CHAPTER 7

The Imāmī Reception of the Qurʾan's Regulative Verses (*Āyāt al-Aḥkām*)

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1 Introduction

Āyāt al-aḥkām (regulative verses) refers to the Qurʾanic verses through which Islamic rulings can be explained, extrapolated, and inferred by an astute jurist (*mujtahid*) through *ijtihād* (exerting one's utmost effort to extrapolate a ruling from the relevant evidence). The *āyāt al-aḥkām* explain certain rules regarding prayer (*ṣalāt*), fasting (*ṣawm*), rules of war (*jihād*), paying alms/financial dues (*zakāt*/*khums*), pilgrimage (*ḥajj*), rules regarding permissible (*ḥalāl*) and impermissible (*ḥarām*) food and drink, marriage, divorce, and so on. Although the topic of *āyāt al-aḥkām* has major implications for the elaboration of Islamic law (*fiqh*), it is a subject which has been understudied in Western academia. According to certain reported traditions of the Prophet and Imāms, one-third or one-fourth of the Qurʾan is concerned with the rulings of Sharīʿa, while many Sunnī and Shīʿī jurists claim that there are approximately 500 verses regarding legal rulings.[1]

It has been claimed by the grand-jurist Shihāb al-Dīn al-Marʿashī al-Najafī (d. 1990) that the first book written on *āyāt al-aḥkām* in the Imāmī circles was that of Abū al-Naṣr Muḥammad b. al-Sāʾib b. Bishr al-Kalbī, a companion of Imāms al-Bāqir and al-Ṣādiq who lived in the second/eighth century, titled *Kitāb aḥkām al-Qurʾān*.[2] ʿAlī Aṣghar Nāṣiḥiyān, in his paper 'Aḥkām al-Qurʾān', discusses the attribution of the work to al-Kalbī. Nāṣiḥiyān suggests that Abū al-Faraj Muḥammad b. Isḥāq al-Nadīm (d. 380/990), the renowned tenth-century bibliographer and historian, can be traced as the earliest source to mention al-Kalbī's *Aḥkām al-Qurʾān*. Despite Ibn al-Nadīm's historical reference to this work, Naṣiḥyān himself remains undecided about attributing

1 Muḥammad b. Yaʿqūb al-Kulaynī, *al-Kāfī*, ed. Muḥammad Jaʿfar Shams al-Dīn (Tehran: Dār al-Kutub al-Islāmiyya, 1987), 2:627–28.

2 Shihāb al-Dīn al-Marʿashī al-Najafī, 'Risālat manhaj al-rashād fī tarjamat al-fāḍil al-Jawād', in his short essay prefaced to Fāḍil Jawād al-Kāẓimī, *Masālik al-afhām ilā āyāt al-aḥkām*, 4 vols., ed. Muṣṭafā Murtazawī (Qom: al-Maktaba al-Murtazawiyya, 1986), 1:8.

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such a work to al-Kalbī.[3] Whether this book existed and later went missing, or did not exist at all, remains a matter of ongoing historical academic research, which is beyond the scope of the present study.

Among the most significant and welcomed Imāmī books on *āyāt al-aḥkām* that are currently extant, inter alia, are (1) *Fiqh al-Qur'ān* by Quṭb al-Dīn al-Rāwandī (d. 573/1178); (2) *Kanz al-ʿirfān fī fiqh al-Qur'ān* by al-Miqdād b. ʿAbd Allāh al-Suyūrī (d. 826/1423); (3) *Zubdat al-bayān fī aḥkām al-Qur'ān* by al-Muqaddas al-Ardabīlī (d. 993/1585); (4) *Masālik al-afhām ilā āyāt al-aḥkām* by Fāḍil Jawād al-Kāẓimī (d. 1065/1654); and (5) the more recent *Tafsīr āyāt al-aḥkām fī al-Qur'ān* by the contemporary Imāmī jurist Muḥammad Bāqir al-Īrawānī (b. 1368/1949).

Although both Shīʿī and Sunnī scholars have produced books on the topic of *āyāt al-aḥkām*, the way they tackle this topic differs greatly. The organisation of Shīʿī books on *āyāt al-aḥkām* follows the pattern of texts devoted to the points of law. In legal texts, the chapters begin with ritual purity and then continue to the acts of worship and transactional and inheritance law. Al-Rāwandī organised his text on *āyāt al-aḥkām*, *Fiqh al-Qur'ān*, in this manner, and subsequent scholars followed his arrangement.

The following is the list of al-Rāwandī's chapters in his legal work *Fiqh al-Qur'ān* in order: *kitāb al-ṭahāra* (Chapter on Ritual Purity), *kitāb al-ṣalāt* (Chapter on Ritual Prayer), *kitāb al-ṣawm* (Chapter on Fasting), *kitāb al-zakāt wa-jāmiʿ al-ʿibādāt al-māliyya* (Chapter on Alms and All Financial Dues), *kitāb al-ḥajj* (Chapter on Pilgrimage), *kitāb al-jihād* (Chapter on Holy War), *kitāb al-duyūn wa-l-kifālāt wa-l-ḥawālāt wa-l-wikālāt* (Chapter on Loans, Debt, Sponsorships, Transfers, and Types of Agency), *kitāb al-shahādat* (Chapter on Testimony), *kitāb al-qaḍāyā* (Chapter on Court Cases), *kitāb al-makāsib* (Chapter on Trade), *kitāb al-matājir* (Chapter on Transaction and Trade), *kitāb al-nikāḥ* (Chapter on Marriage), *kitāb al-ṭalāq* (Chapter on Divorce), *kitāb al-ʿitq wa-anwāʿihi* (Chapter on Manumission and Its Different Types), *kitāb al-aymān wa-l-nudhūr wa-l-kaffārāt* (Chapter on Oaths, Vows, and Acts of Atonement), *kitāb al-ṣayd wa-l-dhabā'iḥ* (Chapter on Hunting and Slaughter), *kitāb al-aṭʿima wa-l-ashriba* (Chapter on Food and Drink), *kitāb al-wuqūf wa-l-ṣadaqāt* (Chapter on Endowments and Charity), *kitāb al-waṣāyā* (Chapter

3 ʿAlī Aṣghar Naṣiḥyān, 'Aḥkām al-Qur'ān-e Muḥammad b. Sā'ib al-Kalbī', in *Jarayān-shināsī-ye tafāsīr fiqhī, tārīkh, taṭavvur va namuneh-hā*, ed. Muḥammad ʿAlī Mahdavī Rād (Mashhad: Dāneshgāh-e ʿUlūm-e Islāmī Razavī, 1970), 1:35–44.

on Wills), *kitāb al-mawārīth* (Chapter on Inheritance), *kitāb al-ḥudūd* (Chapter on Fixed Punishments), *kitāb al-diyāt* (Chapter on Blood Money).[4]

By contrast, most Sunnī books on *āyāt al-aḥkām* are organised in accordance with the order of the Qurʾanic chapters. *Aḥkām al-Qurʾān* by Aḥmad b. Muḥammad b. Salāma al-Ṭaḥāwī (d. 321/943) diverges from the conventional approach adopted by mainstream Sunnī scholars in this genre.[5] The implications of these contradistinctive approaches vary between the Shīʿī and Sunnī schools. The Shīʿī scholars examined the *āyāt al-aḥkām* predominantly from a legal point of view and therefore referred to the reported traditions (*aḥādīth*, sing. *ḥadīth*) of the Prophet and Imāms in conjunction with other legal sources such as reason (*ʿaql*) and consensus (*ijmāʿ*) to derive an Islamic legal ruling from certain verses considered to be *āyāt al-aḥkām*. In comparison, Sunnī scholars, such as the famous Ḥanafī jurist Abū Bakr Aḥmad b. ʿAlī al-Rāzī al-Jaṣṣāṣ (d. 380/970) in his celebrated work *Aḥkām al-Qurʾān*, examined the *āyāt al-aḥkām* from a predominantly exegetical angle. In his process of exegesis, he strove to determine whether a particular verse entailed a legal ruling.[6]

Notably, a comprehensive chronological analysis of *āyāt al-aḥkām* remains a significant gap in existing scholarship and has yet to be produced. Such an analysis would yield valuable insights into the progressive development of normative aspects within Islam, revealing the chronological order in which various norms were introduced within the Qurʾanic discourse. This would facilitate a deeper understanding of the historical progression of obligatory practices such as prayer and religious pilgrimage, as well as the prohibition of alcohol, for instance.

Crucially, however, this raises an important question: is it even feasible to have a chronological analysis of *āyāt al-aḥkām*? Conducting such an analysis undoubtedly poses considerable challenges. The available exegetical literature lacks clarity regarding the chronological sequence of normative rules in Islam, that is, the chronological appearance of legal rulings within the history of revelation of the Qurʾan. Moreover, the majority of *asbāb al-nuzūl* (causes/incidents of revelation) narrations explaining the context and reasons for the revelation of Qurʾanic verses are historically inadequate and lack hermeneutical precision. This renders these narrations epistemically unreliable sources

4 Quṭb al-Dīn Saʿīd b. Hibat Allāh al-Rāwandī, *Fiqh al-Qurʾān* (Qom: Muʾassasat Āl al-Bayt li-Iḥyāʾ al-Turāth, 2003).

5 Aḥmad b, Muḥammad b. Salāma al-Ṭaḥāwī, *Aḥkām al-Qurʾān al-karīm* (Istanbul: Markaz al-Buḥūth al-Islāmiyya, 1998).

6 Abū Bakr Aḥmad b. ʿAlī al-Rāzī al-Jaṣṣāṣ, *Aḥkām al-Qurʾān* (Beirut: Dār al-Iḥyāʾ al-Turāth al-ʿArabī, 1992).

for constructing a chronology of Qur'anic legislation. Further research drawing on early historical sources is needed in order to establish the progression of normative principles in the Qur'an. Any chronological framework must be approached with caution because of the scarcity of sound reports definitively dating the revelation of specific verses.

