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# Discourse 4: Excusing Those Who Turn Away From Imamate And School Of Ahlul Bayt ('a)

### Introduction

Proponents of Islamic Unity have adopted a wrong method. They pose the distance and crevice between two schools as very little, indistinct and faint. On the other hand this distance and difference runs between followers and leaders of these two schools. As such, there exists depth in it.

A plan must be charted out to prevent differences among followers of various sects of Islam, in comprehension of religion from producing any kind of dispute. Further, a justification should be found for their religious beliefs and various religious conducts. Somehow or other, peace must be created between them and all Muslims. Then it will be natural that this scheme will be beneficial to unity-seekers who always sacrifice originality for sake of power. They say:

"Difference is outcome of personal opinions emanating from different conclusions of jurisprudents. Therefore, it should not become a cause for separation."!1

"In remaining matters subject to difference among clerics, jurisprudence is kept open. In matters of jurisprudence, conduct, moral and speech they should come closer to each other through exchange of views and discussion."2

All groups look upon themselves as jurisprudents. The difference in religious thoughts and conduct among various sects pushes them towards defense. This is the consequence of such an attitude.

"If Islamic clerics could prove by their jurisprudence that both sects, Shia and Sunni, have their wages reserved with God and they both will be dwellers of heaven provided they follow and practice their own religious rules and regulations. In this case alone a true unity can be brought about."!3

Every Muslim while discharging his religious conduct in accordance with his belief in faith will see himself at a crossroad, taken by his jurisprudence and that is be excused or attain a reward.

"Religion itself has suggested that jurisprudents in such cases must proceed according to their personal conclusions. Difference that occurs therefrom is already acknowledged. A jurisprudent who derives God's commandment by his own correct conclusion will have two wages. If a jurisprudent happens to make a mistake in his conclusion he will be eligible for only one wage."!4

As though religion has not drawn any framework or formula for jurisprudents' conclusions. 5 Therefore in every case a view of an individual is respected and valid. It cannot be viewed as real difference.

It is enough for one to be sincere in jurisprudence. He will be a subject to the formula. It does not make a difference what method he chooses or which source he refers to. In any case, his judgments or conclusions should not be influenced by personal inclinations or selfish motives. This base embraces all Islamic sects, particularly Sunni sect. It is said:

"If the difference originates purely from thought and variety of conclusions not influenced by political motives, self lust, arrogance or self centeredness, religion tolerates such a difference. This is the principle much desired and favorable on tongues of Muslim clerics whether Sunnis or Shias. It is said that a successful jurisprudent has two wages from God. On the other hand a jurisprudent not reached to reality will have only one wage. As such, both categories will be paid. Religion does not reject difference thereby and reasons such as political, self-interests, transgression into others' rights so on. Individuals might not have attained due results. But their sincerity in pursuit of truth and earnestness of efforts towards comprehension of faith is enough to gain a desirable position to them."!6

As can be seen the only thing in this viewpoint is that attention is not paid to fundamentals and fixed standards of jurisprudence. Sources of information are also of utmost importance. As for validity and authenticity of sources, it is already prescribed by religious regulations. Therefore, the formula of exception (i.e. being excused) and wages or reward has bearing only on one who exercises and acts within framework of divine religion. A jurisprudent must derive his conclusions from traditions of trustworthy and reputed sources. In other words, traditions narrated by weak sources, such as Ayesha or Abu Huraira do not bear any weight against renowned sources. As we said if one acts on feeble base he cannot be liable to exception or excuse and wage or reward.

Consequence of such policy could be seen in the words of Ibn Hazm touching the standards of deriving conclusions in jurisprudence. Ibn Hazm was a scholar of School of Caliphate. He has commented about Muawiyah and Amr Aas:

"These two climbed to make out things for themselves at the ladder of jurisprudence as far as the issue of bloodshed goes. They acted after the method of those who issue decrees in domain of jurisprudence. For instance, one allows killing a magician while the other prohibits it. Then what is the difference between jurisprudence of Muawiyah and Amr Aas and others? It is nothing but ignorance, blindness of

sight and heart, lack of information and a wrong argument."!7

In view of unity-seekers they propose to make them live in brotherhood. Each one must let his brother live in freedom with regard to his opinion and outlook. This wrong standard or base that a jurisprudent enjoys excuse or exception and wages or rewards opens the way for all sects of Islam to differ from each other and also enjoy a reward, or wage and right to be at excuse according to occasion under umbrella of jurisprudence. In fact, no attention is paid to conditions prescribed by Islam to qualify a jurisprudent. So under such a chaos how all sects will be at home with each other? It is thus said:

