



## Authority of Knowledge in Early Shī'ism: The Contribution of Imam al-Şādiq to Conceptualizing the *sunna*

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### Abstract

The way through which Imāmī Shī'a attribute their teachings to the Prophet Muhammad is the starting point to study early Shī'ī intellectual history. The most famous and important Shī'ī Imams, namely Muhammad al-Baqīr and Ja'far al-Şādiq, proposed the principles of Shī'ī thought in the first half of the second century; accordingly, they encountered problematic situations when being asked about how they accessed the Prophet's knowledge. Even though Imam al-Şādiq put great emphasis on the *sunna* of the Prophet, at the same time he criticized both the Traditionists and Aşhāb-u-Ra'y. He tried to show how his access to the *sunna* of the Prophet is not akin to what others claim. Most of the Traditionists were not able to engage in and discuss the various issues with Imam al-Şādiq, as he considered himself to be the Prophet's descendant who was also his only true successor. Hence, he tried to introduce himself as the only authority who could correctly interpret the *sunna* of the Prophet. In this study, I will attempt to explore the *sunna* discourse in the early Ja'farī school. It will be investigated how this early school conceptualized the notion of *sunna* in light of the *imāmah* doctrine and vice versa.

**Keywords:** Early Shī'ism, *sunna*, Ja'farī school, Imam al-Şādiq, Legal Theory.

### Introduction

Over time, some words are influenced by the social and cultural changes and lose their initial sense and undergo other changes, which then begin to signify new meanings. This phenomenon is also very true regarding religious terms in both the Qur'ān and Hadith. Therefore, how words and terms have been utilized and developed in Islamic legal history is of great importance for understanding the history of Islamic jurisprudence. The *sunna* is one of these terms which is as old as the history of Islam.

To trace back the early developments of *sunna*, the emergence of the Ja'farī school in the second Islamic century is of great historical importance, as the matter has not ever been discussed from this point of view. It is crucial to know how Imam al-Şādiq conceptualized the Prophetic *sunna* and linked himself to it, a link which shows how this early Shī'ī authority resolved the problematic situation of Shī'ī thoughts in terms of its origination.

Regarding the state of the field, some scholars has gone through various understandings of the term over the length of Islamic history, particularly in the early Islamic centuries (Īzādī, 2012: 59-82). Adis Duderija has had a significant impact to elaborate it. In 2015, he edited a volume, embracing the conceptualization of *sunna* in different Islamic schools of thought (Duderija, 2015: ). Unfortunately, even in this work, he has not discussed the issue in the

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early Shī'ī school (Duderija, 2012: 393-437; id., 2009: 195-206; id., 2007: 269-280); like some materials, prior to him, which has not embraced the issue in early Shī'ism. (Guraya, 1972: 13-44; Hasan, 1968: 47-69; Raḥmān, 1963: 1-36; id., 1962: 5-21)

In this paper, an attempt is made to investigate the idea of *sunna* with regards to the early Ja'farī school. To that purpose, the *sunna* will be taken as an idea to be investigated in early Imāmī Shī'ī school with particular reference to the thoughts of Ja'far b. Muhammad al-Ṣādiq. (Pākatchī, 2001: 158-159)

It should be mentioned that what has remained from the early Imāmī jurisprudence in the written form is fragmented reports in some canonical sources. That is, some limitations exist concerning the written sources of Imāmī jurisprudence in the first three centuries. Under such conditions, the research should be implemented by tracing back the discourse according to the textual analysis of narrations in primary Hadith sources.