Recently, however, several attempts have been made to reconstruct and then (re)interpret the Qur'an in the chronological order of revelation, mainly based on orthodox reports of that order.[7] For example, ʿAbdulkarīm Bahjatī, a contemporary Imāmī author, has attempted to offer a chronological exegesis of the Qur'an.[8] Additionally, Richard Bell, a scholar of Arabic and Islam, renowned for his 1937 English translation of the Qur'an, categorised the suras into three major periods – early Meccan, later Meccan (after the *hijra* to Medina), and the main Medinan period. Within each period, he arranged the passages from earliest to latest revelations, drawing from both internal textual evidence and the accounts of traditional Muslim scholars. Notably, Bell's rearrangement included explanatory notes and cross-references that linked related verses across different chapters. His work aimed to illustrate how Islamic doctrines and regulations evolved over time in response to changing circumstances in the early Muslim community.[9]

This study will present a brief introduction to al-Rāwandī's work, as the earliest extant Imāmī comprehensive book on *āyāt al-aḥkām*, and then examine five key areas of contention regarding the authority of the apparent indication of Qur'anic verses. The first discussion of a contentious area scrutinises the Akhbārī challenge to the apparent indication of the Qur'an, questioning the very legitimacy of Qur'anic interpretation without reliance on reported traditions of the Imāms. Herein, diverse viewpoints of Akhbārī scholars such as Muḥammad Amīn al-Astarābādī (d. 1033/1623–24 or 1036/1626–27), Muḥammad b. al-Ḥasan b. ʿAlī b. al-Ḥusayn al-Ḥurr al-ʿĀmilī (d. 1104/1693), and Yūsuf al-Baḥrānī (d. 1186/1772) are presented and juxtaposed with counter-arguments by leading Uṣūlī figures like Muḥammad Mahdī al-Narāqī (d. 1209/1795), Murtaḍā al-Anṣārī (d. 1281/1864), and Muḥammad Kāẓim al-Khurāsānī (d. 1329/1911).

The second discussion of a central area of contention involves a linguistic and philosophical investigation into whether the Qur'an's scope – as a

7 See, for instance, 'Welcome to Qur'anic Warners', Qur'anic Warners, https://quranicwarners.org/quran.

8 ʿAbdulkarīm Bahjatī, *Hamgām bā waḥy: tafsīr-e tanzīlī* (Qom: Mu'assase-yi Tamhīd, 2019).

9 Richard Bell, *The Qur'ān: Translated, with a Critical Re-arrangement of the Surahs* (Edinburgh: T&T Clark, 1937).

historical text revealed in a particular context – extends beyond its immediate audience. A comparative analysis of similar epistemologies from two different schools of thought, one by Sunnī jurist Ibrāhīm b. ʿAlī al-Fayrūzabādī al-Shīrāzī (d. 476/1083) and the other by the Shīʿī jurist al-Mīrzā Abū al-Qāsim b. Muḥammad Ḥasan al-Shaftī (commonly referred to as Mīrzā Qummī or Sāḥib al-Qawānīn) (d. 1231/1815–16), illustrates the ways in which scholars navigate the question of the Qur'an's universality.

The third and fourth discussions of areas of contention are bifurcated into two segments: an examination of the (possible) occurrence of distortion (*taḥrīf*) in the Qur'an and its impact on its regulative verses, followed by an exploration of different recitations (*qirāʾāt*) and their potential effects on the regulative verses.

The fifth and, according to the authors of this study, arguably the most crucial challenge requires focused consideration of both Shīʿī and Sunnī jurists. It revolves around ascertaining the level of epistemic authority that can be attributed to the apparent indication of the Qur'an. This is particularly crucial, given that most verses related to norms are already supported by accompanying explanations, narrations, or established consensus on interpretation.

Concluding the discussion is an exploration of the Qur'an's status in Shīʿī discourse: whether it is viewed as a primary or secondary source, alongside perspectives from adherents of both the primary source camp and the secondary source camp. The epistemological implications of their stances and their direct influence on regulative verses are scrutinised through a case study of the highly disputed obligation of offensive *jihād*.

2 Al-Rāwandī: Transmitter of al-Ṭūsī's Paradigm

Al-Tibyān fī tafsīr al-Qurʾān[10] by the most influential Imāmī jurists and theologian Abū Jaʿfar Muḥammad b. al-Ḥasan al-Ṭūsī (known as Shayk al-Ṭāʾifa, d. 460/1067) historically appears to be the earliest known comprehensive Imāmī exegesis that systematically addresses all verses of the Qur'an. This influential work established an exegetical framework that subsequent Imāmī scholarship followed. In addition to inclusion of all the verses of the Qur'an, for the first time in the history of Imāmī exegesis, *al-Tibyān* inaugurated the method of multidisciplinary exegesis of the Qur'an, discussing various aspects

10 Abū Jaʿfar Muḥammad b. al-Ḥasan al-Ṭūsī, *al-Tibyān fī tafsīr al-Qurʾān*, 10 vols. (Qom: al-Nashr al-Islāmī, 1992).

of its verses, including linguistic, hadithic, historical, theological, and legal perspectives.

Fiqh al-Qurʾān by Quṭb al-Dīn Abū al-Ḥusayn Saʿīd b. ʿAbd Allāh b. Ḥusayn b. Hibat Allāh al-Rāwandī al-Kāshānī (known as al-Quṭb al-Rāwandī, d. 573/1178) is the earliest extant contribution to the study of *āyāt al-aḥkām*. Al-Rāwandī was a distinguished jurist, theologian, and Qurʾanic exegete of the sixth/twelfth century. His work pioneered the examination of Qurʾanic verses related to legal rulings, making it the first known surviving Imāmī text on this subject. Its content shares similarities and thematic parallels with al-Ṭūsī's *al-Tibyān*. Al-Rāwandī's work echoes al-Ṭūsī's ideas, showing a connection between them, despite the fact that he does not refer to al-Ṭūsī explicitly. This connection pays homage to *al-Tibyān* and is a way of honouring or acknowledging al-Ṭūsī's scholarship which was normal in past scholarly writings/publications, indicating an underlying connection between the two. This interplay between the two works is interesting for scholars as *Fiqh al-Qurʾān* mirrors many of the ideas and thoughts of al-Ṭūsī in *al-Tibyān*.

On the one hand, one can argue that al-Rāwandī's work is not a copy of *al-Tibyān*, but a way to continue al-Ṭusī's contribution and indeed his legacy. This connection between the works has a significant impact, as *Fiqh al-Qurʾān* becomes a bridge for *al-Tibyān*'s ideas to reach later generations. On the other hand, Alizade contends that although al-Rāwandī lived during a period commonly referred to by historians of Shīʿī Islamic law as the era of al-Ṭūsī's dominance, a period during which the vast majority of Shīʿī jurists unwaveringly adhered to his teachings and scholarly methods, al-Rāwandī's work stands apart as more than a mere repetition or emulation of al-Ṭūsī's teachings. In certain cases, he demonstrates a distinct and respectful departure from the latter's doctrinal path. This is especially noteworthy given al-Ṭūsī's extraordinary influence and universally acknowledged authority in Imāmī thought and legal theory in an era when wavering or differing from al-Ṭūsī's predominance was exceedingly rare because of his esteemed status as a pre-eminent scholar.[11]

3 Authority of the Apparent Indication of the Qurʾan: Preliminary Notes

To clarify the concept of the authority of the apparent indication (or meaning) of the Qurʾan, it is essential to define key terms within the framework of Shīʿī legal theory: *naṣṣ* (explicit), *ẓāhir* (apparent), *mujmal* (ambiguous), *muḥkam*

11 Mīrzā ʿAlīzādeh, 'Fiqh al-Qurʾān Rāwandī', in *Jarayān-shināsī-yi tafāsīr-i fiqhī*, 149.

(clear/decisively strong), *mutashābih* (unclear/allegorical), and *mu'awwal* (interpreted).

(a) *Naṣṣ* (explicit): A word for which it is not possible to have multiple meanings. Rather, there is only one clear meaning, a fact which acts as a barrier against contradictory interpretations.
(b) *Ẓāhir* (apparent): If a word can encompass various meanings but retains its primary interpretation, it assumes the status of *ẓāhir* or the apparent indication/meaning. The fundamental similarity between *naṣṣ* and *ẓāhir* lies in their shared quality as definitive and predominant interpretations of a particular expression.
(c) *Muḥkam* (clear/decisively strong): In the parlance of the legal theorists, both *naṣṣ* and *ẓahir* are considered *muḥkam* (decisively clear) within the realm of Qur'anic terminology.
(d) However, when a word equally indicates two or more distinct meanings, it is categorised as *mujmal* (ambiguous).
(e) Since the *ẓāhir* holds dominance as the prevailing interpretation, it implicitly acknowledges the existence of a secondary, less preferred meaning. This secondary meaning is termed *mu'awwal* or interpreted. A shared characteristic between ambiguous words and less preferred meanings is their propensity to be *mutashābih*, unclear or obscure.[12]

Moreover, Mīrzā Qummī highlights the presence of these terms within the Qur'an:

> He it is who has revealed the Book to you; some of its verses are clear (*muḥkamāt*), and they are the basis of the Book, while others are allegorical (*mutashābihāt*). Then, as for those in whose hearts there is perversity, they follow the part of it which is unclear/allegorical, seeking to mislead and seeking to give it [their own] interpretation (*ta'wīl*). But none knows its interpretation except God and those who are firmly rooted in knowledge. Say: 'We believe in it. It is all from our Lord, and none take heed except those who possess understanding.'[13]

Having laid the foundation of this study by introducing the terminology and concepts related to the examination of the apparent indication of the Qur'an, we shall now address the contentious issue of its normative authority (*ḥujjiyya*) within the Shīʿī legal school. This is a contentious issue, largely because of

12 Mīrzā Abū al-Qāsim al-Jīlānī al-Qummī, *al-Qawānīn al-muḥkama fī uṣūl al-mutqana* (Beirut: Dār al-Murtaḍā, 2009), 1:378.

