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# The Fourth Saf'ir and the Complete Occultation of the Twelfth Imam

## [1. The Career of the Fourth Saf'ir \(326–329/937–941\)](#)

Al-Tusi reports that Ibn Ruh designated Abu al-Hasan 'Ali b. Muhammad al-Sammari as his successor<sup>1</sup>. According to al-Tabarsi, this designation was by the stipulation and order of the Twelfth Imam himself<sup>2</sup>.

His surname is derived from the name of al-Sammar or al-Saymar, situated in one of the districts of Basra, where the relatives of al-Sammari used to live<sup>3</sup>. According to al-Mas'udi many members of this family, like al-Hasan and Muhammad, the sons of Isma'il b. Salih and 'Ali b. Ziyad, had large estates in Basra. They devoted half of the income from these estates to the eleventh Imam, who used to receive it every year and correspond with them<sup>4</sup>.

Moreover, some of al-Sammari's relatives were agents of the Twelfth Imam. Among these was 'Ali b. Muhammad b. Ziyad, who had also been an agent to the tenth and eleventh Imams and who wrote a book called *al-Awsijya* to confirm the Imamate of the Twelfth Imam<sup>5</sup>.

He was the brother-in-law of the vizier Ja'far b. Muhammad, a relationship which enabled him to achieve an important office in the 'Abbasid administration<sup>6</sup>. According to al-Kulayni, the Twelfth Imam divulged to him in a letter that his death would occur in 280/893, when it actually occurred<sup>7</sup>.

These points indicate that al-Sammari came from a family whose members were well-known for their Shiite beliefs and their service to the organization. In fact, such a background was necessary to enable al-Sammari to reach the office of the *sifara* with little opposition, especially if one takes into consideration the prolonged occultation of the Twelfth Imam, which shook the faith of a considerable body of the Imamites.

However, the *sifara* of al-Sammari was too short-lived to cause any remarkable changes in the relations between him and the other agents. Although nothing is known about the details of his activities, a report mentioned by al-Saduq makes it clear that the agents recognised him as the rightful *Saf'ir* and handed the *khums* over to him<sup>8</sup>.

Al-Sammari died on the 15th of Sha'ban 329/15th May 941 and was buried in al-Khaljani street in the quarter of al-Muhawwal<sup>9</sup>. According to Yaqut, this quarter was situated to the north of the village of Buratha, on the western side of Baghdad<sup>10</sup>.

A week before the death of al-Sammari the following pronouncement (Tawqi') was issued by the Twelfth Imam:

May Allah give good rewards to your bretheren concerning you (i.e. on your death), for indeed you shall die after six days. So prepare your affairs, and do not appoint anyone to take your place after your death. For the second occultation has now occurred, and there can be no appearance until, after a long time when Allah gives His permission, hearts become hardened and the world becomes filled with injustice.

And someone shall come to my partisans (Shi'a) claiming that he has seen me; but beware of anyone claiming to have seen me before the rise of al-Sufyani and the outcry from the sky, for he shall be a slanderous liar<sup>11</sup>.

Six days after the announcement of this document the principal agents congregated at the death-bed of the fourth safer and asked him who was to take charge of his office. Al-Sammari replied, "To Allah belongs the matter which He shall accomplish" (*Li-Allah amr huwa balighuh*).<sup>12</sup>

This was the last statement heard from al-Sammari, the fourth *Saf'ir*. Thereby direct communication between the safars and the Twelfth Imam was brought to an end. In other words the short occultation had ended and the second occultation or, according to the later sources, the major occultation had begun.

## 2. An Analysis of the Tawqi' of the Fourth Saf'ir

The pronouncement of the Twelfth Imam illustrates five points:

**Firstly**, it reveals that the fourth *Saf'ir*, al-Sammari, would die six days after the issue of the Tawqi'. According to the Imamite reports, al-Sammari did die on the mentioned day. It is worth pointing out that the Twelfth Imam is also said to have predicted the times of the deaths of the three previous *Saf'irs*<sup>13</sup>. For the Imamites this prediction was strong proof that the Tawqi' had been issued by the Imam himself.

**Secondly**, the Imam ordered the fourth *Saf'ir* not to designate anyone to succeed him or to be in charge of his office, "*wa-la tusi ila ahad fa-yaqum maqamak ba'd wafatik*."<sup>14</sup>

This clearly indicated the end of direct communication between the Imam and his *Saf'irs* and agents. Hence the Imam in the Tawqi denies that he will have any personal *Saf'ir* during the second occultation before his return:

*“And someone shall come to my partisans (Shi'a) claiming that he has seen me; but beware of anyone claiming to have seen me before the rise of al-Sufyani and the outcry from the sky, for he shall be a slanderous liar”.*<sup>15</sup>

The highly developed activities of the organization, which continued for about 69 years between the years 260–329/874–941 were ended by the death-bed statement of the fourth *Saf'ir* as regards his successor: God would do what He wished in this matter, *“Li-llah amr huwa balighuh.”*<sup>16</sup>

**Thirdly**, the Tawqi' announces the beginning of the second, or the complete occultation (*Fa-qad waqa T. al-Ghayba al-Thaniya aw al-Tamma*)<sup>17</sup>, which al-Nu'mani describes as the period of confusion, al-Hayra<sup>18</sup>. Al-Mufid calls it the longer occultation (*al-Ghayba al-Tula*), whereas the later Imamites refer to it as the major occultation (*al-Ghayba al-Kubra*)<sup>19</sup>.

**Fourthly**, there can be no appearance of the Imam until Allah gives him His permission. His return will take place when it becomes far from the expectation of the people because of the hardening of their hearts and the filling of the world with tyranny<sup>20</sup>.

**Fifthly**, the Tawqi' indicates that the appearance of the Imam will be preceded by two inevitable signs, that is the rise of al-Sufyani, who according to early traditions will rise and dominate Syria, and the outcry in the sky in the name of the Imam.

After quoting the Tawqi' Rajkowski states as follows:

*“. . . this document is a clear indication that the leaders of al-Shi'a al-Qat'iyya had lost hope in the speedy arrival of al-Mahdi and thought that the moment of al-Zuhur might still be very distant; so that it was no longer possible to keep up the pretences of direct communication between the successive Ambassador and the Sahib al-Zaman. It was better to leave the Shiites without an official mediator, and rely only on al-Mahdi's invisible protection and inspiration”.*<sup>21</sup>

Rajkowski seems to be suggesting that the eleventh Imam died heirless and the leading Imamites invented the idea of the occultation (*al-Ghayba*) and claimed that the *Saf'irs* had direct communications with al-'Askari's successor. Rajkowski's theory seems to have inspired Jihad al-Hasani to hold similar views concerning the role of the four *Saf'irs*. He says,

*“... by resorting to the claim of being agents for the concealed Twelfth Imam, the four Twelver agents were apparently able to put themselves forward in the position of the leadership though they were not from the line of descent of the Prophet”.*<sup>22</sup>

The hypothesis of these two authors might be sound if there were no clear proof that al-'Askari had left

a successor or that traditions were circulating in Imamite circles before 260/874 indicating that the series of the Imams would end with the Twelfth Imam, who would be *al-Qa'im*.<sup>23</sup>

However, it has been demonstrated that it was highly probable that the eleventh Imam had showed his son to about forty of his adherents among whom were the first two agents, 'Uthman b. Said and Muhammad b. 'Uthman<sup>24</sup>.