"The difference among faiths of Islam mostly is attributed to difference among jurisprudents."!8

"It is jurisprudence that has been the reason for appearance of sects in Islam. In the beginning, the difference among Muslims was based on political ground only. Later, ultimately and gradually it took to itself a trend and a tincture of faith which continues to this day. In fact, jurisprudence was originator of differences. We come across this fact in history of faith that a new faith has come into being by a cleric as he acted upon conclusion he reached in his jurisprudence. His followers too followed him. In the first half of second century when faiths took shape, each one according to his belief concluded something from his jurisprudence. Then he demonstrated his opinion to others. And others too followed his track. This is a reality. We must admit the facts. In the beginning each faith rested on proof and opinion concluded by jurisprudents. This is fundamental. We should argue thereon accordingly. I do not say that their knowledge was correct and coherent with facts. When we say jurisprudence, it does not mean that the grasp or conclusion of jurisprudents has been correct and crisp. A jurisprudent sometimes is also liable to mistakes. But on the ground of jurisprudence he enjoys excuse and is absolved. So in the background of each faith there is care, attention, a kind of grasping and concluding of opinions."!9

"The subject that faiths among Sunni sect has sprung on basis of jurisprudents' conclusion of opinion needs to be dwelled extensively."! 10

#### Consequently:

"With regard to branches of Islam11 all can debate and argue therein without preferring a faith over another. The door of jurisprudence is open for all. They can make a choice of a proper one among several opinions. As every faith has support of proof, we must respect it. If it is found reasonable, one should acknowledge it without a grudge."!12

On the basis of majority thought, it is befitting and desirable that a jurisprudent must refrain from voicing his opinion if that happens to cause a rift in the Ummah or its affairs. He should pay attention to the interests of Ummah and safeguard unity. Although his opinion might be right; yet, the wider interests 13 (although erroneous) should be overlooked.

His right belief and view must be set aside due to the reason of its being single while the majority (though wrong) must be respected. Any ground that could cause division among Muslims must be

waived off.

It is said thus:

"One of the greatest virtues of Imam Ali ('a) is holy war against his opinion and feelings at the time of difference. All Muslims must follow him in similar cases as he is a model.

The greatest of the holy wars he performed was immediately after the demise of the Prophet. He could have fought to regain his right. He could have created parties or groups in this regard. He could have withdrawn himself from Muslim gatherings. But he did not do any of those things. He pledged allegiance to Abu Bakr. He thus rescued and saved Muslims from divisions. He kept his own opinion and right apart from the scene. He kept common interest above his own. He is a model in this respect for all leaders to be followed..."!14

It could be concluded from what preceded that unity-seekers think that if personal opinion of followers of schools could be known, it will help in preserving unity. No matter if their opinion be wrong, since opinion springs from jurisprudence, adversaries could be maintained!

We witness endeavors towards lifting and waiving aside differences in belief and in religious legislation among sects of Islam, though it is based on a wrong foundation.

#### Some examples are:

"Whether a Sunni, whatever, acts thinking it correct, has he any wages and excuses with God; though his performance could be against true divine command? Our answer to this question is positive."!15

"All sects of Islam are bound into one Ummah. They all are liable to enjoy excuse and a wage with God because of the difference being a jurisprudential one."! 16

"Discussions of belief and worldly differences in branches originate from principles. And they do not differ from dispute of jurisprudence in practical side and rules of worship acts. Such different viewpoints will never end in enmity, row and quarrel. But it is similar to a difference between two experts and specialists in sciences and arts etc."! 17

"Difference between Shia and Sunni is difference between two jurisprudents of one faith in their conclusions in deriving a command."! 18

"Contradictory discussions are not divine descended revelations. They are all from category of jurisprudents conclusions."! 19

"Muslims should not show any sensitiveness against beliefs relating to adversaries. Each Muslim should know that others too are human beings like him. They too think and meditate as he does. They too are free in their choice of religion. As he regards his faith right and true according to reasons and proofs he

argues, he too believes his faith correct and true. He too has his own reasoning and arguments."!20

"We, in this secondary matter<u>21</u> must take it for granted that some or other issue we understand is in a form particular to us. Likewise, others too understand issues in a manner of their own. Furthermore, it is quite likely that they could be right."!22

"Shia might be at this belief in his heart that a Sunni could be dear to God and even liable to wages for his actions according to his own jurisprudence."!23

As it could be noted from foregone quotations, differences first sprung from jurisprudence issues; then extended to arguments of belief taking support from principles of deriving conclusions in the domain of jurisprudence. It further gained ground that a jurisprudent has benefit of excuse and wages as well from God in his efforts to derive truth. In the meantime, real standards for reaching truth by means of jurisprudence fixed by Islam are ignored and conditions framed by faith for jurisprudence are yet to be distinguished.