13 Q. 3:7.

the scarcity, if not the absence altogether, of explicit textual references (*naṣṣ*) within the normative legal verses of the Qurʾan.

4 The Akhbārī Challenge

As mentioned above, the main point of dispute initiated by the Akhbārī scholars pertains to the concept of *ḥujjiyyat ẓawāhir al-Qurʾān* (normative authority of the apparent indication of the Qurʾan).[14] The central focus of the Akhbārīs has been whether the Qurʾan can be interpreted – or even comprehended – without any reference to the statements of the infallible Imāms.[15] Such a dispute emerges as a consequence of the existence of number of traditions which have had an impact on Imāmī scholars' approach to the Qurʾan. For example, some traditions attributed to the Prophet and the Imāms speak about the reprehensibility of interpreting the Qurʾan through mere personal opinion (*raʾy*). A tradition attributed to the Prophet, for example, states:

> Whoever interprets the Qurʾan according to his own opinion and is correct has erred (*faqad akhṭaʾa*).[16]

In another tradition attributed to Imām al-Ṣādiq (d. 148/765), he states:

> Whoever interprets the Qurʾan according to his own opinion and his interpretation just so happens to be correct, he will not be rewarded for it; and if his interpretation is incorrect, then he bears the sin for it.[17]

14 For further information on the Akhbārī/Uṣūlī debates, dialogue, and differing methodologies, see Andrew J. Newman, 'The Nature of the Akhbārī/Uṣūlī Dispute in Late Ṣafawid Iran. Part 1: 'Abdallāh al-Samāhijī's "*Munyat al-Mumārisīn*"', *Bulletin of the School of Oriental and African Studies* 55, no. 1 (1992): 22–51; and Andrew J. Newman, *Twelver Shiism: Unity and Diversity in the Life of Islam, 632 to 1722* (Edinburgh: Edinburgh University Press, 2021), chs. 6–8.

15 al-Muqaddas al-Ardabīlī, *Zubdat al-bayān fī aḥkām al-Qurʾan*, ed. Muḥammad al-Bāqir al-Bahbūdī (Tehran: al-Maktaba al-Murtaḍawiyya, n.d.), 1; Fāḍil al-Jawād al-Kāẓimī, *Masālik al-afhām ilā āyāt al-aḥkām*, ed. Muḥammad Bāqir Sharīf Zādeh (Tehran: Intishārāt-e Murtaḍawī, 1945), 1:3–12.

16 al-Faḍl b. al-Ḥasan al-Ṭabrisī, *Majmaʿ al-bayān fī tafsīr al-Qurʾān* (Beirut: Muʾasassat al-Aʿlamī li-l-Maṭbūʿāt, 1995), 1:39. Al-Ṭabrisī cites this tradition from Sunnī sources.

17 Muḥammad b. Masʿūd al-ʿAyyāshī, *Tafsīr al-ʿAyyāshī: A Fourth/Tenth Century Shīʿī Commentary on the Qurʾan*, trans. Nazmina Dhanji, ed. Wahid M. Amin (Birmingham: AMI Press, 2020), 1:52–53. For other traditions in this vein, see ibid., 1:50–54.

Secondly, other traditions speak about the Family of the Prophet (*ahl al-bayt*) as being the key to understanding the content of the Qur'an.[18] The most widely cited tradition in this regard is the famous tradition attributed to the Prophet known as the 'Tradition of the Two-Weighty Matters' (*ḥadīth al-thaqalayn*) in which he states, during his final sermon:

> You will not go astray if you cling to two things which I have left you: the Book of God – the Mighty, the Great – and my family/household (*ahl baytī*).[19]

Another tradition attributed to Imām al-Ṣādiq states:

> I do not claim that we [the Imāms of the *ahl al-bayt*] possess knowledge of the unseen (*'ilm al-ghayb*), but I do say that we know the Book of God – a book which encompasses everything within it. God has taught us things which none besides us know, things which He taught only to His angels and His prophets. Whatever is known to His angels and His messengers is also known to us.[20]

The existence of such traditions may explain why early Imāmī commentaries on the Qur'an primarily engage in tradition-based exegesis (*al-tafsīr bi-l-ma'thūr*). Commentaries such as those of ʿAlī b. Ibrāhīm al-Qummī (fl. third/ninth century),[21] Furāt b. Ibrāhīm al-Kūfī (d. early fourth/tenth century),[22] and Muḥammad b. Masʿūd al-ʿAyyāshī (d. 320/932–33) primarily rely on traditions to make sense of Qur'anic verses. If a tradition cannot be found which speaks

18 On the Imāms as interpreters of the Qur'an, see Meir M. Bar-Asher, *Scripture and Exegesis in Early Imāmī Shiism* (Leiden: Brill, 1999), 98–101.

19 Muḥammad b. Yaʿqūb al-Kulaynī, *al-Kāfī*, ed. Muḥammad Ḥusayn al-Darāyatī (Qom: Dār al-Ḥadīth, 2008), 2:25. The term '*thaqalayn*' appears in a different version of the tradition in Abū Jaʿfar Muḥammad b. ʿAlī b. al-Ḥusayn b. Mūsā al-Qummī, *ʿUyūn akhbār al-Riḍā*, ed. Ḥusayn al-Aʿlamī (Beirut: Mu'asassat al-Aʿlamī li-l-Maṭbūʿāt, 1984), 1:34. The tradition also appears in different versions in numerous Sunnī collections; for example: Muslim b. al-Ḥajjāj, *Kitāb Ṣaḥīḥ Muslim*, ed. Muḥammad Fu'ād ʿAbd al-Bāqī (Beirut: Dār Iḥyā' al-Turāth al-ʿArabī, 1955), 4:1874; Aḥmad b. Shuʿayb al-Nasā'ī, *al-Sunan al-kubrā*, ed. Ḥasan ʿAbd al-Munʿim Shalabī (Beirut: Mu'asassat al-Risāla, 2001), 7:310. On this tradition in Imāmī commentaries, see Bar-Asher, *Scripture*, 93–98.

20 al-ʿAyyāshī, *Tafsīr*, 1:48. For related traditions, see ibid., 40–50.

21 ʿAlī b. Ibrāhīm al-Qummī, *Tafsīr al-Qummī* (Qom: Mu'assasat Dār al-Kitāb li-l-Ṭibāʿa wa-l-Nashr, 1984).

22 Furāt b. Ibrāhīm b. Furāt al-Kūfī, *Tafsīr Furāt al-Kūfī* (Tehran: Vizārat-e Irshād, 1988).

about a particular verse, then they usually avoid offering any substantive interpretation of the given verse of the Qur'an.[23]

This approach is indicative of a broader trend of thought among Imāmīs, later identified and categorised as Akhbārism, conceived of in opposition to Uṣūlism. The history of Akhbārism has been a topic of much dispute in the secondary literature. Some historians such as Wilferd Madelung, Etan Kohlberg, and Andrew J. Newman argue that the fact that there were Imāmīs who adhered to such an approach as far back as these early commentators indicates that Akhbārism has been a constant theme in Imāmī thought.[24] On the other hand, historians such as, Norman Calder, Rula Jurdi Abisaab, Robert Gleave, Ehsan Gheisari, and Mahdī 'Alī Pūr hold that the Akhbārī movement emerged out of the response of Muḥammad Amīn al-Astarābādī to the dominant legal methodology of the time.[25]

While acknowledging that there did exist what can be described as proto-Akhbārīs in the pre-Astarābādī period, we are inclined to adopt the latter theory of Akhbārism's origins. Nevertheless, there does seem to have been some influence of proto-Akhbārī thinking prior to al-Astarābādī, given evidence of the presence of anti-Akhbārī positions, such as those taken by al-Muqaddas al-Ardabīlī (d. 993/1585). These Uṣūlī scholars saw the need to respond to potential arguments that would come to be core tenets of Akhbārī doctrine, such as whether the Qur'an can be interpreted without any reference to the statements of the Prophet or the Imāms. What this essentially boils down to is the question over the apparent meaning of the Qur'an in the eyes of Akhbārī scholars, such as Muḥammad Amīn al-Astarābādī and Yūsuf b. Aḥmad al-Baḥrānī. Also, a critique of these scholars shall be presented by illustrious

23 On the characteristics of this early school of Imāmī Qur'an commentary, see Bar-Asher, *Scripture*, 71–86; and Mohammad Ali Amir-Moezzi, 'The *Tafsīr* of al-Ḥibarī (d. 286/899): Qur'anic Exegesis and Early Shi'i Esotericism', in *The Study of Shi'i Islam: History, Theology and Law*, ed. Farhad Daftary and Gurdofarid Miskinzoda (London: I.B. Tauris in association with the Institute of Ismaili Studies, 2014), 113–34.

24 Wilferd Madelung, 'Akhkhbāriyya', in *EI*[2]; Etan Kohlberg, 'Aḵbārīya', in *EIr*; Andrew J. Newman, 'The Nature of the Akhbārī/Uṣūlī Dispute in Late Ṣafawid Iran. Part 2: The Conflict Reassessed', *Bulletin of the School of Oriental and African Studies* 55, no. 2 (1992): 252.

25 211–50; Norman Calder, 'Doubt and Prerogative: The Emergence of an Imāmī Shī'ī Theory of *Ijtihād*', *Studia Islamica* 70 (1989): 68; Rula Abisaab, *Converting Persia: Religion and Power in the Safavid Empire* (London: I.B. Tauris, 2004), 105–12; Robert Gleave, *Scripturalist Islam: The History and Doctrines of the Akhbārī Shī'ī School* (Leiden: Brill, 2007), 10–30. Gleave has provided the most sustained argument in support of this position, critiquing many of the arguments put forward by those upholding the opposing view. Ehsan Gheisari, 'Akhbāriyya', trans. Jawad Qasemi, in *EI*; Mahdī 'Alī Pūr, *Tārīkh 'ilm al-uṣūl*, trans. 'Alī Ẓāhir (Beirut: Dār al-Walā', 2010), 191–92.

