

The Life and Times of Shaykh Murtada Ansari

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Introduction and Biographical Information

Shaykh Murtada bin Muhammad Amin Ansari was a descendent of the Holy Prophet's (S) noble companion, Jabir bin `Abdullah Ansari. He was born on 18th Dhul Hajj (the day of `Id ul-Ghadir) 1214/1799 in Dizful, Iran.

For 20 years, he studied in Iran before leaving for Iraq. After a brief stay there, he returned to Iran. In 1249/1833 he decided to visit the holy shrines of Iraq, but this journey was destined to be final, for here he started his own classes in Najaf which made him world famous.

He studied under Sharif al-`Ulama' Mazandarani in Karbala, Mulla Ahmad Naraqi in Kashan and Shaykh Musa and Shaykh `Ali Kashif al-Ghita in Najaf.^{[1](#)}

After the death of Shaykh Muhammad Hasan Najafi (author, *Jawahir al-Kalam*) in 1266/1849, Shaykh Ansari emerged as the undisputed marja` of the Shi'is. He was to become the most distinguished jurisprudent of the Shi'ite world in the nineteenth century.

He died in Najaf in 1281/1864 at the age of 65 years.

Shaykh Ansari's Personal Qualities

Shaykh Ansari was famous for his retentive memory, speedy resolution of intellectual problems and his innovative teaching methods.

Amongst these novel teaching methods was the style known as mas'ala sazi, which involved constructing hypothetical legal problems and then discussing all the possible ramifications and resolutions of the problem.^{[2](#)}

His personal character was beyond reproach and he has been described as extremely pious, leading a simple lifestyle. He possessed a fair and just character. His aversion to the accumulation of wealth is demonstrated by his practice of immediately distributing bequests to the needy and the students of religion.^{[3](#)} At his death he is reported to have left only 70 qaran (GBP £ 3.00 approx)^{[4](#)}

The Appointment of Shaykh Ansari

At his deathbed, the sole Marja` of the time, Shaykh Muhammad Hasan Najafi, introduced Shaykh

Ansari as his successor. The appointment of the 52 year old Shaykh Ansari indicated the absence of any scholar in the holy cities (‘Atabat) who could match his competence, knowledge, reputation and influence.

Initially, Shaykh Ansari invited his former classmate from Karbala, Mulla Sa‘id Barfurushi Sa‘id ul-‘Ulama' (d. 1270/1854) to assume the leadership in Najaf on the grounds that he was more knowledgeable in the law. However, the latter declined, arguing that although he had indeed been more knowledgeable during their studies, he had subsequently been mostly engaged in public affairs, while Shaykh Ansari had been teaching and writing, and was therefore, more qualified for the role.⁵

Shaykh Ansari's success in establishing his pre-eminence was due to his personal qualities as well as his background. Coming from Dizful, a region with a mixed Persian–Arabic culture, he could teach in both languages and bridge the ethnic divide between the Arab and Iranian ‘Ulama'.⁶

His Developments in Usul–al fiqh

While most Mujtahidin mastered one scholarly field, Shaykh Ansari excelled in both usul and fiqh.⁷

He introduced major developments in the principles of jurisprudence that remain current to the present day. His most important contribution was in deriving a set of principles to be used in formulating decisions in cases where there is doubt. In this regard he provided a new scope to the discourse on fiqh. He divided legal decisions into four categories:

- a. Certainty (*qat‘*). This represents cases where clear decisions can be obtained from the Qur'an or reliable Traditions (ahadith).
- b. Valid Conjecture (zann mu‘tabar). This represents cases where the probability of correctness can be created by using certain rational principles.
- c. Doubt (*shakk*). This refers to cases where there is no guidance available from the sources and nothing to indicate the probability of what is the correct answer. It is in relation to the cases that Shaykh Ansari formulated four guiding principles which he called *Usul al–‘amaliyya*⁸ (practical principles). His most important work, al–Rasa'il (Fara'id al usul) is taken up explaining those.
 - a. Erroneous Conjecture (*wahm*). This refers to cases where there is a probability of error; such decisions are of no legal standing.

The effect of the developments instituted by Shaykh Ansari was far-reaching. Previously the Mujtahidin had confined themselves to giving rulings where there was the probability or certainty of being in accordance with the guidance of the Imams (A). However, the rules developed by Shaykh Ansari allowed them to extend their jurisdiction to any matter where there was even a possibility of being in accordance with the guidance of the Imams (A). This effectively meant that they could issue edicts on

virtually any subject. Shaykh Ansari's own strict exercise of caution (*ihhtiyat*) severely restricted this freedom, but some other Mujtahidin allowed themselves a freer hand.

Differing Ideologies and the Political Backdrop to the Period of Leadership of Shaykh Ansari

Towards the end of the lifetime of Shaykh Muhammad Hasan Najafi, the major concerns of the `Ulama' were the conclusion of the Usuli-Akhbari conflict, the appearance of the Shaykhi and Babi movements and contending with the Qajar and British rule.⁹

1. **The Akhbari School.** Although a part of the mainstream Twelver Shi'ism from its earliest days, this school crystallised into a separate movement following the writings of Mulla Muhammad Amin Astaraabadi (d. 1033/1623). It achieved its greatest influence during the late and post-Safavid periods but was crushed by the `Usuli Mujtahidin at the end of the Qajar era.

Essentially the Akhbari school accepted Qur'an and Sunna in matters of doctrine and law, while rejecting consensus (*ijma`*) and intellect (*`aql*). The contribution of Shaykh Ansari in strengthening the `Usuli position is well recognised.