It is pitiable that differences between Shia and Sunni are reflected as though they exist only in matters of belief and regulations having bearing on outcome of personal conclusions of jurisprudents. Further, the ways of jurisprudence in both sects are correct and are justified.

But in fact, it is not so as we shall point out during discussion.

"There is a basic difference in Shia and Sunni jurisprudence."

Therefore, it is wrong reasoning that a jurisprudent has benefit of excuse and wage from God in his intellectual efforts. A jurisprudent's effort must be based on a correct principle prescribed by faith, which is to follow School of Infallible Ahlul Bayt of Prophet. It is mentioned in Mutawatir (widely narrated) traditions. True and correct jurisprudence can only be attained by following the way shown by Ahlul Bayt of Prophet.

Therefore, every mental assumption or following a conjecture cannot be called jurisprudence. Likewise, the terms 'excuse' and 'wage' cannot be justified to give a religious covering to personal made-up conclusions for personal gains.

Before we could pass any judgment, let us first sketch a clear picture of principles and fundamentals of jurisprudence in Shia and Sunni schools.

## **Criticism And Analysis**

The basis to remove differences between religious conducts and beliefs of followers of two schools is attributed to litihaad. We too commence our discussion from this very point:

Ustad Ja'far Subhani writes in this regard:

"Ijtihaad in the sense of Shia scholars differs completely from Ijtihaad that Sunni sect draws meaning from. Ijtihaad to a Shia means that a researcher or a Mujtahid (i.e. jurisprudent) exerts extensive efforts to draw a solution to an issue from Quran and traditions (hadith). Ijtihaad in the said sense paves a way, through holy verses of Quran for a jurisprudent to reach correct result by sifting decrees and discovering from commandments and rules. Whenever exists a decisive text or documentary proof in any matter, Ijtihaad in such or similar matters supports establishing a decree in sense of a law. On the other hand, in absence of a text or proof Ijtihaad comes to aid. The jurisprudent by his effort draws a solution from Quran or tradition, which establishes an authority to the issue in question.

However, it is some other kind of ljtihaad that exists with the Sunni sect called 'ljtihaad of opinion.' This ljtihaad does not need any proof or document in Quran or tradition.24 The jurisprudent acts according to own conjecture and opinion in relation to circumstances. This is the standard with them. What he deems fit he issues a decree. Both the Caliph and Ibn Masood have said that in absence of text or proof, ljtihaad is necessary. Ijtihaad meant here is one based on opinion or idea not that which needs background of Quran or traditions.25

Whenever a court became necessary and Abu Bakr was to pass the sentence and dispute was difficult to resolve he used to utilize similar precedent. If there did not exist any precedent, he used to invite persons of experience for consultation. Then he used to pass sentence according to their opinion.

This clearly shows that the Caliph and his associates did not regard Quranic verses or Sunnah of the Prophet worthy enough to cater to the need of the situation. They did not refer the matter to Imam Ali ('a) – the rightful successor of Prophet. Therefore they considered themselves needless. Whatever their thought and mind suggested to them, they passed judgments without least care whether it was right or wrong."26

Sunni clerics and scholars do not consider instances in their books sufficient to cater to all practical issues. On the other hand they do not accept the existence of an infallible Imam who is the final point of reference in such matters. So they go according to their conjecture, which is the most dangerous way."27

When Umar appointed Shurai as a judge of Kufa he instructed him: When you come across a case unprecedented in Quran and tradition of Prophet, you better chose one of the two sides. Or if you want to go through litihaad you can do that too.

Imam Ali ('a) too appointed Shurai as judge. But he did not leave his hands free. He set conditions that he should not pass and execute the sentence without first informing the Imam. Ibn Masood narrates: Ali told the judge designate that if he confronted a case unprecedented in Quran or traditions, he must try to follow his own intellect. In the event of his inability, he should refrain from giving the sentence and not feel ashamed.