Uṣūlī scholars such as Muḥammad Mahdī al-Narāqī, Murtaḍā al-Anṣārī, and Muḥammad Kāẓim al-Khurāsānī.

Muḥammad Amīn al-Astarābādī, a staunch proponent of Akhbārism, argues that the best approach when dealing with the Qur'an and the Sunna is to imitate and adopt the approach of the early Akhbārī scholars. Their doctrine was that God has clearly conveyed everything the Muslim community will need until Judgement Day, even with regards to the slightest norm. Much of what the Prophet taught regarding the Qur'an and the knowledge of the Sunna which includes abrogation (*naskh*), restriction (*taqyīd*), specification (*takhṣīṣ*), and personal/subjective interpretation (*ta'wīl*) can only be accessed through the interpretations and teachings which are preserved by the pure infallible Imāms. He believes,

> The Qur'an, in most instances, is presented in a general manner in relation to the publics' minds, and this holds true for many of the Prophetic traditions. When it comes to matters of non-self-evident religious rulings (*al-aḥkām al-sharʿiyya al-naẓariyya*), be they fundamental principles or subsidiary issues, we have no recourse other than to seek guidance from the truthful ones, i.e., the Imāms.[26]

Al-Astarābādī goes on the offensive against the Uṣūlī methodology and strongly argues that it is impermissible to deduce and infer non-self-evident rulings solely from the apparent indications found in the Qur'an or the Sunna, unless we are aware of their context as explained by the Imāms. Without such insight from the Imāms, one should refrain from making any assumptions; only the Imāms possess the necessary understanding to explain the religious rulings, and the sole authority to elucidate on matters regarding the Qur'an and the Sunna. To him, it is obligatory to exercise caution and restraint when dealing with the outward meaning of the Qur'an and the apparent aspects of the Sunna, and this is known as *tawaqquf* (abstaining from judgement) and *iḥtiyāṭ* (precaution) in religious matters, especially when the full context is not known and clarified by the Imāms. Al-Astarābādī states, 'Whoever exercises personal reasoning regarding His rulings, if they err, then they have lied against God and fabricated, but if they are correct, then they receive no reward.'[27]

Al-Ḥurr al-ʿĀmilī, another renowned scholar of the Akhbārī persuasion, similarly adhered to the view that it is impermissible to rely solely upon the apparent indication of the Qur'an without recourse to the narrations of the Imāms.

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26 Muḥammad Amīn al-Astarābādī, *al-Fawā'id al-madaniyya* (Qom: Mu'assasat al-Nashr al-Islāmī al-Tābiʿ li-Jamāʿat al-Mudarrisīn, 2005), 104.

27 Ibid.

This viewpoint is evident in his celebrated compilation of *ḥadīth*s, where he emphasised his perspective in a chapter titled 'On the Inadmissibility of Deducing Non-self-evident Rulings from the Apparent Meaning of the Qurʾan, except after Knowing Their Interpretation from the Imāms'.[28] Moreover, in his other work, *al-Fawāʾid al-Ṭūsiyya*, al-ʿĀmilī stated that:

> I saw in some of the works of [my] contemporaries arguments for the permissibility of acting on the non-self-evident rulings according to the apparent indication of the Qurʾan which is open to multiple possibilities such as abrogation, qualification, and specification and allegorical interpretation, etc., even if there is no explicit text in the approval of their content, nor their interpretation from the Imāms. When I saw that this view was in conflict with mass-transmitted reports (*mutawātir*), I thought it best to report those arguments and to give my answer to them.[29]

He then mentioned numerous arguments offered by those who advocate the permissibility of relying upon the apparent indication of the Qurʾan and rebutted each point. Al-ʿĀmilī's main argument centred on the fact that all the proofs given for the permissibility of reliance on the apparent indication of the Qurʾan, without recourse to narrations, are circular in nature. Adducing such proofs amounts to using the apparent indication of the Qurʾan to prove the normative authority (*ḥujjiyya*) of the Qurʾan's apparent indication. He argues that proponents of this view provide no external evidence to substantiate their claim that the apparent indication of the Qurʾan can be used independently to derive rulings.[30]

The eighteenth-century scholar Yūsuf al-Baḥrānī, who expressed a more moderate form of Akhbārism in his distinguished compendium of Shīʿa law entitled *al-Ḥadāʾiq al-nāḍira*, reported that Akhbārīs were divided into two camps. Some Akhbārīs held an extreme view that no part of the Qurʾan, even unequivocal verses such as 'Say: He is God, the One' (Q. 112:1), could be properly understood without interpretation from the Imāms. In opposition, some other Akhbārīs advocated the view that Imāmī scholars may share the authority to interpret the Qurʾan with the Imāms, particularly in explaining its ambiguous

28 Muḥammad b. Ḥasan al-Ḥurr al-ʿĀmilī, *Tafṣīl wasāʾil al-shīʿa ilā taḥṣīl masāʾil al-sharʿiyya* (Muʾassasat Āl al-Bayt li-Iḥyāʾ al-Turāth, 2008), 27:176.

29 Muḥammad b. al-Ḥasan al-Ḥurr al-ʿĀmilī, *al-Fawāʾid al-Ṭūsiyya* (Qom: Maktabat al-Maḥallātī, 2002), 163–68.

30 Ibid., 163–68.

texts. Al-Baḥrānī's own position seems to fall somewhere between these two stances.[31]

He explains that the rationale given by proponents of the extreme view was the numerous Qur'anic verses and reports prohibiting drawing on personal opinion (*ra'y*) in order to interpret the Scripture. According to these scholars, the narrations rejecting personal opinion were more explicit and required absolute reliance on *ḥadīth* in which the infallible Imāms explain the Qur'an.

5 Critiques of the Akhbārī Challenge

Akhbārism's influence decreased because of the efforts of al-Waḥīd al-Bihbihānī (d. 1205/1791), but an examination of the works of legal theory (*uṣūl al-fiqh*) by his first- and second-generation students shows that the challenges posed by the Akhbārīs remained issues of concern to the Uṣūlīs, who thought they warranted being addressed. Muḥammad Mahdī al-Narāqī, a prominent Shī'ī Uṣūlī scholar, summarised the Akhbārī framework of this issue as follows:

> The Akhbārīs have claimed that it is not permissible to interpret the Qur'an without a narration from the Imāms and that any verse the interpretation of which has not been provided by the Imāms should not be acted upon, whether it is an explicit (*naṣṣ*), clear (*muḥkam*), apparent (*ẓāhir*), or ambiguous (*mutashābih*) text. They also said, 'All of the Qur'an is ambiguous to us.' Their statement can be interpreted as denying the authority of the Qur'an altogether, because any verse for which the infallible [Imāms] did not provide the interpretation cannot be interpreted or acted upon, and those verses for which they did provide an interpretation can only be used as evidence with their help.[32]

Therefore, according to the Akhbārīs' epistemological framework, only reported narrations issued from the Imāms are reliable without doubt. These narrations are the sole epistemic tool to infer legal rulings from the Qur'an, meaning that if a narration specifies, limits, or restricts (*takhṣīṣ*) the apparent indication of a specific Qur'anic verse then Akhbārī interpreters accept this restriction of the verse by the *ḥadīth* report. Additionally, if a narration provides an allegorical explanation of a verse which is not apparent, then the

31 Yūsuf al-Baḥrānī, *al-Ḥadā'iq al-nāḍira fī aḥkām al-'itra al-ṭāhira* (Qom: Mu'assasat al-Nashr al-Islāmī, n.d.), 1:28–35. For further information, see Chapter 9 of the present volume.

32 Muḥammad Mahdī al-Narāqī, *Anīs al-mujtahidīn* (Qom: Mu'assasat Būstān-i Kutub, 2009), 1:195–96.

explanation of the verse based solely on the narration is accepted. Ultimately, the normative authority (*ḥujjiyya*) of any verse of the Qurʾan relies solely on reported narrations.[33]

Al-Narāqī responded to the Akhbārī view by asserting that the people of *ijtihād* unanimously agreed that *naṣṣ*, *muḥkam*, and *ẓāhir* of the Qurʾan, as previously defined, can be interpreted and acted upon without the need to refer to the interpretive narrations of the infallible Imāms. According to this view, anyone who is proficient in the Arabic language and who possesses knowledge of its nuances may understand clear verses of the Qurʾan and act according to their own interpretation.

In other words, the Qurʾan enjoys a normative legal authority (*ḥujjiyya*) for its recipients. Epistemically, the nature of *ḥujjiyya* is two-sided. God can employ the Qurʾanic text as evidence conveying clear instructions on His postulated norms that everyone must adhere to, holding them accountable for their actions. Simultaneously, the Qurʾan also acts as proof for its recipients allowing them to answer to God for their actions and omissions, even if they might in reality (*nafs al-amr*) have erred because of their interpretation of the Qurʾan's apparent indications.