Furthermore, the evidence has strongly suggested that the eleventh Imam sent his son to Medina in 259/873,<sup>25</sup> where he stayed during the time of the first *Saf'ir*. Moreover, the Imamite organization, the *Wikala*, was established during the time of the sixth Imam al-Sadiq.

Had it appeared suddenly after the death of al-'Askari without the spread of traditions before 260/874 predicting the *Ghayba* and without the explicit appointment of 'Uthman b. Said and his son Muhammad (Abu Ja'far) by the eleventh Imam as the agents of his son the Twelfth Imam<sup>26</sup>, one could agree with Rajkowski's statement and with Montgomery Watt, who says:

*"... the Imamite theory of twelve Imams did not come into being of its own accord, as it were, following upon certain events known to all. The theory was an interpretation of selected events, and was deliberately created by politicians to further their own – perhaps very worthy – ends".*<sup>27</sup>

We have already mentioned that the Imamites consider *Wilaya* (allegiance and obedience to *Ahl al-Bayt*) as the fifth pillar of Islam. According to them, the practice of all the other pillars (the prayer, *zakat*, fasting, pilgrimage) is invalid without the recognition of the rights of the Imam<sup>28</sup>. They report many traditions stressing the necessity of the existence of an Imam until the Day of Judgement, such as the well-known saying attributed to 'Ali b. Abi Talib:

*Allah, I know that knowledge (al-'ilm) cannot disappear completely, its sources cannot cease, and You cannot leave Your earth without a proof (Hujja) of You for Your creation, either manifest and obeyed or afraid and unknown (i.e. in a state of occultation). Otherwise Your proofs (hujaj) would be (sent) in vain, and Your followers would go astray after You have guided them.* <sup>29</sup>

Al-Saffar (d. 290/902) reports that al-Baqir interpreted the Qur'anic verse, **"Indeed you are a warner and for every people there will be a Guide."** (al-Ra'ad, 13:7), as follows: The "warner" is the Prophet, peace be upon him, and in every time there is someone who will guide others to what the Prophet brought. These guides are first the Prophet of Allah, then the Guided ones (*al-Hudat*); that is, 'Ali and the Imams (the "legatees", *al-Awsiya*),<sup>30</sup>

Al-Kashshi reports a tradition attributed to the eighth Imam, al-Riḍā: "The Imam cannot pass away unless he sees his successor, except for *al-Qa'im*." <sup>31</sup>

All of these traditions depict the Imamite belief in the necessity of the continuity of the *Imama*. Any break in its continuity would mean its overthrow as a principle of the religion. The short occultation did not

signify the non-existence of the Twelfth Imam, because he continued to carry out his activities via his four *Saf'irs* until the year 329/941.

Thus, regardless of the "creations of politicians," it is quite clear that the first occultation of the Twelfth Imam occurred within a religious environment where this event had come to be expected.

As we have noted, the 'Abbasid authorities wanted to restrict the activities of the Imams, so they included them amongst their courtiers and placed them under house arrest, so that they could no longer practice their activities amongst their followers. Restrictions were placed upon the Imams from the time of al-RidH and were greatly increased during the Imamate of the eleventh Imam, al-'Askari<sup>32</sup>.

As a result, the Imams devised a policy to save their last successor from a similar situation. They realized that any son born to the eleventh Imam would be hidden from the eyes of the 'Abbasids so that he could carry out his activities *incognito*.

To this end they encouraged the transmission of traditions (*hadith*) predicting an Imam who would be hidden from sight and would implement his policies in secret amongst his followers; and this would be the Twelfth Imam. Such steps were taken so as to prepare the Imamites to accept the *Saf'irs* as the Imam's intermediaries.

In the light of this explanation, it is worth mentioning a few of the traditions which were reported by al-'Asfari, who died in 250/863, that is, ten years before the death of al-'Askari:

i) Al-Baqir said to his companion Abu al-Muqdam, "*O Abu al-Muqdam, what would you do if an occultation (sabta) occurred between the Haramayn (i.e. Mecca and Medina) . . . My father used to say that would happen and that Allah does what He wills. . .*"

ii) The Prophet is reported to have said, "*I and eleven of my descendants and you, O 'Ali, are the axis of the earth, its pegs and its mountains. . . When my eleven descendants pass away, then chaos and disorder will occur among the people.*"

iii) The Prophet is reported to have said, "*(There will be) from my descendants eleven leaders (who will) be noble and receive and understand (knowledge). The last of them will be al-Qa'im, who will fill the world with justice after it has been filled with tyranny.*"<sup>33</sup>

These and other traditions were spread in both Imamite and Zaydite circles. Al-'Asfari, who was a member of *al-Zaydiyya al Jarudiyya*, was himself awaiting the rise of *al-Mahdi* in the near future and used to carry his sword with him. As already mentioned, he once said that he carried his sword so that he would always be ready to fight along with *al-Mahdi*.<sup>34</sup>

According to al-Saduq these traditions and others predicting the occurrence of the *Ghayba* were the main reason for the Imamite acceptance of the *Ghayba* and for their being satisfied that the series of the Imams should stop at the Twelfth. For the Imamites the acceptance of the *Ghayba* is a matter of

obedience to the orders of the Imams.

### 3. The Imamite Learned Men's Attitude Towards the Second Occultation

As has already been indicated, during the period of the short occultation (260–329/874–941) more than two generations of Imamites were brought up under the careful supervision of the agents and with the teachings of the Imamite narrators (*al-Muhaddith'un*), in order that the new generation would recognize that religious authority derives from indirect communication with the hidden Imam, via his four *Saf'irs*.

Their arguments and instructions concerning the hidden Imam were based mainly on the traditions attributed to the previous eleven Imams before the year 260/874, including the traditions narrated by al-'Asfari. Although the Imamites split into fifteen groups and held different views concerning the successor of al-'Askari at the time of the first *Saf'ir*, the teaching and the underground activities of the second *Saf'ir* met with success.