From this instance and its like it can be seen how much the Ummah benefited from teachings of

#### Prophet.

This shows that they were confronting cases for the first time. Similar cases never existed before. Or they did not find any precedent. Therefore, they tried to pass judgment without a base in Quran or tradition."28

"But those who believe in the Infallible Imam and his place after Prophet, reject this kind of reasoning. In issues of commandments and branches they refer to the Imam."29

"Somehow or other it became clear to us that Caliphs had no way other than to manufacture opinions in cases new to them. They used to chain people by opinions of this rather than guiding them to commandments of God."30

"The Second Caliph used to criticize people of opinion. The Caliph used lash of corruption against men of opinion. This shows what type of influence opinion had in those days. They depended on their own immature and erroneous opinions even when there were verses and traditions for their guidance. In most cases, they overlooked God's commandments and pleasure because they preferred their own opinion, which is often imperfect."

Unfortunately, the very Caliph was among those who did not benefit from advice. On many occasions, he has contradicted Quran and traditions of Prophet.31

The evidence for this type of ljtihaad in the early days of Islam is as quoted here:

When Ibn Abbas was asked any question and if that existed in Quran, he used to answer accordingly. Or if the Prophet told anything in that concern he answered too. If not, he gave his own opinion. This served a ground for Sunni sect. Their jurisprudence books abound with such opinions, which have no worth in Shia view and all are taken from this source."32

"They depend on these invalid and inauthentic bases. Therefore, Islamic jurisprudence took to itself a shape of school and that too into several ones in past centuries. Then, schools were formed and Imams were erected so plenty that Sunni scholars saw rescue only in shutting down Ijtihaad upon themselves. By so doing, they confined religion into four faiths."33

"These events reflect that Islamic legislation did not attain its goal in Prophet's time. Such a ground necessitates legislation to chase the errand by some other way and extend the office of prophethood. No one can occupy this office unless he is like the Prophet in all respects and possesses extensive knowledge; he must be Infallible and able to expound divine commandments to the masses. A man of such qualifications alone can attain such a great goal. Where is such a man? Who is such a man? The Ummah can neither spot nor find one for itself. God alone can introduce such a man to the people. God alone can appoint one because the office is divine and the choice too is His."34

Now the question that arises is: Inspite of introductions that took place from day one right up to Ghadeer

Khumm, in between this span such an introduction has taken place several times, whether there remains any excuse? Does there exist any hurdle to justify their act in turning away from Amirul Momineen Ali ('a)? Is their attitude justifiable in not believing in Imamate and Wilayat of Infallible Ahlul Bayt?35

It is natural if we have an attitude other than what we have now towards followers of School of Caliphs; in fact it would have meant that we ignored the textual specification (Nass) about Imamate. We have turned our back on belief in Imamate. Our excuse is ljtihaad. A jurisprudent's conclusion is justification for such an act. All this is not weighty enough to face the trend of truth and current of reality. So, it is said:

"Shia and Sunni have differences in application of Caliphate. As such, their differences originate from comprehension of text, verses or intellectual arguments. Therefore Muslims in such branches must give justification to each other in having different conclusions."!36

"Ijtihaad and regulation in faith is acknowledged by all. It has no specialty particularly to legislation (religious) and commandments. If there is difference either. If we witness somewhere the outlook with its accessories is differing with principles, then should we justify that too? Shia perhaps may not tolerate if we say that Caliphate is also from this category. It means it was uncertain. Therefore the issue (of Caliphate) changed to an issue of a branch and that of Ijtihaad."!37

#### While the fact is that:

"Research for knowing the Imam is an obligatory duty due to reason that anyone at least might expect that God has appointed one to lead people after the Prophet. 38 And He has commanded us to follow and obey him.

So this expectation persuades reason to push towards research about finding the Imam and if found to know him. It is a duty upon us. If we are deficient in this regard and there be a person – Imam – and we failed to know him, then there will be no excuse for us..."39

Therefore to reflect the difference as that of jurisprudents' kind between two schools in the field of belief particularly in Imamate and Wilayat of Infallible Imams is unjustifiable. It means that text or verses in this regard are violated. The excuse for it ijtihaad. This causes a great part of Prophet's instructions in this respect, which are commandments descended from God, to be forgotten and left unheeded.

So one can campaign or openly reject this basis against every obvious commandment of God and a clear text received from the holy legislator – all under pretext and excuse of ljtihaad. And no blame can be attributed to him.40

ljtihaad and difference in understanding serves as an excuse to Sunni school for turning away from religious teachings that entail beliefs and divine commandments. If we justify this today, it will push generation after generation backward. Can it be so? And thereby, each and every conduct and action of

Caliphs and those who confiscated right of Amirul Momineen Ali ('a) is considered as ljtihaad of jurisprudents, i.e. the personal conclusion of opinion reached according to need or necessity. Can it be considered so?