To support this stance, al-Narāqī argues that God revealed the Qurʾan in clear Arabic, making it a comprehensive source and decisive evidence for all. He describes it as a source of light and guidance, an elaborative statement, and a source of healing. The Qurʾan contains evidence of monotheism, knowledge of God's perfect attributes, foundational principles for legal rulings, and guidance on what is permissible and impermissible. God instructed His servants to ponder it, derive insights from it, and He warned them not to neglect contemplating it. The Qurʾan also includes sermons and advice, urging people to adhere to it and to act in accordance with its teachings. Al-Narāqī contends that, from the Akhbārī perspective, none of these benefits of the Qurʾan could be appreciated, and their view might even entail that it was impermissible to derive any benefit from it at all.[34]

Furthermore, al-Narāqī argues that it is impossible that God could address mankind in a manner which indicates something different from what He meant, since doing so would contradict the consensus of the Muslim community. Such a discrepancy would also entail assigning responsibilities to people beyond their capacity and issuing deceptive statements. Al-Narāqī cited numerous narrations indicating that, when conflicting narrations arise, they must be compared to the Qurʾan and that the one in agreement with the Qurʾan

33 Ibid.
34 Ibid.

must be accepted, while those which contradict the Qurʾan should be rejected. In addition, he cited the narration of *thaqalayn*, which was mentioned earlier, and argued that, according to the Akhbārī view, only one of them would be a reference and the weightier epistemic source – in other words, the Qurʾan would be abandoned as an authoritative source, lacking normative authority.[35]

Murtaḍā al-Anṣārī, one of the most influential and leading legal theorists of the modern period, similarly discusses the issue of the apparent indication of the Qurʾan at length. He closely considered the core of the Akhbārī challenge, which essentially posited that the hermeneutical understanding of the Qurʾan be subject to interpretation and that only the infallible Imāms have the authority to engage in such interpretation. In response to this challenge, al-Anṣārī carefully summarises their argument as follows:

> The summary of this [Akhbārī's] argument refers to the view that the Lawgiver (*al-Shāriʿ*) prohibited [acting according to the apparent indication of the Qurʾan]. This would entail that the purpose of the speaker was not to convey content of his messages with this statement, and thus, [God's communication] would not be like ordinary, conventional conversation.[36]

Al-Anṣārī offers two responses to the arguments of the Akhbārīs. Firstly, he contends that adhering to the apparent indication of the Qurʾan, even after an exhaustive search for potential abrogators (*nāsikh*) and specifiers (*mukhaṣṣiṣ*), is not considered interpretation but rather a reliance on the literal meaning conveyed by the text. Al-Anṣārī further elaborates that:

> Even if one accepts that applying the apparent meaning of a word is an act of interpretation, but what is meant by personal view (*raʾy*) is a speculative subjective interpretation, thus it does not include applying the apparent indication of the Qurʾan to their conventional ordinary language.[37]

In other words, al-Anṣārī assumes that God's communication through His messenger is conveyed in the same natural language used by ordinary people.

Secondly, even if one were to regard the practice of acting according to the apparent indication of the Qurʾan as a form of interpretation, it is essential to note that it does not fall under the category of prohibited interpretation.

35 Ibid., 196–97.

36 Murtaḍā al-Anṣārī, *Farāʾid al-uṣūl* (Qom: Muʾassasat al-Nashr al-Islāmī, 1986), 57–58.

37 Ibid., 57.

Prohibited interpretation is a subjective and personal form of interpretation, known as *tafsīr bi-l-raʾy*, rather than interpretation per se.

Muḥammad Kāẓim al-Khurāsānī, a prominent Shīʿī scholar whose seminal work *Kifāyat al-uṣūl* is still taught in Shīʿī seminaries as an advanced text of legal hermeneutics today, cites four main criticisms of the Akhbārī rejection of the authority of the apparent meaning of the Qurʾan. Following the lead of his mentor al-Anṣārī, al-Khurāsānī posits that the communication of the Lawgiver is conveyed through the apparent indication in the same everyday language used by ordinary people. Consequently, unlike the Akhbārīs, who differentiate between the apparent indications of the Qurʾan and those of the Sunna, al-Khurāsānī perceives no distinction in terms of authority between these sources.

Furthermore, he rejects the core Akhbārī idea that the profound concepts in the Qurʾan are beyond the comprehension of ordinary humans who lack divine wisdom. Al-Khurāsānī also categorically disagrees with the Akhbārīs' claim that because the Qurʾan contains several allegorical expressions, this makes the whole content of the Qurʾan ambiguous (*mutashābih*) and unfathomable for deriving legal norms. Moreover, he disputes the Akhbārī contention that the many specifications (*takhṣīṣ*) and restrictions (*taqyīd*) of general Qurʾanic maxims leave one with only a vague summary, such that its propositions are unclear and confusing.[38]

For al-Khurāsānī, although the Qurʾan contains profound truths and sophisticated messages, it is ultimately a book of guidance meant for humanity at large, and therefore its essential message can be comprehended by fallible individuals. He contends that the existence of allegorical verses does not negate the possibility of deriving legal norms from clear (*muḥkam*) verses. Al-Khurāsānī further states that the specifications and restrictions placed on some verses do not make the entirety of the Qurʾan ambiguous, but rather help qualify their legal implications – as is the case for any legal text. In sum, he firmly upholds the authority of the apparent indication of the Qurʾan against Akhbārī arguments that it cannot be used as a source for legal reasoning. He maintains that the Qurʾan is accessible, comprehensible, and suitable for the derivation of legal rulings, provided that proper interpretive principles are followed. This allows the Uṣūlī school to rely on the Qurʾan as an authoritative legal text, contrary to the Akhbārī position.

38 Muḥammad Kāẓim al-Khurāsānī, *Kifāyat al-uṣūl* (Qom: Muʾassasat Āl al-Bayt li-Iḥyāʾ al-Turāth, n.d.), 280–81.

6 The Transhistorical Applicability Challenge

Some Muslim jurists have advanced a semantic-philosophical challenge that questions the Qur'an's authority to broaden its message beyond its immediate audience. This theory questions whether the obligations outlined in Islamic law were exclusively intended for the specific audience during the time of revelation. This has a significant impact on whether and how the regulative verses and the obligations they stipulate can be extended to people beyond the immediate audience of the Qur'an.

The issue that could potentially attract more acceptance from contemporary religious reformists is the historical context of legal obligations. Asserting and proving the historical circumstances surrounding legal rulings plays a crucial role in religious understanding and interpretation. Contemporary religious thinkers explain historicity by referring to the intellectual, cultural, social, political, economic, and customary conditions of the era when revelations occurred. They determine that many legal topics have historical dimensions – certain duties were specific to the direct audience of the Qur'an, and those belonging to later eras/contexts may have different responsibilities. Orthodox Muslim jurists refer to certain principles in legal theory to ascertain that all legal obligations apply uniformly to all Muslims in all contexts.

One fascinating semantic argument forwarded by the distinguished Shāfiʿī Uṣūlī scholar Ibrāhīm b. ʿAlī al-Fayrūzabādī al-Shīrāzī posits that the Qur'an's direct speech and calls are exclusively directed towards its immediate audience at the time of revelation. He argues that verses containing phrases like 'O people' and 'O you who believe' are specifically addressing the contemporaneous audience of the Qur'an's initial revelation. To substantiate his point, he presents the following argument:

> Regarding God Almighty's statements to creation couched in direct address such as His word 'O people' and 'O you who believe', those who have not yet been created are not included in this address in terms of wording and phrasing. This is because such an address is only suitable for one who already exists in the audience when the statement is uttered. Regarding those not yet created, this address does not apply to them. Also, if the Messenger of God directly addresses someone, the call linguistically does not include others, because that direct call to him does not include others besides him, and other people may fall under the same ruling of the address by an [other] evidence, that is: my verdict for one is my verdict for all, and also by way of analogy (*qiyās*).[39]

39 Ibrāhīm b. ʿAlī al-Fayrūzabādī al-Shīrāzī, *al-Lumaʿ fī uṣūl al-fiqh* (Rabat: Dār al-Ḥadīth al-Kattāniyya, 2013), 107–8.

Al-Fayrūzabādī's argument focuses on linguistic aspects and pertains specifically to Qurʾanic verses that include phrases such as 'O people' and 'O you who believe'. In essence, although he does not make claims regarding the historical or contextual nature of these Qurʾanic verses, limiting them linguistically to historical applications can shed light on the notion of the historical contextuality of the regulative verses within the Qurʾan.

Al-Fayrūzabādī's argument found a favourable reception among certain Imāmī scholars. For instance, Mīrzā Qummī – in a more theo-philosophical rather than mere linguistic discussion of the matter – comments on the irrationality of including Muslims after the revelation within the direct audience of the Qurʾan. Al-Qummī, fully conscious of different scholarly views regarding the scope of audience addressed by the Qurʾan, states that:

> The well-known view of the Imāmī scholars is that whatever is postulated in the Qurʾan for addressing a verbal audience in the Qurʾan, such as 'O you who believe' and 'O people', and the like, does not extend to later generations, after the communication took place. Some writers even claim *the existence* of consensus of our Imāmī scholars on that. This view is considered the predominant one among the scholars of Sunnī Islam. Some other scholars take a more inclusive approach (suggesting that these verses apply to all Muslims, regardless of the time period). The former view is the true, justified one. Our argument in favour of the first view is that addressing those who did not exist during the revelation of the Qurʾan is deemed rationally and religiously unacceptable (*qabīḥ ʿaqlan wa-sharʿan*).[40]

In his theo-philosophical approach, al-Qummī contends that the Ashʿarī position, which permits the inclusion of subsequent generations of Muslims within the Qurʾanic address, is grounded in their belief in the primacy of private mental speech (*kalām nafsī*). He then echoes a view closely aligned with the Muʿtazilī/Imāmī tradition, categorically rejecting the concept of private mental speech as entirely irrational. Al-Qummī's argument against this view is particularly intriguing and may resonate with contemporary philosophies of language.