### Nothing but the Qur'ān, the *sunna*, and the Imam's divine knowledge

The Shī'ī school became stronger during the *Imāmah* (leadership) of Mohammad b. 'Alī al-Bāqir (d. 114/733) and Ja'far b. Mohammad al-Ṣādiq (d. 148/765), the fifth and sixth Shī'ī Imams. That is, during the times of the fifth and sixth imams, Muhammad al-Baqir and Jaafar al-Sadiq, the collective Imāmī or Ja'farī identity became well-organized (Pākatchī, 2001: 158-159). It was within this framework of identity-formation that the Imāmi Shi'a began referring to the majority of the Muslim community as the *'āmmah*. (Afsaruddin, 2006: 66-67)

The Imāmīyyah are indebted to al-Sadiq and his father in formulating a religio-legal Shii doctrine, something absent previously, and whose exact points of differentiation from the *'āmmah* is not apparent, and their identity was many times influenced by them. A detailed report from al-Sadiq shows that though Shii Imamate began from the first century Hijri, "the Shi'a before (al-Baqir) did not know what they were required to know from the permissible and the impermissible" (Kashshī, 1988: 425). Furthermore, their source of knowledge on these matters was the non-Shi'a. With al-Baqir's efforts, the Imāmī doctrine, particularly in law matters, began to take shape, and eventually, the Shi'a became less dependant on others for their religious inquiries.

It was due to their efforts that the Shī'ī jurisprudence took shape as a regular disciplinary science (Pākatchī, 1986: 14). By the time of Imam al-Ṣādiq, Imāmī Shī'ī jurisprudence was formed and got its structure. He introduced Imāmī jurisprudence in a way that led it to be known as the Ja'farī *madhhab* (Ibn 'Abd al-Barr, 2008, vol. 2: 66).<sup>1</sup> Some evidence indicates that the school was being called *ja'farī* from the lifetime of Imam al-Ṣādiq himself. For instance, the Imam has said, "**this is not Ja'far's religion,**" refusing some claims that were being attributed to him (Ḥimyarī, 1992: 357). Further, Sayyid Ismā'īl Ḥimyarī (d. 173/789), a poet who converted to Shi'ism during the Imam's period, was proud to be among Imam's followers by using the Arabic verb tense "**taja'fart-u**" in his poems (Abū Naṣr Bukhārī, 1962: 34; Abū 'Ubaidullāh Marzbānī, 1993: 165 and 176; Sayyed Murtaḍā, 1992: 299; Ibn Bābiwayh, 1970: 34.). Also, in the late second century, Ḥafṣ b. Ghīyāth (d. 194/810) has referred to Imam by the term "**sayyid al-ja'āfirah;**" the expression means the leader of those who follow Ja'fār. (Diylamī, 1987: 211; Ṭūsī, 1992: 581)

In the days of Imam al-Ṣādiq, the school of the Traditionists and the school of the *Aṣḥāb-u-*

1. this should be mentioned that the Ja'farī jurisprudence has had continuous legal particularities in all ages. These rulings, for instance, contain the necessity of anointing feet instead of shoes in *wuḍū'* (ritual ablution), the legitimacy of mut'ah (i. e. temporary marriage), and avoiding to drink *fuqqā'* (almost beer). (Mufīd, n.d.: 21 and 30)

*Ra'y* (i. e. the people of personal opinion) had already taken up a visible form.<sup>1</sup> In the early second century, and at the threshold of their activities, some specific themes disseminated and attributed to the companions such as Ibn-i Mas'ūd (d. 33/653), 'Umar b. Khaṭṭāb (d. 23/644), and Ma'ādh b. Jabal (d. 18/639). All were unanimous that one can follow his own opinion or *Ijtihād* in the case neither the Qur'ān nor *the sunna* could offer a response to the query. This theory was much in circulation among the Aṣḥāb-u-Ra'y. The best report in this regard is a Hadith attributed to Ma'ādh. According to that, the Qāḍī (judge) first ought to take his query to the Qur'ān; if the need was not catered to, he must seek it in the *sunna*. If that too could not offer a response, he has to act upon his own opinion. (See Ibn Abī Shaybah, 1971, vol. 7: 239-242; Aḥmad b. Ḥanbal, 1991, vol. 5: 230; Dāramī, 1986, vol. 1: 60-61; Abū Dāwūd, 1949, vol. 3: 303; Tirmadhī, 1981, vol. 3: 616; Nisā'ī, 1929, vol. 8: 230-231)