Today, if we give covering of ljtihaad to differences in jurisprudence and beliefs, particularly rescinding and rejecting divine text (*Nass*) regarding Imamate, it can certainly justify formation of Saqifah Bani Saada and hijacking the rightful Caliphate – the succession of Ali to the Prophet. And the later actions of Caliphs that created innovations in religion.

#### It is said:

"Events in early Islamic days can be seen from a different angle too. Ibn Abbas was secretary to Second Caliph. Ibn Abbas says: I told the Caliph that Prophet has said regarding Ali certain matters. The Caliph replied: Yes, but that is not final. People did not understand what the Prophet meant."!41

"Difference among faiths of Islam is like difference among the Sunni sect and like difference among Shia clerics and jurisprudents. Different views exist among Shia jurisprudents. The difference between Shia and Sunni too from my viewpoint is of the same kind. In fact, it was only a difference in conclusions among companions of Prophet after his demise. Imam Ali ('a) and his companions were of the belief according to proofs including occasion of Ghadeer that to succeed the Prophet was the right of Ali: on the other hand people of Saqifah, Abu Bakr, Umar, Uthman and their supporters formed the government. Ali too co-operated with them to the last43 although he had difference with them."!44

The reality, which we agree, is this: It was a real and grave difference that took place over Caliphate after the Prophet. So we believe in immediate succession (i.e. Caliphate) of Ali without any gap. Our brothers, Sunnis, believe what happened at Saqifah was right. This difference in views between Shia and Sunni is a difference between a Muslim warrior a jurisprudent45 and a brother."!46

#### As a matter of fact:

- The obvious and clear divine text (Nass) of Ghadeer Khumm based on Guardianship of Amirul Momineen Ali ('a) binding all Muslims to follow it. Is it ljtihaad?
- Or is it Ijtihaad to go against Prophet's orders to provide him with pen and ink so that he could put into writing that which could save the Ummah from going astray?47
- How is it possible to claim that the Prophet was uttering nonsense while Quran testifies his word as well as himself to be infallible?

Indeed, by the courageous and brave ljtihaad!?!

- Opposition to Prophet's command to join Usamah's army, is that too Ijtihaad while Quran enjoins absolute and unconditional obedience to Prophet?

- Is it also ljtihaad to break sanctity and transgress the sacred offspring of Prophet and attack the house of his only daughter, Fatima? Is it not disobedience to the Quranic verse that makes it obligatory to love relatives of Prophet (Ahlul Bayt)?
- Confiscation of Fadak which openly goes against Quranic order and Prophet's instructions; can it be named ljtihaad?48

Let us not forget that difference in belief among the sects of Islam about Imamate is fruit of same attitude undertaken by Caliphs. Today some claim Shiaism has named it Ijtihaad. They call it a difference between brothers.

Possibly a question could arise here. There should not be any difference in order, to obtain Islamic unity. On the other hand the last discussion relates to differences of jurisprudents.

In other words, how can it be possible to set aside differences of jurisprudents and obtain unity?

The answer that group of unity-seekers gives is:

"Ali's action was to preserve the school and unity. He was so great that he could not entertain any rancor against any for trifle worldly positions. For this reason, he paid allegiance to Caliphs and at the same time reserved his own viewpoint. But as for Muawiyah, Ali took him to account because his rebellion had gone beyond difference. For Ali life was a symbol of forgiveness and he was too pacifying at the clash of views."!49

We discussed about wrong method of arguments of difference under umbrella of Ijtihaad between Shia and Sunni. That Ijtihaad too is free from any conditions fixed by faith. As a result, in early days of Islam difference between leaders of two sides is to be acknowledged as that of jurisprudents. Now we would like to discuss conduct of forgiveness in dealing with differences of views which end to benefit of Sunnis from Shia side. This is for sake of protecting unity.

Imam is infallible. He is absolutely obedient to commands of God. He believes that Imamate and Wilayat (of Imam) are decrees of God. The result of Saqifah is clear and obvious contradiction with divine instructions and trampling upon divine texts (Nass), which descended in Quran's verse on Ghadeer Day. How can it be accepted that Imam with such qualities could agree with result of Saqifah under excuse ofljtihaad and difference in views and personal opinions? There cannot be any forgiveness in God's decrees. With regard to, Imamate and Guardianship, God's decrees cannot be ignored. The right of succession (Caliphate) cannot be overlooked under pretext of misunderstanding. The right of succession is already stolen and hijacked. So how can Imam come to terms with them in this regard?

