required to be carried out in preparation for the formal rituals.
12. Irshad al-Uqul volume 3, pages 435–444.

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