However, there are some reports indicating the criticism of the figures of Aṣḥāb-u-Ra'y like Abū Ḥanīfah (Abū Nu'aim, 1932: 66), Ibn Abī Liylá (Qāḍī Nu'mān, 1963, vol. 1: 94), and Ibn Shabramah (Ṣaffār, 1983: 166, 170) by Imam al-Ṣādiq. He repeatedly emphasized the point that God's religion cannot be perceived with *qīyās* (i. e. judicial reasoning by analogy, Abū Nu'aim, 1932: 66). Moreover, the religion will vanish if it were to be attained through *qīyās*. (Barqī, 1952: 214; Ibn Bābiwayh, 1983, vol. 4: 119)

He also prohibited leaning upon *ẓunūn* (speculation), either on a personal conclusion, a weak source, or an imperfective tradition (See Ṣaffār, 1983: 407; Qāḍī Nu'mān, 1963, vol. 2: 535). Imam al-Ṣādiq considered the jurists whose legal rulings were not following the Qur'ān and *sunna*, not only as wrongdoers but also as liars, since they attribute their own opinions to the *sharī'ah falsely* (See Kulainī, 1988, vol. 1: 56 & vol. 8: 6 & vol. 7: 40; Qāḍī Nu'mān, 1963, vol. 1: 213; Ṭusī, 1984, vol. 9: 208.). The following words are attributed to Imam al-Ṣādiq: **«Whoever achieve Faith from the mouth of people he will be spoiled by them; and, whoever attain Faith from the Qur'ān and *sunna* shall retain existence as the hills are»**. (Mufīd, 1993: 72; Ḥillī, 1950: 16; Kulaynī, 1988, vol. 1: 7)<sup>2</sup>

1. In the middle of the second Islamic century, *Aṣḥāb al-Hadīth* (Traditionists) discourse took their place (more information, see Pākatchī, 2000: 114). In the early Islamic centuries, the Traditionists were one of the two main currents of that period; they gained the reputation, more than anything, against the *Aṣḥāb al-Ra'y* (see Khaṭīb-i Baghdādī, 1971: 131). *Aṣḥāb al-Ra'y* have usually used *sunna*, in their legal system, with an orientation towards personal opinions. In this discourse, the advancement of jurisprudence from its earliest stage to a somewhat systematic discipline was a rapid change, which led to the formation of *ra'y* and a set of primitive *Ijtihādī* methods (see Ibn sa'd, 1904, vol. 6: 232; Dhahabī, 1995, vol. 1: 56-59).
2. The history of jurisprudence indicates that the Shī'ī School subjected to some divisions after the Imam al-Ṣādiq's death, which led them to shape some schools according to the legal and theological issues. On this ground, the first school was that of having an inclination towards Kalam. They had an analytic thought at the use of the text of narrations. This school was known by the names of two famous disciples of Imam al-Ṣādiq, namely Hishām b. Ḥakam (d. 179/795) and Hishām b. Sālim al-Jawālīqī (d. ca. late 8th century). The representatives of the former in generations after Hishām b. Ḥakam were those like Yūnus b. 'Abd-u al-Raḥmān (d. 208/823) and Faḍl b. Shadhān (d. 260/874). They can be distinguished by some characteristics such as believing in the legitimacy of applying *qīyās*, and restriction of practicing single traditions (*akhbār aḥād*) in extracting the legal rulings. This standpoint adopted by them in spite of the fact that the judicial reasoning by analogy, usually called *qīyās* in Islamic law, discovering the probable reasons of the rulings, had been refuted by Imām al-Ṣādiq and the major part of his Shī'ī followers (Pākatchī, 2012: 123). This is why that Abū Khālid Wāsiṭī (d. after 145/762) has mentioned in a report that the standpoints mentioned above had even gained ground among a group of Shī'īs (See Abū Khālid Wāsiṭī, 1966: 293). The latter, namely that of Hishām b. Sālim al-Jawālīqī, did not believe in the authenticity of applying *qīyās*; instead, they just believed in the legitimacy of extracting rulings according to the principles mentioned by the Imams; that is, the principles could just be implemented on the new cases (On these currents, see: Gerami, "darāmaḍī bar shināsai," *passim*). Some distinguished Imāmī Shī'ī figures like Ṣafwān b. Yaḥyá (d. 210/826) and Aāmāb b. Muḥammad b. Abī Naṣr Bazanṭī (d. 221/836) were affiliated with the school of Hishām b. Sālim. By a tolerant evaluation, these two currents in the Kalāmī camp can be regarded as people of *ijtihād*