His followers (*al-Imamiyya al-Qat'iyya*) carried out intensive propaganda to prove the existence of the Twelfth Imam and the necessity for his occultation without specifying the date of his reappearance: "*concerning the release from suffering (i.e. the rise of the Imam) it is in the hand of Allah and those who try to fix certain times for it are liars.*" [35](#)

Thus the teachings and doctrine of the followers of the second *Saf'ir* dominated Imamite circles, whereas the other groups disappeared. During the time of the third and the fourth *Saf'irs* we find the new generation of Imamites more obedient to the *Saf'irs* and willing to accept their statements as the statements of the Twelfth Imam.

They were all the more willing because, as we have noted, all the pronouncements (*Tawqi'at*) issued to the four *Saf'irs* and attributed to the Twelfth Imam were written in the same handwriting and in the same style<sup>36</sup>.

The identical handwriting explains the consensus among the Imamites to be obedient to the last pronouncement of the fourth *Saf'ir*, by which the first occultation came to an end and the second began.

There is evidence that when the last pronouncement of the Twelfth Imam proclaimed the end of direct communication with the fourth *Saf'ir*, the agents ceased their underground activities and in particular refrained from collecting the *khums*. In other words the Imamite underground organization (*al-Wikala*), which had been established during the time of al-Sadiq (d. 148/765), was dissolved by that pronouncement.

Henceforth anyone claiming to be the *Saf'ir* of the Imam was considered an unbeliever and imposter. For this reason the Imamites cursed Muhammad b. Ahmad b. 'Uthman al-Umari, known as Abu Bakr al-

Baghdadi, the nephew of the second *Saf'ir*, when he claimed that he was the *Saf'ir* of the Twelfth Imam<sup>37</sup>. Al-Tusi gives an example of how the agents refrained from collecting' the *khums*:

Ahmad b. Muhammad b. al-Hasan b. al-Walid al-Qummi came to Basra as the representative of his father and the group (i.e. the agents in Qumm). The Imamites questioned him concerning rumours that he was the deputy of the Imam.

But he denied them, saying: *"I have no right in this matter"* So they offered him money as a test, but he rejected it and said, *"It is forbidden for me to take it, because I have no right in this matter (i.e. the deputyship of the Imam), and I have never made such a claim."*<sup>38</sup>

Perhaps these two examples are a further evidence that the theory of the occultation of the Twelfth Imam was not "the creation of politicians" to further their own ends. In fact, there were some people motivated by political and worldly aspirations, such as al-Shalmaghani and Abu Bakr al-Baghdadi, whose followers held that they were the *Saf'irs* of the hidden Imam. However, the Imamites totally rejected their claim<sup>39</sup>.

The agents' decision to end their activities led the Imamite narrators (*al-Muhaddithun*, *al-Ruwat*) to the belief that since no new *Saf'ir* had been appointed, the second occultation which they called the "period of trial and confusion" had begun. They supported their conclusion with traditions attributed to the previous Imams indicating that *al-Qa'im* would have two forms of occultation before his rising, one of them being short and the other long.

Al-Nu'mani may have been the first scholar to give this particular interpretation to existing traditions. After quoting nine traditions predicting the two forms of *Ghaybas* and attributed to al-Sadiq on the authority of seven of his disciples<sup>40</sup>, al-Nu'mani comments:

*"The authenticity of these traditions mentioning that al-Qa'im has two occultations has been proved – Praise be to Allah. For by bringing about the occultation He has authenticated the statements of the Imams.*

*As for the first occultation, it is that during which there were Saf'irs between the Imam and the people, safars who had been appointed by the Imam and who carried out their activities while living amongst the people... This is the short occultation, whose days have come to an end and whose period has passed away.*

*The second occultation is the one during which the Saf'irs and the mediators have been removed for a purpose intended by Allah and planned for in the creation. In other words, throughout this period testing, examination, trial, sifting and purification will be the lot of those who claimed (to be Imamites), just as is stated in the Qur'an:*

***It is not (the purpose) of Allah to leave you in your present state till He shall separate the wicked***

**from the good. And it is not (the purpose of) Allah to let you know the unseen. (Al-Imran 3: 179).**

. . This explains our statement that the Imam has two occultations and that we are living in the second".[41](#)

Al-Nu'mani's interpretation of the two *Ghaybas* became the foundation for most explanations put forward by the Imamite jurists from the time of al-Saduq (d. 381/991) in *Kamal al-Din wa-Tamam al-Nima* and al-Khazzaz al-Razi al-Qummi (d. 381/991) in *Kifayat al-Athar fi al-Nusus ala al-A'imma al-Ithna 'Ashar* through the period of al-Majlisi (d. 1111/1700) in *Bihar al-Anwar*.

However, a contemporary scholar, Sachedina, writes as follows:

*"It is plausible to maintain that the division of the Ghayba into short, and long is the innovation of the Imamite jurists. In support of this division, traditions were either invented or interpreted to accommodate the situation as it appeared to them".*[42](#)

But Sachedina's hypothesis does not bear scrutiny, because the belief in two *Ghaybas* did not come newly into being after the death of the fourth *Saf'ir* in 329/941, nor was it invented by al-Nu'mani and those scholars who followed his footsteps, such as al-Saduq, al-Khazzaz, al-Mufid (d. 413/1022) and al-Tusi (d. 460/1067). They merely clarified the consistency between the two concealments of the Twelfth Imam and the traditions predicting their occurrence[43](#).

From the historical viewpoint there are several reports which reveal that the traditions speaking about two concealments already existed prior to the year 329/941 when the second occultation began and that they were used by the Waqifa and the Imamites.

The Waqifa who stopped at the seventh Imam Musa al-Kazim (d. 183/799) contending that he was *al-Qa'im al-Mahdi*, had narrated these traditions. Among the Waqifite narrators is Abu Muhammad 'Ali b. Ahmad al-'Alawi, who wrote a book in support of Waqifite doctrine called *Fi Nusrat al-Waqifa*. He mentions this tradition attributed to al-Sadiq:

*"The Sahib al-Amr (i.e. al-Qa'im) will have two occultations, one of which will be longer than the other. Finally people will say that he has died and others will say that he has been killed. Only a few of his followers will continue to support his Imamate, and no one will know his whereabouts and his affairs except his servant".*[44](#)

As we have previously seen, one group of the Imamites held that the eleventh Imam had not died in 260/874, but had merely disappeared and would return and be recognized, only to disappear again before finally rising as *al-Qa'im*[45](#).

According to al-Nawbakhti (d. ca. 310/922) this group based its claim on the generally accepted narration which states that *al-Qa'im* will have two concealments[46](#). Agha Buzurg reports that such traditions were included by al-Hasan b. Mahbub al-Zarrad in *Kitab al-Mashyakha*,[47](#) and by al-Fadl b.

Shadhan (d. 260/873) in *Kitab al-Ghayba*,<sup>48</sup> but these works are not extant.