Over a hundred years before Wittgenstein highlighted the irrationality of private mental speech due to its inherently relational (*iḍāfī*) nature, al-Qummī articulated a similar view. This perspective emphasises that any linguistic communication is contingent upon relevant parties, namely, the speaker and the

40 al-Qummī, *al-Qawānīn*, 1:517.

recipient. Consequently, when a required party is absent, the need for communication ceases to exist.[41]

In other words, according to al-Qummī, an obligation in the Qur'an is essentially a form of demand, and a demand inherently involves a relational aspect that requires the existence of the parties involved. Since the required element – i.e. future generations – is absent during the revelation, there is no connection between the request and its fulfilment. Al-Qummī argues that, just as individuals who are insane or unaware cannot be considered as subjects of a legal/religious demand and therefore cannot be primary obligation holders, the same logic applies to non-existent individuals. Consequently, the request loses its validity, since it pertains exclusively to the contemporaneous audience of the Prophet, not those who will come later and did not exist during the time of revelation.[42]

Muḥammad Ḥasan al-Najafī (d. 1265/1849), a highly eminent Imāmī jurist, also argues that it is a well-established principle in the Imāmī school of thought that the Qur'anic calls and addresses are specifically directed to its immediate audience and context.[43]

However, many of those who claim that the Qur'an's address extends beyond its direct audience and thus applies to all people irrespective of time base their argument on the juristic maxim of 'the primacy of inclusion' (*qā'idat al-ishtirāk*). This primacy is based on narrations such as the Prophetic saying 'My verdict for one is my verdict for all', and Imām Ja'far al-Ṣādiq's narration, 'Whatever the Prophet made permissible (*ḥalāl*) is permissible until the Day of Judgement, [and whatever] the Prophet made impermissible (*ḥarām*) is impermissible until the Day of Judgement.'[44] Therefore, the laws that were stipulated by the Prophet are applicable to all Muslims in all periods.[45] Thus, the primacy of inclusion acts as a supplementary hermeneutical tool to extend the authority of the Qur'an from the direct audience to later audiences who were absent during the initial act of communication. As a result, the subsequent generations of Muslims after the Prophet share the same religious duties, the regulative verses apply to Muslims beyond its immediate audience, and the

41 Ibid.

42 Ibid.

43 Muḥammad Ḥasan b. Bāqir b. 'Abd al-Raḥīm al-Najafī, *Jawāhir al-kalām fī sharḥ Sharā'i' al-Islām* (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 1983), 41:16.

44 Muḥammad b. Ya'qūb al-Kulaynī, *Uṣūl al-Kāfī*, ed. 'Alī Akbar al-Ghaffārī, 5th ed. (Qom: Dār al-Kutub al-Islāmiyya, 1944), 1:57.

45 al-Sayyid Muḥammad Kāẓim al-Muṣṭafawī, *al-Qawā'id: mi'at qā'ida fiqhiyya ma'nan wa-madrikan wa-mawridan* (Qom: Mu'assasat al-Nashr al-Islāmī, 2015), 43.

laws regarding permissible and prohibited acts are equally applicable, since all Muslims are included in the same normative system instated by the Prophet.

If rationally and linguistically communicating the demand to non-existing individuals is impossible, then what would cause one to hold them responsible for the Islamic norms when they come into existence? Al-Qummī replies that God informed His messenger that when they come into existence, they will become addressees and bearers of responsibility for those norms. This is in fact what some Shīʿī jurists intended by their claim of consensus based on the primacy of inclusion. Al-Qummī succinctly summarised his argument as follows:

> We do not say that non-existing individuals are the addressees of those Qurʾanic calls, either in a real sense or metaphorically. We rather say that they are under the same obligation on account of another set of evidence, such as consensus, necessity, and mass-transmitted reports.[46]

A pertinent question now arises: if all Muslims – in one way or another – are addressees of these textual demands, then what would be the implications of al-Qummī's claim? His response is that the implications become evident when one considers the historical messages. In other words, since the message of God contains apparent indications, then it would be inappropriate to interpret them in a different sense from what they apparently indicate. More importantly, al-Qummī believes if the latter generations are addressees of the message in the same way as of the direct audience, then they do not have to investigate the original meaning of the words during the time of revelation. Rather, they can rely on their own contemporary understanding of the text.[47]

However, it is worth noting that many scholars who came after al-Qummī did not endorse his view. For example, al-Khurāsānī, in a concise response that seemingly represents the opposing perspective, contends that rational agents normally rely on the apparent indication of words to convey their messages. The Lawgiver did not disapprove of this ongoing established human practice, nor did He introduce an alternative method for conveying His message to humanity.[48]

46 al-Qummī, *al-Qawānīn, 1:521*.
47 Ibid.
48 al-Khurāsānī, *Kifāyat al-uṣūl*, 313.

7 The Distortion Challenge

Distortion (*taḥrīf*) is a controversial term used to refer to the claim that the Qurʾan has been subject to alterations or distortions. This claim has been historically debated among Muslim jurists and theologians. While most Muslims firmly believe that the Qurʾan has been preserved as it was revealed to the Prophet, some individuals and sects have proposed the notion of *taḥrīf*, asserting that certain verses have been changed or removed from the original text. For instance, Aḥmad b. ʿAlī b. Abī Ṭālib al-Ṭabrisī (d. 599/1202) recounted an incident in his work *al-Iḥtijāj*. In a reported tradition – which would have been considered weak because it was *mursal*, i.e. it had gaps in its chain of transmission – a heretic approached Imām ʿAlī and voiced his scepticism by stating: 'If it were not for the contradictions and inconsistencies in the Qurʾan, I would have embraced your religion.' He specifically mentioned Q. 4:3, which reads, 'If you fear that you might not treat the orphans justly, then marry the women that seem good to you.' He contended that marrying women does not equate to justice for orphans, because not all women are orphans. In response, Imām ʿAlī reportedly explained that this apparent contradiction was a consequence of what he previously mentioned regarding the hypocrites' omissions of passages from the Qurʾan. He pointed out that between the Qurʾan's discussions on orphans and the subject of marrying women various passages and narratives encompassing more than a third of the Qurʾanic content had been omitted.[49]

As al-Ṭabrisī's report demonstrates, the potential implications of the *taḥrīf* claim upon the regulative verses in Islamic law can be significant. If one were to accept the notion of *taḥrīf*, particularly concerning regulative verses, it would raise fundamental questions regarding the authenticity and applicability of Qurʾanic legal principles.

Within the Imāmiyya sect there are two schools of thought with regard to the claim of distortion or tampering of the Qurʾan: those who affirm *taḥrīf* and those who reject it. Many early classical Shīʿī scholars acknowledged and affirmed the belief in *taḥrīf* and used specific narrations as the basis for their belief, as shall be explained below. However, the majority of Shīʿī scholars deny that the Qur'an has been altered in any way, such as that additions have been made or that verses or chapters have been removed. Among this camp are the likes of the twentieth-century grand-jurist Sayyid Abū al-Qāsim al-Mūsawī

49 Aḥmad b. ʿAlī al-Ṭabrisī, *al-Iḥtijāj ʿalā Ahl al-Lujāj* (Mashhad, 1983), 1:254.

al-Khūʾī (d. 1992), who held the view that reliable narrations denied the alteration of the Qurʾan in any such way.

Amir Moezzi categorised studies of *taḥrīf* in the Imāmī school into three groups:[50]

1. The first group argues that doubts raised about the authenticity of the ʿUthmānic codex have no historical basis and are driven by dogmatic and political-theological views. They believe that Imāmī Shīʿism is primarily a political movement seeking temporal power and that claims of falsification are merely attempts to assert the superiority of ʿAlī over other companions of the Prophet. However, this perspective overlooks the doctrinal and historical accounts supporting the notion of falsification found in various sources.
2. The second group acknowledges some discrepancies in the ʿUthmānic codex but believes that it nevertheless contains most of the revelation. They criticise ʿUthmān for rejecting other recensions, particularly ʿAlī's commentary.[51] Some suggest that views regarding falsification originated from non-Shīʿī groups aiming to discredit Shīʿī *ḥadīth*.[52]
3. The third group contends that the early Imāmī Shīʿīs openly questioned the integrity of the ʿUthmānic codex and accused non-Shīʿīs of falsifying the Qurʾan, adducing proof in the form of utterances of their Imāms reported in early Shīʿī *ḥadīth*. This early Imāmī position is supported by historical accounts and Imāmī tenets, mainly before the Buwayhid period.

However, during the Buwayhid period, starting from the mid-fourth/tenth century, the majority of Twelver scholars, including Muḥammad b. ʿAlī b. Bābawayh (d. 381/991), shifted to adopt the Sunnī viewpoint, abandoning the idea of *taḥrīf*. In summary, these studies present varying perspectives on *taḥrīf* in Shīʿī Islam, ranging from outright rejection to acknowledgement of early Imāmī Shīʿīs' questioning of the ʿUthmānic codex.[53]

It is important to highlight that in the study of abrogation in the Qurʾan, the Sunnī scholars believe in the validity of the 'abrogation of the recitation while preserving the norm', due to the existence of such a concept in Sunnī *ḥadīth*

50 Mohammad Ali Amir-Moezzi, *The Silent Qurʾan & the Speaking Qurʾan: Scriptural Sources of Islam between History and Fervor*, trans. Eric L. Ormsby (New York: Columbia University Press, 2016), 62–65.

51 S. Husain M. Jafri, *Origins and Early Development of Shiʿa Islam* (London: Longman, 1979), 311–12.

52 Mohammad Ali Amir-Moezzi, *The Divine Guide in Early Shiʿism: The Sources of Esotericism in Islam*, trans. David Streight (New York: State University of New York Press, 1994), 6–19.

53 Ibid., 77–91.

literature. According to a well-known narration, 'Umar b. al-Khaṭṭāb insisted that a verse in the chapter of al-Nūr (Q. 24) stipulated that if an elderly man and woman engaged in adultery, they should be punished by stoning (*rajm*). This verse, however, is not found in the current written compilation of the Qur'an. The Sunnī explanation is that the verse was abrogated in recitation but not ruling, meaning the recitation of the verse was abolished but the legal ruling of stoning as punishment remained valid.[54]

Furthermore, al-Zarkashī (d. 794/1392), a reputed Sunnī scholar specialising in Qur'anic studies, reported additional instances that indicate the potential existence of chapters in the Qur'an that are presently absent from the known compilation.[55]

The existence of reports about the distortion of the Qur'an has been considered by Muḥammad Sharīf Māzandarānī (Sharīf al-'Ulamā') (d. 1245/1830–1), a notable scholar and teacher of Murtaḍā al-Anṣārī, as a serious epistemic impediment against normative authority of the apparent indication of the Qur'an. A pressing question which arises is why Akhbārīs who believed in the distortion of the Qur'an – palatable to them because of the references to *taḥrīf* found in narrations attributed to the Imāms – have not resorted to this idea to substantiate their rejection of the apparent indication of the Qur'an. One reply offered by Mūsā Tabrīzī in his commentary on al-Anṣārī's *Rasā'il* is that the Akhbārīs' rejection is based solely on the belief that the interpretation of the Qur'an's apparent indication is an exclusive privilege belonging to the Prophet and Imāms. This holds true whether distortion occurred or not. Fallible jurists and interpreters of the Qur'an do not share this privilege and authority with the Prophet/Imāms.[56]

However, Māzandarānī's student Murtaḍā al-Anṣārī found the argument presented by his mentor unsatisfactory. Al-Anṣārī's epistemic critique of his teacher focuses on the assertion that even if the concept of *taḥrīf*, assuming it to be valid, were accepted, this would not be an impediment for the authority of the apparent indication of the Qur'an. Al-Anṣārī's reasoning stems from the fact that *taḥrīf* does not lead to summary knowledge (*'ilm ijmālī*) that would affect the apparent indication of other verses. This is because the proposed or alleged distorted verses may not necessarily pertain to the regulative verses. Al-Anṣārī articulates this viewpoint by stating, 'The occurrence of alleged

54 Badr al-Dīn Muḥammad b. 'Abd Allāh al-Zarkashī, *al-Burhān fī 'ulūm al-Qur'ān* (Cairo: Maktabat Dār al-Turāth, 1984), 35.