2. **The Shaykhi School.** Whereas the Akhbari school differed from the `Usulis principally in matters of *furu`*, the Shaykhi School, founded by Shaykh Ahmad ibn Zaynu'd-Din al-Ahsa'i (d. 1241/1826), differed principally in usul. There is evidence that Shaykh Najafi made attempts to marginalize their role, but there is no information about Shaykh Ansari's direct confrontation against them.

3. **The Babi movement** started when Sayyid `Ali Muhammad Shirazi (d. 1263/1850) took the title Bab and in time declared that the Shari`a was abrogated and brought a new religious book. Shaykh Ansari reacted by enhancing religious awareness in the smaller towns by setting up religious schools funded by Khums revenue.

4. Shaykh Ansari largely ignored both **Qajar and British** influences, and appeared apolitical. Although he reached an agreement in 1852 with the British consul Rawlinson on the distribution of bequest funds in Najaf, he subsequently withdrew from the distribution in 1860, when he suspected that the bequest was a British ploy to buy influence amongst the `Ulama'.¹⁰

After the Death of Shaykh Ansari

Shaykh Ansari did not introduce a successor to his position although he was well aware of the capability of his students. He may have preferred the practice of choice (*tarkhis*) in selecting the marja`.¹¹

After his death no single figure immediately assumed his position. For a period of at least ten years, the Shi'ite leadership was divided between the more capable Mirza Hasan Shirazi (d. 1313/1895) and his

seniors Mirza Habibullah Rasti (d. 1312/1894) and Sayyid Husayn Kuhkamara'i (d. 1299/1882), who was popular among the Turkish speaking Shi'is. Only after the death of Sayyid Kuhkamara'i and the withdrawal of Mirza Rashti did Mirza Hasan Shirazi emerge as the sole supreme source of emulation for a period of twenty-one years.

The Lasting Impact of the Work of Shaykh Ansari

Shaykh Ansari provided the groundwork for the 'Ulama' to issue fatawa (edicts) on virtually any legal problem by giving a new scope to the application of legal theory, especially that of al-'usul al-'amaliyya – discussed earlier. He also introduced the notion that it was necessary for the community to follow the opinion of a Mujtahid. [12](#)

This idea was transformed subsequently by Tabataba'i Yazdi (d. 1337/1919) into an initial prerequisite for every Shi'i reaching the age of responsibility (taklif). Eventually, it became a commonly held view that the performance of Islamic duties (such as prayer and fasting) are void without doing the taqlid (emulation) of a marja'. [13](#)

This has indeed contributed to the authority of the 'Ulama' not only in the juridical but also in the political sense.

Conclusion

Shaykh Ansari was a genius of extra ordinary calibre. In Usul and Fiqh, his originality and analytic mind enabled him to blaze a new path, a path which has been adopted and followed by all the subsequent Fuqaha. His two great works, al-Rasa'il in Usul and al-Makasib in Fiqh are an inalienable part of the curriculum in modern Hawzas.

He established conclusively the dominance of the Usuli position against the neo-Akhbari Traditionism and completed the work started by Muhammad Baqir Vahid al Bihbihani (d. 1205/1791) in this regard.

Amongst the Shi'i Fuqaha, the figure of Shaykh Murtada Ansari towers high. He certainly is the most famous marja' of the pre-Modern Age, and is rightly known as "Khatimul Fuqaha wal Mujtahidin" – the Seal of the Mujtahidin. [14](#)

Further Reading

Jaffer, Asgharali M.M., Fiqh and Fuqaha, World Federation of K.S.I.M.C., London, 1990.

Litval, Meir, Shi'i scholars of nineteenth-century Iraq, Cambridge University Press, 1998.

Momen, Moojan., An Introduction to Shi'i Islam, Yale University Press, London, 1985.

Moussavi, Ahmad Kazemi. Religious Authority in Shi'ite Islam, International Institute of Islamic Thought, Kuala Lumpur, 1996.

- [1.](#) Asgharali M.M. Jaffer, Fiqh and Fuqaha, p. 38.
- [2.](#) Moojan Momen, An Introduction to Shi'i Islam, p. 202.
- [3.](#) Sayyid Muhammad Kazim Yazdi, al `Urwa'u'l Wuthqa, p.4.
- [4.](#) Moojan Momen, An Introduction to Shi'i Islam, p. 311.
- [5.](#) Meir Litval, Shi'i scholars of nineteenth-century Iraq, p. 71.
- [6.](#) Meir Litval, Shi'i scholars of nineteenth-century Iraq, p. 71
- [7.](#) Moojan Momen, An Introduction to Shi'i Islam, p. 186,187
- [8.](#) Briefly, the Usul al-`amaliyya consist of:

al-bara'a: Allowing the maximum possible freedom of action.

al-takhyir: freedom of selecting the opinions of other jurists or even other schools of law.

al-istishab: the continuation of any state of affairs in existence, or legal decisions already accepted unless the contrary can be proved.

al-ihtiyat: prudent caution whenever in doubt.

- [9.](#) Moojan Momen, An Introduction to Shi'i Islam, p. 135.
- [10.](#) Meir Litval, Shi'i scholars of nineteenth-century Iraq, p. 71.
- [11.](#) Ahmad Kazemi Moussavi, Religious Authority in Shi'ite Islam, p. 204.
- [12.](#) Murtada Ansari, Sirat al-Najat, p. 1.
- [13.](#) Commentaries by a number of contemporary `ulama' on Yazdi's al-`Urwa, pp 3-4.
- [14.](#) Asgharali M.M. Jaffer, Fiqh and Fuqaha, p. 39

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