Fortunately, al-Kulayni, who lived during the short occultation, has included three of these traditions in *al-Kafi*. According to one of these traditions, al-Sadiq said:

*“Al-Qa’im will have two concealments, one of them short and the other long. In the first only his intimate partisans will know his whereabouts, while in the second only his close associates will know his whereabouts.”*<sup>49</sup>

These traditions predicting the two concealments of the Twelfth Imam which are reported by al-Hasan b. Mahbub, al-Fadl b. Shadhan and al-Kulayni were not invented by the Imamite narrators as is Sachedina's belief.

On the contrary, such traditions were the main reason why Imamite scholars like Ibn Qubba<sup>50</sup> and al-Nu'mani put forward the claim that the Twelfth Imam was *al-Qa’im al-Mahdi*, since they applied them to the historical circumstances which accompanied the career of the Twelfth Imam from 260/874 until the discontinuation of his direct communication with his followers after the death of his fourth *Saf’ir* in 329/941. Thus al-Nu'mani, after narrating such traditions, states,

*“Considering the large number of traditions predicting the concealment transmitted through the centuries, if the concealment had not occurred the very principle of the Imama would be invalid. However by its occurrence Allah the Exalted has proved the authenticity of the Imams' warnings about the occultation and the correctness of their belief in it which they held generation after generation. In so doing, Allah obliged the Shi’a to accept it”*<sup>51</sup>.

## **4. The Attitude of the Ordinary Imamites towards the Second Occultation**

Despite the fact that the Imamite narrators like al-Nu'mani accepted the second occultation of the Twelfth Imam and contented themselves with the traditions going back to before 260/874 which predicted its occurrence, the vast majority of the ordinary Imamites disagreed with them.

They argued that if the Imam was born in 256/870, he was 73 years old by the end of the first occultation in 329/941, and this accords with the life span of a normal person. They concluded that he had probably died, since death is the natural end for a person living to such an age. Al-Nu'mani describes the confusion among the Imamite populace as follows:

*“The majority of the Imamites asked regarding the successor of al-Hasan, “Where is he?”, “How could this happen?”, “For how long will he be concealed?” and “How much longer will he live, since he is now about 73 years old?”*

*Some of them believed that he was dead. Other groups denied his birth or even his existence, and*

*mocked those who believed in him. Some merely found it difficult to accept the prolongation of his concealment because they could not imagine that it was within the power of God. . . to prolong the age of His wali (i.e. the Imam) . . . and cause him to reappear afterwards” .52*

According to al-Nu'mani the bulk of these groups abandoned their belief in the hidden Imam. In fact those who continued to hold a firm belief in his Imamate were a small minority belonging to the circles of narrators, like Ibn Qubba and al-Nu'mani himself, who based their belief on the traditions of the Imams.[53](#)

Many scholars shared the perplexity of the Imamite masses over the prolonged occultation of the Twelfth Imam. According to Ibn al-Nadim, Abu Sahl Isma'il b. 'Ali al-Nawbakhti was the first to hold the opinion that the Twelfth Imam had died during his occultation, that his son had succeeded him, and that the Imam would continue in his progeny until Allah resurrected the Twelfth Imam.[54](#)

The attribution of this statement to Abu Sahl may be sound, because in his defence and vindication of the concealment of the Imam written around the year 290/902, he does not expect the concealment to last beyond the life span of an ordinary person. He writes,

*“Until the present time there has been one of his hidden and reliable adherents, who claims that he is the Imam's Gate (Bab) and the intermediary for his commands and orders to his followers. The period of the occultation (of the Imam) has not become so prolonged that it is exceptional and beyond the length of the concealments of those who went into concealment before him”.*[55](#)

Muhammad b. al-Hasan b. Ahmad b. 'Ali al-Salt al-Qummi was another Imamite scholar baffled by the discontinuation of direct communication with the Imam because of his prolonged occultation. Thus he went along with a philosopher from Bukhara in doubting the Imam's existence.[56](#)

Several remarks made about twenty years after the beginning of the second occultation (around the year 352/963) suggest that confusion and despair over the immediate return of the Twelfth Imam became a dominant feature in Imamite circles.

Moreover harsh attacks on the concealment of the Twelfth Imam by such Mu'tazilites as Abu al-Qasim al-Balkhi[57](#) and such Zaydites as Abu Zayd al-'Alawis[58](#) and al-Sahib b. 'Abbad[59](#) increased this confusion among the Imamite populace from Nisapur to Baghdad, so that many Imamites abandoned their belief.[60](#)

The confusion over the prolongation of the occultation along with the attacks from opposition groups encouraged the Imamite narrators to justify the *Ghayba* by composing works. At first they gathered their material from traditions attributed to the Prophet and the Imams. Such works are exemplified by al-Nu'mani's *Kitab al-Ghayba* and al-Saduq's *Kamal al-Din*.

The latter explains that he composed his work while he was living in Nisapur, because concealment of

the Imam caused perplexity and bafflement among the majority of the Shi'a who used to visit him and consequently they had gone astray. Their number included even the well-known Qummi scholar Muhammad b. al-Salt.

This situation provoked him into writing a work quoting the authentic narrations attributed to the Prophet and the Imams on this issue. According to him, these narrations had already been assembled in *al-Usul al-Arba'mi'a* and had been written down before 260/874 by the followers of al-Sadiq and the other Imams<sup>61</sup>. He also devotes a chapter to people who lived to be more than 100 years old in order to vindicate the advanced age of the Twelfth Imam during his occultation.

By the end of the 4th/10th century, it seems that the argument based on traditions and employed by al-Kulayni, al-Mas'udi, al-Nu'mani, al-Saduq and al-Khazzaz were no longer sufficient<sup>62</sup>. Hence the Imamite scholars resorted to theological arguments (*'Ilm al-Kalam*) and used them extensively to vindicate the Imam's concealment. Al-Mufid (d. 413/ 1022) was perhaps the pioneer in this period.

In his work *al-Fusul al-'Ashara fi al-Ghayba* he tries to prove the existence of the hidden Imam on the basis of two principles: the necessity of the existence of an Imam at every period of time and the infallibility of this Imam. Al-Mufid's treatment of this subject became the framework for later Imamite scholars like his pupil al-Karajaki (d. 449/1057), al-Murtada and al-Tusi.

In *al-Ghayba*, the last of these advances both the traditional and the theological arguments for vindicating the complete occultation of the Twelfth Imam. However that may be, the theological approach goes beyond the historical approach of the present work and pertains to a later period.

## **5. The Application of the Epithet al-Mahdi to the Twelfth Imam**

The traditions used by the Imamites during the short occultation to support the view that the Twelfth Imam was the one who will rise with the sword (*al-Qa'im bil-sayf*) were the same traditions talking about the Twelfth Imam as the expected Mahdi.