However perhaps such expressions can reflect good ability towards attracting followers of all sects. But they are bereft of sincerity and honesty. These thoughts do not have any originality and religious source. Besides, they are factors of deviation in Shiaism. Furthermore, they hinder movements of knowledge

towards inviting people to School of Ahlul Bayt and towards correcting belief of all Muslims. Otherwise it paves way to followers of all sects to give up their efforts to research or undertake intellectual endeavors to know Imamate under pretext of Ijtihaad. As such, they will see themselves under no obligation in this respect at all.

This trend in the end shall push coming generations to this wrong belief which is:

"Perhaps this could serve a point here. Right from the start of Islam various tendencies of jurisprudence and scholastic theology were named religion. It is a fact that all of them are headed to one destination."!50

"Each of those ways is a faith and path to Islam. The Sunni's path is tradition. Through path of tradition, they reach to truth. Shia's path is that of Family and Infallible Ahlul Bayt of Prophet. They receive light of Islamic truth through them."!51

"The real religion is Islam. All believe in it. Madhab (i.e. religion) in Ma'rif means 'Way, 'Path' (and the place of going) towards religion. Thus Islamic faiths are paths to Islam. Their origin is mostly Ijtihaad. Difference in outlook with regard to Quran and tradition originates from understanding of persons and the Ijtihaad of persons."!52

"We understand like this. They understand like that. We should look upon each other by tolerance or giving the margin of excuse."!53

"Islamic society must pace in track of real unity that could patch hearts. First of all we should overrun the thought that Sunni thinks Shia and Shia thinks Sunni is a hell dweller. Then alone can we attain the goal."!54

## **Another Criticism And Analysis**

"Companions and cronies of each Caliph used to say, whenever he committed a mistake, that it was his ljtihaad..."55

Allamah Sayyid Ja'far Murtadha Amili writes in this regard:

"The first who gave wind to the term of Ijtihaad56 in order to cover and justify religious errors of others was the First Caliph. Then the Second Caliph took benefit of this term. During his Caliphate Khalid bin Waleed killed Malik bin Nuwairah – a reputed companion of the Prophet. The Caliph came under pressure to bring Khalid to justice for his crime. It should be remarked here that Malik was a staunch follower of Ali; and he refused to acknowledge the new authority that had captured power.

After killing Malik, Khalid slept with his widow the very same night. On this occasion, Abu Bakr said: He contemplated and erred.57

Then afterwards they narrated that if anyone reached correct result through litihaad he has double wages from God. If he commits a mistake he will have single. The narrators are Amr bin Aas, Abu Huraira and Umar bin Khattab.

This saying is like a philosopher's stone, even more valuable than that, which turns dust into gold.

This has served a ground for their committing most terrific and ugly crimes. For instance, how many innocent people were murdered? The battles of Jamal, Siffeen, assassination of Imam Ali ('a), Ammar bin Yasir, abusing Imam Ali ('a) from over thousands of pulpits for a thousand months and massacre of Imam Husayn, his children and associates and taking into captivity of his family from town to town.

All this and more than this was done under covering and justification of Ijtihaad. To make benefit common throughout a complete generation this medal of Ijtihaad was given to justify all their mistakes and errors. Among them, there were rogues, rascals, ruffians, usurpers, murderers, fornicators and drunkards. No saying goes for those who rose against the Infallible Imam of their time. Their scholar and their ignorant both did not know how to perform prayers or how to divorce a wife.

They have even gone so far as to say that whatever is done is Ijtihaad. To act on Ijtihaad is a compulsory obligation. It is not allowed to treat one as profligate while he is performing Ijtihaad. Some have said that for companions it is allowed to act on personal opinion against text because it is their distinction. Others do not enjoy such a right."58

Therefore, on this basis:

"Years later we see Ibn Hazm (d. 456 A.H.) introducing Abul Ghadia, killer of Ammar Yasir to be a contemplator a Mujtahid and one deserving of exceptional reward from Allah!

And Ibn Turkamani Hanafi (d. 750 A.H.) that extolled Ibn Muljim Muradi for assassinating Imam Ali ('a). Further, he is regarded as a scholar and jurisprudent! Another associate of his, named Ibn Hajar (d. 852 A.H.) says for companions of Ali who fought on his side in battles during his rule that the jurisprudent who made mistake has one wage and one reward with God."59

"In this way, followers of School of Caliphs have reached unanimity since Second Century Hijri until today that all companions were Mujtahids. God will ignore all their wrongs; that is the blood they have shed and the enmity they harbored. God will ignore their wrongs and will even reward them. This thought applies upto Muawiyah's time. Some believe that Ijtihaad is effective until the time of Yazid..."60