55 Ibid., 37.

56 al-Mīrzā Mūsā al-Tabrīzī, *Awthaq al-wasā'il fī sharḥ al-rasā'il* (Qom: Mu'assasat Āl al-Bayt, 1949), 92.

distortion (*taḥrīf*) in the Qur'an does not prevent adherence to its apparent meaning on account of the lack of summary knowledge regarding the distortion of regulative verses.'[57]

Muḥammad Kāẓim al-Khurāsānī, an outstanding disciple of al-Anṣārī, aligns with his teacher against Māzandarānī regarding this topic. While al-Khurāsānī does not endorse *taḥrīf* outright, he acknowledges certain narrations that advocate for it. Additionally, his rational analysis lends some support to the concept of distortion. Though not directly stating his approval, al-Khurāsānī admits there is basis for *taḥrīf* in textual sources and logical deliberation. His indirectness implies a nuanced stance – neither fully accepting nor rejecting the idea of corruption in religious texts. Nonetheless, al-Khurāsānī proceeds to present his own arguments in response to this matter:

> The claim of a summary knowledge (*'ilm ijmālī*) regarding the occurrence of tampering in the Qur'an, either through omission or distortion, although not far-fetched, as some reports testify and rational deliberation supports, does not invalidate the authority of its apparent indications. This is because of the lack of knowledge regarding any inherent flaws in those indications in the first place. Even if it is accepted, there is no knowledge of its occurrence in the regulative verses.[58]

Despite its novelty and historical as well as epistemic appeal, Māzandarānī's unprecedented argument challenging the normative authority of the apparent indication of the Qur'an has not gained serious acceptance, either among Uṣūlī scholars or among Akhbārīs.

8 The Recitations' Challenge

Although there are variant readings of the Qur'an (*qirā'āt*), they do not greatly affect the regulative verses.[59] In the examination of variant styles of recitations, it seems that few verses related to legal rulings. For instance, Q. 2:222 can be read in two different ways. The verse states:

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57 Murtaḍā al-Anṣārī, *Farā'id al-uṣūl*, ed. Muḥammad Bāqir al-Bihbūdī (Qom: Majmaʿ al-Fikr al-Islāmī, 1998), 1:158.

58 Muḥammad Kāẓim al-Khurāsānī, *Kifāyat al-uṣūl*, ed. ʿAbbās ʿAlī al-Zāriʿī al-Sabzawārī (Qom: Mu'assasat al-Nashr al-Islāmī, 1997), 2:295.

59 Amir-Moezzi, *The Silent Qur'an*, 70–74.

> They ask you concerning [the rules of] menstruation, say it is a discomfort, therefore keep aloof from the woman during the menstrual discharge and do not approach them until they have become clean [*yaṭhurna* or *yaṭṭahharna*].

The reading *yaṭhurna* may be translated as 'until they become clean', while the reading with *tashdīd*, *yaṭṭahharna*, translates to 'until they cleanse themselves [by bathing or *ghusl*]'. This now gives rise to two distinct legal norms.

Legal norm (a): The word *yaṭhurna*, meaning 'until they become clean', is prevalent in the majority of readings. Therefore, the legal ruling permits intercourse with one's spouse after her menstrual cycle has ended, and she is not obligated to perform the major ritual ablution (*ghusl*).

Legal norm (b): However, in other readings, when read as *yaṭṭahharna*, which means 'until they cleanse themselves', the legal ruling is that after the menstrual cycle ends, the wife is obligated to perform the major ritual ablution before engaging in intercourse. The addition or omission of a single vowel or change in the verb form thus significantly impacts the legal ruling of the verse.

The second example in the Qur'an which is affected by varying styles of recitation involves Q. 5:6, the verse on ablutions (*wuḍū'*). Because of the difference, a historical legal dispute arose between Shī'ī and Sunnī Muslims. The verse states, 'When you rise up for prayer, wash your faces and your hands up to the elbows, wipe your heads, and wash/wipe your feet to the ankles.'[60]

The focal point of contention resides in the nuanced interpretation of the phrase 'and your feet' within the Qur'anic context. This interpretive variance has consequential implications for Muslims, specifically pertaining to the obligation of either washing or wiping their feet as part of the ritual purification preceding obligatory prayers. The crux of the dispute revolves around the pivotal role played by the conjunction 'and', and the verbs 'wash' and 'wipe' within the verse. The question arises whether this conjunction is linked to the preceding directive, which enjoins the act of wiping the head, thus suggesting a continuation of that instruction, or whether it is linked to the original verb of command, which pertains to the act of washing.

The discrepancy of either washing or wiping arises from the nuances of Arabic grammar. The reading of Ḥafṣ, which is used in the most widely available printed versions of the Qur'an, states: 'wash your feet'. However, a slight change in declension of the noun 'feet' – a vowel change from *i* in *arjulikum* to *a* in *arjulakum* – alters the meaning. Many Sunnī scholars interpret the verse as *arjulakum*, which obligates them to 'wash their feet', the 'and' referring to the command verb 'wash'. Whereas Imāmī scholars argue that linguistically, it

60 Q. 5:6.

should be 'wipe your feet', although this is not the only reason for Shīʿī jurists for their respective juristic edicts.[61] This subtle difference leads to distinct legal norms, highlighting the intricate nature of Qurʾanic recitations and their impact on legal understandings within Islamic law.[62]

The existence of two different readings for these two verses relating to menstruation and *wuḍūʾ*, respectively, which entail different legal rulings, raises a question regarding the conflict of evidence (*taʿāruḍ al-amārāt*). According to mainstream Shīʿī legal theorists, in cases when conflicting pieces of evidence are equally strong, that is, when there is no epistemic preponderating factor allowing one piece of evidence to be favoured over the other, the hermeneutical principle is to abandon or disregard both pieces of evidence. In such cases, a jurist is unable to use these two aforementioned Qurʾanic verses as a reference to make a ruling. This is based on the hermeneutical theory of instrumentality (*ṭarīqiyya*), according to which, evidence act as an instrument to help ascertain reality or the correct Islamic legal ruling. Therefore, neither reading of the verse is taken as an authoritative source, and hence the verse itself is no longer used as a referent for the ruling either on washing vs wiping, or on bathing after menstruation prior to intercourse. However, according to the alternative hermeneutical school of thought, that is, the causality theory (*sababiyya*), when dealing with equally conflicting evidences, a jurist must act according to one of the conflicting pieces of evidence, in this case, variant readings, at their discretion (*takhyīr*).[63] In this case, a jurist is able to choose one reading of the aforementioned Qurʾanic verses when issuing an edict on washing or wiping or on whether it is necessary to bathe after menstruation and prior to intercourse or not.

9 Redundancy Challenge

The task of qualifying the generality of Qurʾanic rules with the assistance of *ḥadīth* reports has assumed heightened significance in the contemporary era. This pertinence arose because of the prevalence of a substantial number of contentious and potentially problematic legal rulings, particularly those pertaining to human rights issues, which find their roots in the *ḥadīth* rather

61 Bāqir al-Īrawānī, *Durūs tamhīdiyya fī fiqh al-istidlāl* (Qom: al-Markaz al-ʿĀlamī li-l-Dirāsāt al-Islāmiyya, 2004), 1:54.

62 For the Sunnī–Shīʿī debate on this topic, see al-Miqdād b. ʿAbd Allāh al-Suyūrī, *Kanz al-ʿirfān fī fiqh al-Qurʾān*, 2 vols. (Tehran: Intisharāt-i Murtaḍawī, 1964), 1:12–14.

63 al-Khurāsānī, *Kifāyat al-uṣūl*, 285.

than in the Qur'an itself. Against the backdrop of a rapidly evolving modern context, characterised by shifting societal norms and emerging ethical and legal challenges, there is an increasing demand for a nuanced and contextually sensitive interpretation of Islamic law. Issues such as human rights, gender equality, and social justice necessitate careful deliberation and a judicious approach in order to harmonise traditional Islamic teachings with evolving societal values and international human rights standards. Consequently, the critical examination of the hermeneutical relationship between the Qur'an and *ḥadīth* assumes a pivotal role in shaping the ethical and legal framework that guides Muslim communities in addressing complex contemporary issues. This dynamic process underscores the adaptability and resilience of Islamic law, allowing it to meet the multifaceted challenges of the modern world while steadfastly upholding its foundational principles and values.

The degree to which the Qur'an's apparent indication is considered authoritative in Islamic legal hermeneutics is a matter of profound importance. Some Muslim scholars, however, perceive this matter as an inconsequential, trivial issue, arguing that most verses related to norms already have clarifications, accompanying narrations, or established consensus on interpretation.