In other words, the two ideas, *al-Qa'im* and *al-Mahdi*, were already combined and applied to the Twelfth Imam at the time of the Prophet. But, as we have already seen (pp 21–23, 30) the Imams due to certain reasons revealed it only to a few of their followers instructing them not to publicize it. In spite of this Sachedina holds that

*“. . . the Mahdism of the Twelfth Imamite Imam was a later development in the theory of the Imamate of the hidden Imam, which combined the already known belief in the coming of al-Mahdi to restore justice and equity with the prolonged occultation of the Twelfth Imam”.*<sup>63</sup>

Sachedina reached this conclusion after examining the *Kutub al-Ziyarat*<sup>64</sup> which was included by al-Majlisi in his work *Bihar al-Anwar*<sup>65</sup>. According to Sachedina the earliest work of this literary genre is related on the authority of the Twelfth Imam himself in reply to a letter written by Abd Allah al-Himyari (d.

290/902). Sachedina says,

“In this Ziyarah which I have carefully examined, there is no mention of the title *al-Mahdi* at all. The Twelfth Imam is not addressed as the Mahdi, the one promised by the Prophet. This is the first Ziyarah mentioned in this section of the Book on the Shrines.”<sup>66</sup>

From the historical point of view there are several points in Sachedina's thesis which are open to question.

**Firstly**, according to sayings attributed to al-Baqir and al-Jawad, all the Imams hold the title *al-Qa'im*, inferring that they have been entrusted with the execution of Allah's order (*Kullun Qa'imun bi Amr Allah*); in addition, they all hold the title *al-Mahdi*, whose duty is to guide people to the Religion, of Allah (*kulluna Nahdi ila Din Allah*).<sup>67</sup> For this reason, we find that in the books on pilgrimage or *Ziyara*, all the Imams are addressed as *al-A'imma al-Rashidun al-Mahdiyyun*.<sup>68</sup>

Consequently the Twelfth Imam must hold the title of *al-Mahdi* in this meaning, even though here the word has quite a different meaning from the epithet *al-Qa'im al-Mahdi*, the one promised by the Prophet who will rise with the sword<sup>69</sup>.

وَأَنَّ الْمَهْدِيَّ أَنْتَصِرُ بِهِ لِدِينِي وَأُظْهِرُ بِهِ دَوْلَتِي وَأَنْتَقِمُ بِهِ مِنْ أَعْدَائِي وَأُعْبُدُ بِهِ طَوْعًا وَكَرْهًا 811-

وَإِنَّ الْقَائِمَ إِذَا قَامَ سَارَ فِيهِمْ بِالسَّيْفِ وَالسَّبْيِ وَذَلِكَ أَنَّهُ يَعْلَمُ أَنَّ شِيعَتَهُ لَمْ يُظْهِرْ عَلَيْهِمْ مِنْ بَعْدِهِ أَبَدًا 812-

**Secondly**, in the Imamite works there is a certain consistency between the signs indicating the rise of *al-Qa'im* and his performance of his duty on earth following his return and those pointing to the rise of *al-Mahdi*. This can be noted in such statements as the following:

It becomes clear from numerous statements of this nature that the Imams used two different titles when referring to one person. A tradition attributed to al-Sadiq makes the identity between the two figures explicitly for when he was asked by his follower Abu Said alKhusasani, "Are *al-Mahdi* and *al-Qa'im* one and the same person?" He replied "Yes."<sup>70</sup>

Hence we find that al-Nu'mani sometimes refers to the Twelfth Imam as *al-Qa'im* and sometimes as *al-Mahdi* without imagining that such an application of the two terms would lead to confusion among the Imamites. It is clear that the two titles refer to the same person since al-Nu'mani also reports a narration attributed to al-Baqir revealing that *al-Mahdi is al-Qa'im bi-l-Sayf*.

When the *Qa'im* of the People of the House (*Ahl al-Bayt*) rises he will distribute equally among the people and deal justly with his subjects. He is called *al-Mahdi* because he will be the Guide to secret matters.<sup>71</sup>

For this reason al-Nu'mani refers to the Twelfth Imam as *al-Qa'im al-Mahdi*.<sup>72</sup>

Moreover it is clear that the expected Mahdi acquired this title because he will be 'guided' by Allah and will guide men to undertake a spiritual transformation of society, just as he acquired the title *al-Qa'im bil-Sayf* because he will rise by militant means to put into practice this transformation, namely the establishment of a truly Islamic State based entirely upon the shari'a as interpreted and implemented by the Prophet and his rightful successors, the Imams. This can also be seen in al-Mufid's interpretation of the doctrine of return (*al-Raj'a*):

*"I say that Allah the Exalted will return some of the dead people to the present world in the physical forms which they had before. He will do this to honour one group and to debase another, to grant superiority to the faithful over the deniers, and to judge between the oppressors and the oppressed. This will take place after the rising of al-Mahdi of the Family of Muhammad".*<sup>73</sup>

Moreover most of the 'Alids who had been inspired by the Prophetic tradition predicting the rise of *al-Mahdi* held the title *al-Qa'im al-Mahdi* when they rose in arms, like Muhammad b. Ja'far al-Sadiq, who rose in 199/814.<sup>74</sup>

Thirdly, al-Kulayni and al-Mas'udi, both of whom lived during the period of the short occultation, report a tradition which explicitly refers to the Twelfth Imam as *al-Mahdi*: 'Ali b. Abi Talib said,

I thought about a child who will be from my flesh, the eleventh from my line of descendants. He is the *Mahdi* who will fill the earth with justice and equity when the height of injustice and tyranny in the world has been reached. He will live in a state of occultation as a result of which a group of people will go astray and another will remain faithful.<sup>75</sup>

Al-Saduq (d. 381/991) includes similar traditions referring to the Twelfth Imam as *al-Mahdi* and as *al-Qa'im*.<sup>76</sup> He also cites the text of a visit (ziyara) to the Twelfth Imam during his occultation which is attributed to the second *Saf'ir*, Abu Ja'far, (d. 305/917), who addresses the Twelfth Imam as *al-Hujja al-Qa'im al-Mahdi*.<sup>77</sup>

In the light of these points one can conclude that after the Twelfth Imam went into occultation for the first time, the Imamite scholars considered him as *al-Qa'im al-Mahdi*, the one who will rise with the sword. This was a strongly supported belief by the time of the occurrence of the second or complete occultation.

## 6. The Effect of the Complete Occultation on the Position of the Imamite Fuqaha'

The occurrence of the second occultation of the Twelfth Imam, followed by the immediate dissolution of the Imamite *Wikala* after the death of al-Sammari, the fourth safar in 329/941, left a serious vacuum in the Imamite leadership. This situation allowed the Imamite jurists (*al-Fuqaha'*) to extend their activities.