It comes as no surprise that Imam al-Şādiq also believed that there is nothing left unnoticed and unknown in the Qur'ān to be achieved just by the *sunna*; instead, the Qur'ān is the word of God, and had conveyed the divine message entirely and with total perfection. It is never thinkable, to him, that the *sunna* supplies what Qur'ān is short of. In his interpretation of the verse «*tibyān-an li-kull-i shai'*»,<sup>1</sup> Imam Şādiq has mentioned that the Qur'ān contains everything a man needs (Qur'ān 16: 89; Barqī, 1952: 267; Ḥillī, 1950: 109; Şaffār, 1983: 322). However, he considered that common people are not in a position to understand everything in the Qur'ān. Mu'allā b. Khunais (d. ca. 150/768) has narrated from Imam al-Şādiq that nothing exists unless the Qur'ān includes a principle to treat that, but the intelligence of common people would not achieve it (Barqī, 1952: 268; Kulaynī, 1988, vol. 1: 60 & vol. 7: 158, Ṭūsī, 1985, vol. 9: 357.). Therefore, Imam al-Şādiq advocated that the origin of all the rulings be in either the Qur'ān or its interpretation which is not available to common people. Imam al-Şādiq has mentioned that God taught the Prophet *ta'wīl* (hidden meaning) of the Qur'ān beside its *tanzīl* (revelation); the Prophet too on his turn taught the same to Imam 'Alī, and Imam 'Alī taught it to his succeeding Imams what he had learned from the Prophet (See Şaffār, 1983: 315; Kulaynī, 1988, vol. 7: 442; Ṭūsī, 1985, vol. 8: 286; 'Ayyāshī, 1961, vol. 1: 7). Imam Şādiq has also said that the Imams are vested with a particular knowledge to understand the Qur'ān, which is not common to all. In addition, Imam al-Bāqir, the fifth Shi'a Imam, has related that the Qur'ān can only be conceived by those to whom it is addressed. (Kulaynī, 1988, vol. 8: 312)

Finally, according to early Shī'ī reports and faiths, whenever an Imam could not find anything in the Qur'ān, nor in its interpretation and the *sunna*, he was allowed to utilize his own revealed knowledge. In the narrations of Imam al-Şādiq, the issue of how the Imams attain revealed prescripts is related to the two main concepts, namely *tawfīq* (i. e. God's given success) and *tasdīd* (i. e. God's given security from error). By the former, the Imam will be supervised under divine help, while by the latter, the Imam will be guarded divinely from committing wrong. This theme exists in a Hadith from Sūrat b. Kulaib, a disciple of Imam al-Şādiq. He asked Imam as to what basis the Imam issues a religious rule or mandate. The Imam, in reply, said that on the Qur'ān and *sunna*. Then he asked if it did not exist in either of them. The Imam insisted that there is nothing that does not exist in either of the two. However, he went on asking; the Imam replied that in such a case, he would enjoy the *tawfīq* and *tasdīd*, though rarely would such a case occur.

### The emphasis on the Prophetic *sunna*

Meantime, Imam al-Şādiq emphasized more on the *sunna* of the Prophet. The Shī'ī school, from its emergence onward, did not put stress on the sayings and conducts of the Companions as much as it did on the prophetic *sunna*. This is while that the early conception of *sunna* was based on that the umbrella of *sunna* casts its shadow on the *sunna* of the companions and their

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(individual reasoning), as in the early Islamic period, *ijtihād* was being understood as any type of argument or rational analysis (see Seyed Murtaḍā, 1969: 672).