However, al-Anṣārī mounts a challenge to this prevailing perspective. He discerns that while this assertion may hold some validity about acts of worship (*'ibādāt*), it finds its limits when applied to general legal principles enshrined in verses addressing commercial transactions (*mu'āmalāt*); for instance, verses instructing believers to fulfil contracts, permitting trade, mandating mutual consent in business transactions, cautioning against giving wealth to fools, warning against taking an orphan's property, and emphasising the importance of verifying news from wicked people, as al-Anṣārī discusses.[64]

In fact, al-Anṣārī's reply does not address the root of the challenge. Most Muslim jurists consider an authentic narration not just an interpretive tool clarifying the ambiguity of Qur'anic verses. For them, more importantly, the narrations enjoy the hermeneutical advantage of restricting the generality of Qur'anic norms by qualifying or specifying their scope. Al-Khurāsānī's stance, for example, is a hermeneutical view typical of most Muslim orthodox jurists:

> Undoubtedly, it is permissible to specify a Qur'anic verse using a reliable singular report, just as it is permissible to do so through the Qur'an itself, or a *mutawātir* report, or a singular report supported by decisive evidence. This practice is evident in the interpretive method of Shī'ī scholars, who consistently relied on singular narrations over the general rulings of the Qur'an [from the present

64 al-Anṣārī, *Farā'id al-uṣūl* (ed. al-Bihbūdī), 1:155.

> time] until the time of the Imāms, peace be upon them. It is not plausible at all to suggest that this practice could be due to the existence of certain contextual evidence.[65]

According to al-Khurāsānī, disregarding the role of *ḥadīth* reports in specifying and qualifying the generality of Qurʾanic verses would inevitably lead to the wholesale rejection of *ḥadīth*, given how rarely a *ḥadīth* report aligns with the general meaning of a Qurʾanic verse. The fact that the authenticity of Qurʾanic general rules is firmly established, while singular narrations are epistemically uncertain, should not deter one from interpreting non-definitive indications of Qurʾanic generality. Otherwise, it would not have been permissible to specify such an indication, even through a mass-transmitted narration.[66]

This issue becomes further exacerbated when the restriction of the generality of the Qurʾan by solitary narrations leads to serious implications in the modern context. For instance, a case in point involves the rulings on apostasy in Islam. Many Shīʿī jurists who favour lesser epistemic sources such as solitary reports over more authoritative sources like the Qurʾan impose the death penalty in cases of apostasy, despite the absence of explicit Qurʾanic injunctions to that effect. This is so even though the Qurʾan solely mentions eschatological, not worldly, consequences for apostasy, thereby relegating its punishment to the hereafter, without specifying any temporal repercussions. However, delving into the *ḥadīth* literature, one finds a small number of narrations that mention that the punishment for leaving Islam is death. Nonetheless, in the framework of Uṣūlī jurists like al-Anṣārī and al-Khurāsānī, the solitary narrations will restrict the generality of the Qurʾan and impose the death penalty for apostasy, notwithstanding the absence of such a punishment within Qurʾanic penal verses.[67]

10 Conclusion

In the hierarchy of sources for Islamic law, the Qurʾan is prima facie considered by most Muslims to be the highest and most authoritative source, followed by

65 al-Khurāsānī, *Kifāyat al-uṣūl*, 1:326.

66 Ibid.

67 For further information on this issue, see Mohsen Kadivar, *Blasphemy and Apostasy in Islam: Debates in Shiʿa Law*, trans. Hamid Mavani (Edinburgh: Edinburgh University Press, 2021); and Hashim Bata, *Exploring the Mind of God: An Introduction to Shiʿite Legal Epistemology* (Leiden: Brill, 2023), 107–13.

the Sunna which, for most Muslims, seems to serve as a complementary source of guidance to the Qur'an. The regulative verses cover a wide range of subjects, including matters related to personal conduct, family law, inheritance, contracts, commerce, criminal law, and more. The Qur'an, however, often provides general principles and guidelines, and it is the task of jurists to interpret and apply these principles to specific situations.

Nevertheless, the multifaceted discourse surrounding the role and authoritative position regarding the apparent indications of the Qur'an within Imāmī Shī'ī thought has produced a spectrum of perspectives. Within this spectrum, divergent viewpoints emerge, with some scholars apparently positing the Qur'an as a primary epistemic source that underpins a jurist's *ijtihād*, while others do not refer to the apparent indications of the Qur'anic verses as a primary normative source to be used for extrapolating legal norms. For such scholars, the Sunna is considered the primary epistemic source when deciphering Sharī'a rulings.

Among the jurists who view the Qur'an as a primary source for Islamic rulings, one example is Sayyid Khū'ī. He held the apparent indications of the Qur'an in high regard, something evident in his elucidation of the role these apparent indications played in his *ijtihād* or legal interpretation. His view regarding the authority of the apparent indications of the Qur'an occupies a significant place within his legal methodology and legal reasoning. An illustrative context for Khū'ī's stance emerges in his discourse on the concept of *jihād*. In contrast to the majority of Shī'ī jurists, who primarily derive their conclusions from two sources – the *ḥadīth* and consensus – Khū'ī advocates for the permissibility of *jihād* even in the absence of an infallible Imām. This contention underscores the primacy he accords to Qur'anic edicts vis-à-vis *ḥadīth*. Khū'ī's rationale for endorsing *jihād* during the absence of an infallible Imām rests on his conviction that the Qur'an assumes a foundational role in shaping Islamic law, thereby transcending the confines of *ḥadīth*-based prohibitions. By elevating the Qur'an to the status of a primary source, he endeavours to justify the permissibility of *jihād* – a stance that sets him apart from his contemporaries and predecessors. According to Khū'ī:

> Indeed, *jihād* against the infidels is one of the pillars of the Islamic religion, and Islam has been strengthened and its command has spread throughout the world through the call to monotheism under the banner of the Noble Prophet. It has been mentioned in many verses that it is obligatory for Muslims to fight and [engage in] *jihād* with the polytheistic infidels until they surrender or are killed, and with the People of the Book until they surrender or pay *jizya* while they are submissive. Naturally, allocating this ruling to a temporary time, which was the

> time of presence [of the infallible Imāms], is not consistent with the concern of the Qur'an and its command to do it without timing in its many texts.[68]

However, for the majority of Imāmī Shīʿī jurists, the apparent indication of the Qur'an seems to play a subsidiary role to the *ḥadīth* and consensus when deriving legal rulings and norms. According to this dominant trend of thought within Imāmī Shīʿism, the apparent indication of the Qur'an is viewed as a complementary source, while *ḥadīth* and consensus, the latter necessarily involving an infallible Imām, are the primary sources for extrapolating Islamic legal norms. For instance, al-Rāwandī, a pioneering author of works on the regulative verses of the Qur'an, explains that the delay among Imāmī scholars in authoring books on the regulative verses stems from the Shīʿī community's access to an infallible Imām to explicate divine law and the meaning of the Qur'an. As al-Rāwandī states:

> Our excuse is clear, because the argument and the evidence of the Shīʿī school of thought, in truth and correctness of what they particularly believe in it, of the indication of normative reports and textual obligations, as well as what they share with the jurists of other schools of thought, is their consensus. Because their consensus is a decisive evidence and it is an indicator which causes certainty that the infallible who is immune from mistakes is part of that consensus. If added to that, the Book of God or any other way which causes certainty and produces surety, it is an indicator added to another indicator. Otherwise, their consensus is sufficient.[69]

This seems to be the practical position of the majority of Imāmī jurists, according to which, the primary sources are the narrations, supported by consensus. The Qur'an, thus, according to al-Rāwandī, merely confirms the narrations and consensus.

Moreover, the generality of Qur'anic verses are typically specified or qualified by the narrations and/or consensus in Imāmī law. Khū'ī's position on issues like offensive *jihād* therefore appears incongruous in comparison with mainstream practice, since he privileges the general apparent indication of the Qur'an on *jihād* over the particular injunctions of the narrations. Nonetheless, one may plausibly characterise Khū'ī's stance on offensive *jihād* as inconsistent with his broader legal methodology, since in most of his legal works, he allows narrations and consensus to specify and qualify the universal indications of Qur'anic verses.

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68 al-Sayyid Abū al-Qāsim al-Mūsawī al-Khū'ī, *Minhāj al-ṣālihīn* (Qom: Mehr, 1981), 1:363–64.
69 al-Rāwandī, *Fiqh al-Qur'ān*, 1:60.

Some Muslim reformists appeal to the Qur'an as a means of reconciling traditional Islamic law with contemporary human rights norms, revisiting Qur'anic verses and foregrounding principles of justice, equality, and compassion, endeavouring to reinterpret Islamic teachings in alignment with evolving modern values. This exegetical approach has catalysed valuable discussions of women's rights, religious liberty, and individual freedoms within an Islamic framework, as seen in the work of scholars such as Amina Wadud.[70] However, the complex hermeneutics of scriptural interpretation and the diverse historical contexts in which Qur'anic verses were revealed render such undertakings challenging. Despite well-intentioned efforts, the issue of *jihād* as discussed by Khū'ī illuminates potential risks associated with reformist approaches. Khū'ī's novel perspective on *jihād* underscores the potential for reinterpretations to drift into a new form of political Islam with fundamentalist overtones, characterised by absolutist claims to truth. This highlights the delicate balance between updating Islamic jurisprudence and avoiding the unintended consequences of radical exegesis with adverse sociopolitical implications.

The hermeneutical implications of examining challenges to the apparent indication of the Qur'an seem applicable to the Sunna as well. Scrutinising all three challenges invites analogous investigation into the Sunna's authority. The striking resemblance between the Qur'an and Sunna, as historical texts, underlines interconnected hermeneutical implications. Moreover, concerns over the Sunna's transmission authenticity highlight the significance of textual variations and alterations during transmission. This challenge underscores the need for critical textual analysis and comparing versions to discern the most authentic content. In short, implications arising from challenges to the Qur'an's reliability exhibit congruence when applied to the Sunna. This intersection reinforces the importance of a critical, contextual approach to interpreting both, and underscores universal challenges that can compromise reliability.

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