They reached a consensus that the concealed Imam would be alive until the moment of his rising in arms, irrespective of the length of his concealment. They based their view upon such traditions as that attributed to al-Sadiq, who says to his adherent Hazim,

*O Hazim, the Sahib al-Amr (al-Qa'im) has two occultations and will rise after the second one. Anyone who comes to you claiming that he has purified his hands in the soil of his grave (i.e. the grave of al-Qa'im), do not believe him.* [78](#)

But in reality they found themselves in need of a leader to save the congregation from possible disintegration, and there was no one to undertake this task except themselves. By the last quarter of the fourth/tenth century the ordinary Imamites were accepting the statements of the jurists as the actual statements of the Twelfth Imam, but they did not consider their authority equal to his. [79](#)

In other words the *fuqaha'* were considered the spokesmen for the Imam's views concerning Islamic doctrine and law. But they were not in charge of the office of the Imam because as is explained by authors such as al-Tusi and al-Majlisi, it is not possible for anyone to hold the position of Imam before the rise of *al-Qa'im*. [80](#)

For this reason the eminent leaders of the Imamites, al-Mufid (d.413/1022) and al-Tusi (d. 460/1067), refused to give themselves authority over the half of the *khums* [81](#) which was set aside for the Imam. Al-Mufid held that any faithful follower who wanted to pay the Imam's share should put it aside and either keep it in a safe place or bury it.

In case of his death, he should turn it over to a trustworthy person to give to the Imam when he rises. As for the other half of the *khums*, which is called *satat* share, it should be divided into three shares and distributed equally among the needy members of the Prophet's family, i.e. the orphans, the poor and the penniless travellers. [82](#)

Al-Mufid's view was also held by such later scholars as al-Tusi, Abu al-Salah and Ibn Zahra al-Halabi. This consensus among the *Fuqaha'* concerning the *khums* continued until the 7th/13th century. But since the Twelfth Imam's occultation prolonged, the believers did not know what to do with the Imam's share in the *khums*, which they have been trusted with by their predecessors.

By the beginning of the 7th AH/13th century the Imamite *Fuqaha'*, in particular, al-Muhaqiq al-Hilli wanted to solve this problem. He began receiving the Imam's share in the *khums* and spent it on religious activities serving the Shiite cause.

This step taken by the later *Fuqaha'* marked a break with the authority of the earlier *Fuqaha'*. It was a factor along with other previous factors for the extension of the role of the *Fuqaha'* after the second occultation which can be seen in the following points:

**Firstly**, the prolongation of the occultation of the Twelfth Imam enabled the Imamite *fuqaha'* to develop

their role from mere narrators of traditions into *mujtahidun*. It has been noted that as regards legal statutes (*al-Ahkam*) the *fuqaha'* used to consult the Twelfth Imam via his four representatives during the time of the short occultation (260–329/874–941). In other words their main function was to narrate the traditions of the Imams, and they continued to perform this function in the early years of the second occultation.[83](#)

Thus they rejected the arguments based on reason (*'Aql*) put forward first by Ibn 'Aqil al-'Umam (in the first half of the fourth/tenth century and then by Ibn al-Junayd al-Askafi (d. 381/991). Both of these figures refined Imamite jurisprudence, put forward new ideas, separated the discussions about principles (*usul*) from those about subordinates (*furu'*) and based their method on the basic principles of jurisprudence. Their method was rejected by the Imamite *Fuqaha'* because it might lead to wrong inference in finding the religious rules.

They considered it a sort of wrong analogy (*qiyas fasid*) similar to that which was established and implemented by non-shi'ite jurists.

The prolongation of the Twelfth Imam's concealment, which was attacked by Zaydite scholars and others, led the Imamite jurists to introduce rational arguments in order to defend their belief in the existence of the Twelfth Imam.[84](#)

Men who had been mere narrators of traditions became scholastic theologians (*Mutakallimun*). This change in the role of the *Fuqaha'* can be seen in al-Mufid's works. His works mark a break with earlier Imamite writing like al-Saffar and al-Kulayni's works which are purely collections of traditions, whereas al-Mufid's are mainly treatises written in defence of the Imamite doctrine, in particular, the belief in the Twelfth Imam's occultation.

Al-Mufid also was a narrator of traditions (*Muhaddith*), but since he gave priority to the theological issues he was named the speaker of the Shiites (*Mutakallim al-Shi'a*). Moreover with the passing of time new situations arose to which the *shari'a* had to be applied, and since direct communication with the Twelfth Imam had come to an end, someone had to be found to give an answer to these questions.

Thus the Imamite *Fuqaha'* expanded their role by undertaking *Ijtihad* [85](#) to answer such questions and to fill the vacuum which had been brought about by the concealment of the Twelfth Imam. Al-Mufid may have been the first jurist to practice *Ijtihad*. Then al-Tusi (d.460/1067) gave a definite shape to it.[86](#)

Secondly, in light of the first point it is clear that during the last quarter of the fourth/tenth century the Imamite *Fuqaha'* acquired authority to give legal judgements (*fatwa*) to a much greater extent than those who had been contemporary with the beginning of the second occultation and the dissolution of the underground organization. It has already been noted that after the death of al-Sammari in 329/941 the Imamite agents and such *fuqaha'* as Muhammad b. Ahmad b. al-Walid were expecting the Imam's reappearance with the sword in the near future, and for this reason they refused to receive any of the *khums* supposing that it was forbidden for them to do so.[87](#)

But ever since the time of al-Mufid the *fuqaha'* have granted themselves authority to receive the *sadat* share of the *khums* in order to distribute it amongst the needy of the Prophet's kindred. Since nothing was stipulated concerning the direct deputyship of the Twelfth Imam<sup>88</sup>, the Imamite *fuqaha'* gradually gained enough authority to act as his indirect representatives. They based their new position on traditions which lay down the role they were to have while the Imam was in hiding. Below are the main traditions which have been used in supporting the authority of the *fuqaha'*:

i) The Twelfth Imam issued a pronouncement (*Tawqi*) in reply to Ishaq b. Ya'qub via his second *Saf'ir*:

*As for the events which will occur, turn to the narrators of our traditions, because they (the narrators) are my proof to you, while I am the proof of Allah to them.*<sup>89</sup>

ii) Al-Tabarsi mentions this tradition attributed to the eleventh Imam:

*It is obligatory for the populace to follow the jurist who refrains from committing wrong, mentions his faith, opposes carnal desire, and obeys Allah's command.*<sup>90</sup>

iii) Al-Tabarsi reports another transmission on the authority of the tenth Imam concerning the role of the *fuqaha'*:

*After the occultation of your Qa'im a group of the 'ulama' will call people to believe in his (al-Qa'im's) Imamate and defend his religion by using proofs sent by Allah, so that they might save the weak-minded faithful from either the deceptions of Satan and his followers, or the deceptions of the anti-'Alids (al-Nawasib).*

*If none of these 'ulama' remain, then everyone will stray from the religion of Allah. However, as the pilot holds the rudder of the ship, the 'ulama' will hold firmly onto the hearts of the weak-minded Shiites, preventing them from straying. Those 'ulama' are the most excellent in the view of Allah the Exalted.*<sup>91</sup>

It is clear from the above traditions that the *fuqaha'* must possess two qualities before they can acquire the right to be the deputies of the Imam without direct stipulation. Firstly they should be knowledgeable in the law. Secondly they should be just. Then, irrespective of their family, whether they are from the progeny of al-Husayn or not, they are entitled to be deputies. It is worth repeating that the four *Saf'irs* of the Twelfth Imam were not descendants of 'Ali.