On the other side, there was an anti-*ijtihād* trend that took shape against the Kalāmī school. The Shī'ī traditionists considered that the narrations on the prohibition of *qiyās* embrace too any argument or rational analysis (Kashshī, 1988: 189). Any legal extraction was regarded vain if it was beyond the text. This type of thinking of the past Imāmī traditionists can be witnessed in early Shī'ī Hadith sources place to place. In the second century, in addition to Muhammad b. Muslim Thaqafī and Abū Başīr al-Asadī (d. 150/768), there were some jurisprudents from Āl-i A'yan (A'yan family) such as Zurārat b. A'yan (d. 150/768) and 'Abdullāh b. Bukair (d. ca. mid 8th century) who were affiliated with this trend (On Āl-i A'yan circle, see: Gerāmī, 2012: 140-141).

1. i.e. the Qur'ān explains everything.

followers in addition to the sayings uttered by the Prophet (Abū Dāwūd, 1934: 122; Ibn Shādhān, 1971: 96; Pākatchī, 2000: 114-115). When the committee of ‘Umar proposed the caliphate to Imam ‘Alī on condition that he should act according to the conduct of the *Shaikhain* (two elders), Abūbakr and ‘Umar, beside the Qur’ān and *sunna*, he considered himself responsible to follow the Qur’ān and *sunna* of the Prophet only (Balādhurī, 1996, vol. 5: 500-511; Amīnī, 1976, vol. 10: 123). Also, ‘Alī b. al-Ḥusain al-Sajjād (d. 95/712), the fourth Shī‘a Imam, during his leadership formed some supplications within which he stressed only on the Prophet and his Ahl-ul-Bait, and highlighted just a prophetic discourse therein. (Ibn Abī al-Ḥadīd, 1958, vol. 11: 43; Ibn Sa‘d, 1904, vol. 5: 222)

His emphasis on the *sunna* of the Prophet can also be understood due to his support of the idea that the prophetic *sunna* was a religious source for the *farīdah* besides the Qur’ān. Prior to Imam al-Ṣādiq, the presence of the two terms was indicative of a kind of semantic confrontation between the two. In fact, *farīdah* was referring to the qur’ānic percepts (Qur’ān 60:9), while *sunna* was referring to those obligations stated by the Prophet (Bukhārī, 1987, vol. 5: 1949; Muslim, 1955, vol. 2: 1020; Kulaynī, 1988, vol. 2: 85; Ibn Bābiwayh, 1983, vol. 1: 34.). That is, in the early Islamic periods, *sunna* was all that was derived from the Prophet’s tradition either as an obligation or recommendation (*mandūb*).<sup>1</sup>

The confrontation of *sunna* and *farīdah*, in their early sense, can be found in the early decades of the second Islamic century. Mu‘ammar b. Rāshid (d. 154/ 771) relates that his teachers used to give priority to *ṣalāt al-jumu‘ah* (Friday Prayer) rather than to *fiṭr* Prayer.<sup>2</sup> They believed that the former is a qur’ānic obligation (*farīdah*) (Qur’ān 62:9), while the latter is just a *sunna*, since the latter is not mentioned in the Qur’ān and was only the *sunna* of the Prophet (Ṣana‘ānī, 1982, vol. 3: 299 & vol. 1: 18). In the middle of the second century, while this distinction was in the process of giving up its importance gradually, and the second meaning of *farīdah* and *sunna* was in the process of taking shape, Imam al-Ṣādiq did not distinguish between the two sources, the Prophet and the Qur’ān, though in some cases he accepted their different obligatory levels. According to a narration, Dāwūd b. Kathīr al-Riqqī (d. ca. 203/819) asked him whether the *sunna* of the Prophet is the same as God's obligations. In reply, Imam al-Ṣādiq laid much stress on the equality of both; that is, both must be obeyed, though he has also laid stress on a fundamental difference between the two. To him, whoever does not act upon God’s obligations or deny them is an unbeliever; also the Prophet has ordered to do things which are all good; however, one who does not bind himself to obey the Prophet's commands is not an unbeliever; instead, he has just lost a virtue, and the good that reaches him is imperfect (Kulaynī, 1988, vol. 2: 383). In another narration, Mohammad b. Muslim (d. 150/768) attributed the equality of *sunna* and *farīdah* to Imam al-Ṣādiq according to what he has related from ‘Ammār al-Sābaḥī (d. ca. late 8<sup>th</sup> century. Kulaynī, 1988, vol. 3: 362-363). Imam al-Bāqir also believed that *sunna* is not as effective on the invalidity of the prayer as *farīdah* is (Ibn Bābiwayh, 1983, vol. 1: 62; Tūsī, 1984, vol. 1: 95; id., 1985, vol. 2: 152). Imam al-Bāqir has divided components of the prayer into two groups, *sunna*, and *farīdah* (Majlisī, 1983, vol. 63: 163). According to a report related from Imam al-Ṣādiq, *qirā‘ah* (recitation of the Qur’ān in the prayer) is a *sunna*, not an absolute *farīdah*. Thus, the prayer will be avoided and must be repeated if one does not implement it intentionally; however, if one forgets to implement *qirā‘ah*, it does not invalidate the prayer, being just a *sunna*, not *farīdah*. Nevertheless, it is mentioned that if a *rukū‘* (bowing) or *sajdah*