- 1. Nimatullah Salihi Najafabadi: Majmua Magaalaat (Collected Essays), Pg. 176.
- 2. Muhammad Waizzaada Khorasani: Payaam-e-Wahdat, Pg. 151.
- 3. Nimatullah Salihi Najafabadi: Majmua Maqaalaat, Pgs. 177-178.
- 4. Muhammad Waizzaada Khorasani: Nida-e-Wahdat, Pgs. 27-28.
- 5. For more details refer to the translation of Maalimul Madrasatain Vol. 2.
- 6. Muhammad Waizzaada Khorasani: Nida-e-Wahdat, Pg. 63.
- 7. Quoted from: Allamah Al-Askari: Doo Maktab Dar Islam (Two Schools of Islam) Vol. 2 (Outlooks of two schools about

sources of Islamic legislation) Pg. 105.

- 8. Muhammad Waizzaada Khorasani: Nida-e-Wahdat, Pg. 101.
- 9. Ibid. Nida-e-Wahdat, Pgs. 178-179.
- 10. Ibid. Nida-e-Wahdat, Pg. 180.
- 11. As mentioned in the domain of jurisprudence.
- 12. Ibid. Payaam-e-Wahdat, Pgs. 151-152.
- 13. That may results in safeguarding unity.
- 14. Abdul Kareem Bi-Aazaar Shirazi: Inquilaab-e-Farhangi-O-Tableeghi (Revolution of culture and propaganda), Pgs.
- 71-72. Quran-o-Tableegh, Pg. 69 (Facsimile New Essay Vol. 4, Pg. 26).
- 15. Nimatullah Salihi Najafabadi: Majmua Maqaalaat, Pg. 174.
- <u>16.</u> Dr. Ali Shariati: Tashayyo-e-Alawi o Tashayyo-e-Safavi Alawite Shiaism and Safavid Shiaism (Collected Writings 9) Pg. 75, quoted from statement about belief of Alawite Shias.
- <u>17.</u> Muhammad Waizzaada Khorasani: Article: 'Elements of Islamic Unity and its Hindrances' quoted in Kitab-e-Wahdat, Pgs. 222-223.
- 18. Dr. Ali Shariati: Tashayyo-e-Alawi o Tashayyo-e-Safavi Alawite Shiaism and Safavid Shiaism (Collected Writings 9) Pg. 74, quoted from statement about belief of Alawite Shias.
- 19. Muhammad Waizzaada Khorasani: Interview in 'Haft Aasmaan' (Seven Skies) Magazine, Issue 9 & 10, Spring and Summer 80, Pg. 25.
- 20. Sayyid Jawad Mustafavi: Article: 'Unity in Nahjul Balagha' quoted in Kitab-e-Wahdat (Book of Unity), Pgs. 144-145.
- 21. He says: Branches means issues sprung from basic principle in both the dimensions of rules and beliefs. (Muhammad Waizzaada Khorasani: Interview in 'Haft Aasmaan' (Seven Skies) Magazine, Issue 9 & 10, Spring and Summer 80, Pg. 12.
- 22. Ibid. Interview in 'Haft Aasmaan' (Seven Skies) Magazine, Issue 9 & 10, Spring and Summer 80, Pg. 24.
- 23. Nimatullah Salihi Najafabadi: Majmua Maqaalaat, Pg. 168.
- <u>24.</u> The Sunni sect does not refer to the infallible Imams because they do not believe in Imamate. They do not consider them as religious source. After the Prophet they refer to Ayesha and Abu Huraira. Their Ijtihaad does not depend on Quran and Sunnah.
- 25. Ustad Ja'far Subhani: Peshwayi az Nazar-e-Islam (Leadership in the view of Islam), Pgs. 101-102.
- 26. Ibid. Pgs. 98-99.
- 27. Ibid. Pgs. 96.
- 28. Ibid. Pgs. 99-100.
- 29. Ibid. Pg. 96.
- 30. Ibid. Pg. 105.
- 31. Refer: Allamah Sharafuddin: Ijtihaad Dar Maqaabil-e-Nass (Ijtihaad against Islamic texts); Allamah Firozabadi: Shinasaai Haft Tan Dar Sadr-e-Islam (Introduction of seven person in early Islam); Allamah Al-Askari: Deedgaah-e-doo Maktab Dar Baare Madaarik-e-Islami (Outlooks of Two Schools about sources of Islamic legislation).
- 32. Ustad Ja'far Subhani: Peshwayi az Nazar-e-Islam, Pg. 102-103.
- 33. Ibid. Pg. 104.
- 34. Ibid. Pg. 105.
- <u>35.</u> If it be so we cannot justify later ljtihaad that is not dependent on the infallible Imam or without having obtained knowledge from them.
- 36. Muhammad Waizzaada Khorasani: Interview in the periodical, 'Haft Aasmaan' Magazine, Issues 9 & 10, Spring & Summer 80, Pg. 13.
- 37. Ibid. Interview in 'Haft Aasmaan' (Seven Skies) Magazine, Issues 9 & 10, Spring & Summer 80, Pg. 15.
- 38. That is Imamate.
- 39. Reza Ustadi: 25 Dars Dar Bare Imamat (25 Lessons on Imamate), Pg. 11.
- <u>40.</u> Refer: Sayyid Murtadha Al-Askari: Maalimul Madrasatain Vol. 2, This book has been translated under the title of: Deedgaah-e-doo Maktab Dar Baare Madaarik-e-Islami (Outlooks of Two Schools about sources of Islamic legislation).