This may indicate that the Twelfth Imam wanted to train and raise his followers to accept, after his complete occultation, the leadership of the just and knowledgeable *fuqaha'*, even if they were not 'Alids. Moreover, it can be noted that after the beginning of the complete occultation, the majority of able *fuqaha'* were not from the progeny of 'Ali. Among such *fuqaha'* were al-Nu'mani (d. 360/970), al-Saduq (d. 381/991), al-Mufid (d. 413/1022).

In short the authority of the *fuqaha'* became so well-established amongst the Imamites that a considerable number of the later *fuqaha'*, such as al-Muhaqqiq al-Hilli (d. 676/1277) granted the *faqih*

complete authority over the deputyship of the hidden Imam.<sup>92</sup>

He gave himself as a *faqih* the right to deal with the Imam's share of the *khums* while the early *fuqaha'* like al-Mufid only gave themselves authority over the part of the *khums* (*sadat* share) intended for the orphans, the poor, and the penniless travellers of the Prophet's kindred.

Al-Hilli argues that if the first half of the *khums* (the Imam's share) is obligatory, then it must be distributed even during the Imam's occultation, because that which, Allah has made obligatory cannot be abrogated on account of the occultation of the Imam.

He continues to assert that the one who is charged with distributing the share of the Imam according to the needs of the Prophet's kindred must hold the deputyship of the Imam in legal matters i.e. that he must be one of the just Imamite *fuqaha'*.<sup>93</sup>

The extension of the authority of the Imamite *fuqaha'* as a result of the prolongation of the Imam's occultation was a positive factor contributing to the unity of the Imamite community. It has been noted that after the death of each Imam, the Imamites split into various factions.

This trend reached its peak on the death of the eleventh Imam in 260/874, when his followers divided into fourteen groups. But after the occultation of the Twelfth Imam, the *fuqaha'* became united in their attempt to establish their own religious and political authority.

The force which united them was the belief in the Imamate of the concealed Imam. As a result, Shi'ism was saved from splitting into further factions. Consequently, the number of its followers increased. The death of a *faqih* who believed in the Imamate of the hidden Imam did not lead to a split amongst the *faqih's* followers, and they usually accepted the leadership of another Imamite *faqih*.

Thus all the fourteen factions which had grown up among the followers of al-'Askari disappeared around the year 373/983 except for the one group which supported the Imamate of the Twelfth Imam, who was in a state of complete occultation.<sup>94</sup>

<sup>1.</sup> T. al-Ghayba, 256.

<sup>2.</sup> al-Tabarsi, al-Ihtijaj, II, 296-7.

<sup>3.</sup> Buzurg, Nawabigh al-Ruwat, 200. Saymara was the name of a town in the region of al-Jabal in Iran (Ibn Hawqal, op. cit., 158, 259), but it seems that the surname of the fourth Saf'ir is derived from the river al-Sammar in Basra, because most of his relatives lived there; Ithbat, 246-7; al-Subki, Tabaqat al-Shafi'iyya, III, 339.

<sup>4.</sup> Ithbat, 246-7.

<sup>5.</sup> Bihar, LI, 23.

<sup>6.</sup> Ithbat, 240.

<sup>7.</sup> al-Kafi, I, 524.

<sup>8.</sup> Kama'l, 517.

<sup>9.</sup> T. al-Ghayba, 257-8; Bihar, LI, 362.

<sup>10.</sup> Yaqut, Mujam al-Buldan, I, 532.

<sup>11.</sup> Kama'l, 516; T. al-Ghayba, 257; al-Tabarsi, al-Ihtijaj, II, 297; Sadr al-Din al-Sadr, op. cit., 179-80.

<sup>12.</sup> Kama'l, 516.

- [13.](#) T. al-Ghayba, 237–8.
- [14.](#) Kama'l, 516.
- [15.](#) Kama'l, 516.
- [16.](#) Kama'l, 516.
- [17.](#) Kama'l, 516.
- [18.](#) N. al-Ghayba, 92.
- [19.](#) al-Irshad, 399; Bihar, LIII, complete work.
- [20.](#) Kama'l, 516.
- [21.](#) Rajowski, op. cit., 673–4.
- [22.](#) al-Hasani, op. cit., 278.
- [23.](#) For these traditions see al-'Asfari, op. cit., f. 1–2.
- [24.](#) Kama'l, 442–3; T. al-Ghayba, 231–2.
- [25.](#) Ithbat, 247–8.
- [26.](#) al-Kafi, I, 329–30.
- [27.](#) Watt, The Majesty that is Islam, 170–1.
- [28.](#) al-Kafi, I, 183, 375, al-Tusi, al-Amali, I, 124. Al-Kulayni devotes a complete section to the principle of Wilaya. He records about 90 narrations containing an exegesis of Qur'anic verses concerning it, al-Kafi 412–38.
- [29.](#) al-Kafi, I, 355, 339. For a full account of these traditions, see al-Saffar, Basa'ir al-Darajat, f. 23b; al-Mufid, Awa'il al-Maqalat, 8; al-Kafi, I, 177–8, 184.
- [30.](#) al-Saffar, Basa'ir al-Darajat, f. 23b–24a.
- [31.](#) Ikhtiyar, 464–5.
- [32.](#) This can be noted in the tradition attributed to the ninth Imam, al-Jawad, who said, "If my son, 'Ali, died, a light from him will appear and when this light went off, another light will be concealed. I warn those who doubt what will happen." N. al-Ghayba, 99.
- [33.](#) For all these traditions see al-'Asfari, op. cit., f. 1–2 (Appendix); Kama'l, 349.
- [34.](#) See Chapter I.
- [35.](#) al-Tabarsi, al-Ihtijaj, II, 283.
- [36.](#) Muhammad Baqir al-Sadr, Bahth Hawla al-Mahdi, 69–70.
- [37.](#) Bihar, LI, 377–78.
- [38.](#) T. al-Ghayba, 270.
- [39.](#) Incidents recorded by Ibn Taghri Bardi indicate that the adherents of al-Shalmaghani continued their underground activities until the year 341/952, when the 'Abbasids discovered their cells. For a full account, see Nujum, III, 307–8.
- [40.](#) The disciples of al-Sadiq who narrated these traditions on his authority were Ishaq b. 'Amman al-Sayrafi, Ibrahim b. 'Amr al-Kannas Hisham b. Salim, al-Mufaddil b. 'Umar, Hazim b. Habib, Abu Basir and Muhammad b. Muslim; N. al-Ghayba, 90–1.
- [41.](#) N. al-Ghayba, 92.
- [42.](#) Sachedina, op. cit., 125
- [43.](#) T. al-Ghayba, 110.
- [44.](#) al-'Alawi, Fi Nusrat al-Waqifa, quoted in T. al-Ghayba, 44.
- [45.](#) Q. Maqalat, 106.
- [46.](#) N. Firaq, 97.
- [47.](#) Buzurg, al-Dhari'a, XXI, 69.
- [48.](#) Quoted in the T. al-Ghayba, 274.
- [49.](#) al-Kafi, I, 340.
- [50.](#) Kama'l, 112.
- [51.](#) N. al-Ghayba, 6.
- [52.](#) N. al-Ghayba, 80.
- [53.](#) N. al-Ghayba, 99; Ibn Qubba quoted in Kama'l, 112.