1. In later periods, *sunna* was immured, and set out from obligation, and became every recommended ruling in either the Qur’ān or tradition, while *farīdah* became every mandate to be obeyed compulsorily either in the Qur’ān or *sunna* (on this semantic development, see Pākatchī, 2010: 207).

2. It is a prayer at the end of the month of Ramaḍān when Muslims celebrate ‘īd-il-Fiṭr (festival of Fiṭr).

(prostration) are missed in the prayer even inadvertently, the prayer is invalidated, as they are a *farīdah*. (Qāḍī Nu‘mān, 1963, vol. 1: 161-162)

It is also essential to know how Imam al-Ṣādiq linked himself with the Prophet Muhammad and how this early Shī‘ī authority resolved the epistemological problem of his access to the Prophet's sunna. He tried to show his access to the *sunna* of the Prophet not akin to what others claimed, as he considered himself to be the Prophet's descendant who was also his only true successor. Accordingly, most of the issues the Traditionists were bringing up were not relevant for Imam al-Ṣādiq. He did not see any need to use the chains of transmission to determine the *sunna*, a common practice in the circles of the Traditionists.<sup>1</sup> From the ḥadīthī debates of the period was the necessity of *Isnād* (to provide the chain of transmission) in Hadith, upon which the evaluation of *Aḥādīth* becomes possible. The discourse of *Isnād* had started from the days of the late followers after the companions, like Ibn-i Sīrīn (d. 110/729), and in the days of Imam al-Ṣādiq, it reached its climax due to the efforts of Shu‘bat b. Ḥajjāj (d. 160/777), Sufyān al-Thawrī (d. 161/778), and Ibn-i Mubārak (d. 181/797) (Pākatchī, 1994: 709-710). This discourse focused on discussing the authenticity of the sayings and conduct of the companions and followers; however, to Imam al-Ṣādiq, no need existed to extend such debates. (Pākatchī, 1996: 393, 399; Ibn Qibah, 1970: 120)

### The hermeneutics of the *sunna* and forming an early legal theory

When it comes to how the Imam has interpreted and utilized the *sunna*, it seems that he has given special attention to this notion. On various occasions, the Imam has expounded that what is needed in understanding the Qur’ān is also needed to understand the *sunna* of the Prophet. For instance, the Imam has approved of *naskh* (abrogation) in the *sunna* too, like the Qur’ān. Regarding why some differences exist between the companions’ sayings, the Imam has expounded it in such a way that it is not due to any falsehood; instead, it is due to the abrogation already exerted in the *sunna*. Accordingly, if the Prophet has said two contradictive traditions, just the latter must be followed because of the abrogation. (Kulaynī, 1988, vol. 1: 64-65)