- 41. Muhammad Waizzaada Khorasani: Interview in 'Haft Aasmaan' (Seven Skies) Magazine, Issues 9 & 10, Spring & Summer 80, Pg. 37.
- <u>42.</u> Establishment of link between difference of Islamic faiths with difference of Shia clergies in arguments of knowledge has been sketched in the following way:

The differences among Muslims are in unnecessary matters and unimportant Issues. This does not harm unity of Islamic nation, even a bit. Even among scholars of every sect there exist differences in viewpoints of knowledge and jurisprudence. For instance, in Shia faith amidst jurisprudents there is difference in unimportant and side matters. (Message of Unity, Pg. 242)

- 43. We shall reply to this objection.
- 44. Muhammad Jawad Hujjati Kermani: Interview quoted in Nida-e-Islam Magazine, Issue 4, Winter 79, Pgs. 61-62.
- <u>45.</u> His conjecture about ljtihaad and jurisprudence of companions is in accordance with outlook of School of Caliphs regarding sources of Islamic legislation.
- 46. Ibid. Interview quoted in Nida-e-Islam Magazine, Issue 4, Winter 79, Pgs. 61-62.
- 47. Refer: Ghulam Husayn Zain Ali: A Letter left Unwritten (Analysis regarding the case of pen and ink-pot).
- 48. Refer: Reza Ustadi: Article: 'Fadak' quoted in Danish Nama Imam Ali, Vol. 8, Pgs. 345-402.
- 49. Abdul Kareem Bi-Aazaar Shirazi: Mashal-e-Ittehaad (Torch of Unity), Pg. 22, 30 & 31.
- <u>50.</u> Muhammad Waizzaada Khorasani: Article: 'Elements of Islamic Unity and its Hindrances' quoted in Kitab-e-Wahdat, Pg. 227.
- 51. Ibid. Nida-e-Wahdat, Pg. 177.
- 52. Ibid. Nida-e-Wahdat, Pg. 53-54.
- 53. Ibid. Interview in 'Haft Aasmaan' (Seven Skies) Magazine, Issues 9 & 10, Spring & Summer 80, Pg. 14.
- 54. Nimatullah Salihi Najafabadi: Majmua Maqaalaat (Collected Essays), Pg. 167.
- 55. Allamah Al-Askari: Saqifah, Pg. 67.
- <u>56.</u> The term of Mujtahid used in Sunni School denotes those who made themselves free to create laws and rules against rules of God and the Prophet.

But in the school of Shiaism this term is applied to one who draws rules from sources of Infallible Imams.

In the due course Shia school applied this term to an expert in jurisprudence therefore the meaning of this term differs with what the Sunnis jurisprudence denotes.

- <u>57.</u> The terms of 'Ijtihaad' and 'Mujtahid' became common after the era of Caliphs and their followers. So Caliphs translate divine decrees and any other puzzling issue themselves according to their own taste or necessity. They did not want any authentic or authoritative source. Allamah Al-Askari: Deedgaah-e-doo Maktab Dar Baare Madaarik-e-Islami (Outlooks of Two Schools about sources of Islamic legislation), Pg. 89.
- 58. Allamah Ja'far Murtadha Amili: Ranj Haai-e-Hazrat-e-Zahra (Agonies of Zahra), Pgs. 127-128.
- 59. Allamah Al-Askari: Deedgaah-e-doo Maktab Dar Baare Madaarik-e-Islami (Outlooks of Two Schools about sources of Islamic legislation), Pg. 92.
- 60. Ibid. Pg. 109.

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