54. Ibn al-Nadim, op. cit., 225.
55. Abu Sahl al-Nawbakhti, *Kitab al-Tanbih*, quoted in *Kama'l*, 3.
56. *Kama'l*, 3.
57. Quoted by al-Qadi 'Abd al-Jabbar, *al-Mughni*, II, 176, 182-3.
58. Quoted in *Kama'l*, 94-122, 126.
59. Ibn 'Abbad, *Nusrat Madhahib al-Zaydiyya*, 211.
60. *Kama'l*, 2-3, 16.
61. *Kama'l*, 2-3, 19.
62. There are two reports which support this point. First al-Saduq mentions that the Zaydites accused the Imamites of inventing the Prophetic traditions which indicate that his successors will be twelve Imams (*Kama'l*, 67-8). The Zaydite al-Saib b. 'Abbad (d. 381/991) held this claim against the Imamites (Ibn 'Abbad, *Nusrat Madhahib al-Zaydiyya*, 209-12). Also the Isma'ilis did so. Ivanow (ed.), *Zahr al-Ma'atli*, 51.
63. *Sachedina*, op. cit., 83.
64. *Kutub al-Ziyarat* are the books which give details of how to undertake pilgrimages to the shrines of the Imams.
65. *Bihar*, CII, 81.
66. *Sachedina*, op. cit., 86-7.
67. *al-Kafi*, I, 307, 536; *Kama'l*, 263; *al-Tabarsi*, *al-Ihtijaj*, II, 249-50; *Ithbat*, 178-9.
68. *al-Saduq*, *Man la Yahduruhu al-Faqih*, II, 371; *al-Tusi*, *al-Tahdhib*, VI, 114; *N. al-Ghayba*, 45.
69. *al-Saffar* (d. 290), *Basa'ir al-Darajat*, f. 50a; *al-Kafi*, I, 243.
70. *T. al-Ghayba*, (Najaf, 1965), 296.
71. *N. al-Ghayba*, 125.
72. *N. al-Ghayba*, 125.
73. *al-Mufid*, *Awa'il al-Maqalat*, 50.
74. *Maqatil*, 359.
75. *al-Kafi*, I, 19, 35, 338; *Ithbat*, 260.
76. *Kama'l*, 256, 260, 280, 289, 333, 338, 342.
77. *Kama'l*, 512, 513.
78. *N. al-Ghayba*, 91; *T. al-Ghayba*, 274-5; *Ikhtiyar*, 476.
79. *Kama'l*, 81.
80. *T. al-Ghayba*, 215; *Bihar*, LII, 99.
81. The khums (the fifth) in Shiite law is an obligatory tax based on the following Qur'anic verse: "And know ye that whatever of a thing ye acquire, a fifth of it is for God, and for the Apostle, and for the Apostle's near relatives and the orphans and the needy and the penniless traveller" (*al-Anfal*, 8: 41). The Imams collected the khums from their followers and used the first three shares for the benefit of the congregation and the kindred of the Prophet, and the second three shares for distribution among the orphans, the needy, and the penniless traveller (wayfarer) of the Prophet's family; *Asl 'Asim b. Hamid al-Hannat*, f. 22; *al-Kafi*, II, 626-8.
82. *al-Muhaqqiq al-Hili*, *al-Mu'tabar fi sharh al-Mukhtasar* (Qumm, 1318), 298; *al-Jawami' al-Fiqhiyya* (Iran, 1276), 12, 76.
83. For details see *Ibn Dawud*, *al-Rijal*, 110; *T. al-Fihrist*, 268, 363; *Ibn Qubba*, quoted in *Kama'l*, 120; *al-Najashi*, 315.
84. *al-Sahib b. 'Abbad*, op. cit., 211.
85. *Ijtihad*, in Sunni law means the pronouncing of independent judgements on legal or theological questions based on the interpretation and application of the four principles, the Qur'an, traditions, consensus, and reason (*Aql*). According to the Imamites, *Ijtihad* is employing all one's power to arrive at speculative probability (*zann*) in a case or in a rule of divine law depending mainly on the Qur'an and traditions; *al-Ghurayf*, *al-Ijtihad wal-Fatwa* (Beirut, 1978), 9.
86. For the role of *al-Tusi* in the formulation of Imamite *ijtihad*, see *Mahmud Ramyar*, *Shaykh Tusi*, Ph.D. thesis (Edinburgh, 1977), 88-92.
87. *T. al-Ghayba*, 270.
88. *al-Khumayni*, *al-Hukuma al-Islamiyya*, (Beirut, 1978), 48.
89. *al-'Amili*, *al-Wasa'il*, XVIII, 101; *Bihar*, LIII, 181; *al-Khumayni*, op. cit., 77.

[90.](#) al-Tabarsi, al-Ihtijaj, II,. 263-4; al-'Amili, al-Wasa'il, XVIII, 94-5.

[91.](#) al-Tabarsi, al-Ihtijaj, II, 260.

[92.](#) al-Muhaqqiq al-Hilli, al-Mu'tabar, 298.

[93.](#) al-Muhaqqiq al-Hilli, al-Mu'tabar, 298.

[94.](#) al-Fusul al-Mukhtara, 261.

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