Also, the traces of some well-known uṣūlī principles can be found in Imam al-Ṣādiq’s traditions. An inclination toward some main uṣūlī principles such as *barā’ah*, *istiṣhāb*,<sup>2</sup> Moreover, *iḥtiyāt* (principle of prudence) can be seen in what Imam al-Ṣādiq has mentioned (Shubbār, 1983: 258; Kulaynī, 1988, vol. 5: 280-281, 293-294; Ibn Bābiwayh, 1983, vol. 3: 76; Ṭūsī, 1985, vol. 1: 101 & vol. 7: 104). In Imam al-Ṣādiq’s traditions, it is very usual to extract legal rulings from *ta’wīl* (hidden meaning) as well as *tanzīl* (revelation), or the apparent meaning of the Qur’ān (Kulaynī, 1988, vol. 1: 60-61). He has also applied prophetic traditions as general principles to treat new cases. For instance, regarding the famous tradition «one which is prohibited on parentage is also prohibited on suckling»,<sup>3</sup> The Imam has mentioned that if a woman sells whom she has fed on her milk as a slave, it is as she has sold her own son, which is prohibited (Kulaynī, 1988, vol. 5: 446; Ṭūsī, 1985, vol. 7: 326). Meanwhile, the Imam has recognized that what the Prophet has mentioned in some determined cases cannot be interpreted and generalized to the new cases. His discussion on the commodities of the *zakāt* (obligatory alms) is a reliable example. According to a report,

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1. Imam al-Ṣādiq has mentioned having some specific sources inherited them from his ancestors, which have exclusively been available for *Ahl-ul-Bait* such the “*Jāmi‘ah*” and “*The Book of ‘Alī*” which were pristine and original at his reach (on this early Shī‘ī writings, see Modarresī, 2003: xiii-xviii).
  2. Principle of continuance: principle by which a given judicial situation that had existed previously was held to continue to exist as long as it could not be proved that it had ceased to exist or had been modified.
  3. *Yahrim-u min al-riḍā‘ mā yahrim-u min al-nasab*, see Bukhārī, 1987, vol. 2: 135; Tirmadhī, 1981, vol. 3: 452.

one asked Imam al-Şadiq that the agricultural products of his land are variant and more than the nine determined commodities for *zakāt*; the Imam responded to him that the commodities other than these are exempted in the *sunna*. According to both the Sunni and Shī'ī traditions, the Prophet has confined *zakāt* to the nine commodities and exempted the rest. (Şana'ānī, 1982, vol. 4: 114; Kulaynī, 1988, vol. 3: 510-511; Ibn Bābiwayh, 1985: 422; Ḥākim Niyshābūrī, 1990, vol. 1: 558; Beyhaqqī, 1994, vol. 4: 149; Ṭūsī, 1985, vol. 4: 5.)

Imam al-Şadiq also put some restrictions on unconditional rulings of both the Qur'ān and *sunna*. His explanations and restrictions had different origins; sometimes they had been derived from *al-qarā'in-ul-muttaşilah wa-l-munfaşilah* (the joint and detached evidences); sometimes they were laid upon a cultural ground beyond religious legislation such as the case in suckling, as well as being sometimes based on the social norm (*'urf*). For example, in the explanation of the Prophet's tradition, "**one which is prohibited on parentage is also prohibited on suckling**," Imam al-Şadiq has restricted it to only some specific cases (Kulaynī, 1988, vol. 3: 433-434 & vol. 5: 168; Ibn Bābiwayh, 1983, vol. 3: 477; id., 1982, vol. 3: 274, 214; Ṭūsī, 1985, vol. 7: 188.). What can also be regarded as a mandate on jurisprudence is to draw a link between religious obligations and social norms. This is something that was never ignored in the jurisprudence of Imam al-Şadiq. Some items in Imam al-Şadiq's *fiqh* refer to the current norm of his society and are absolutely independent of the text. For example, once one makes a will so that his box or another container must be given to someone, without any reference to its content, the will should be understood as referring to both the box and its content according to Imam al-Şadiq. This is which seems to be derived from the social norm of the Imam's period. (Kulaynī, 1988, vol. 3: 44; Ibn Bābiwayh, 1983, vol. 4: 217; Ṭūsī, 1985, vol. 9: 212)

Overall, it seems that Imam al-Şadiq was enjoying both Abū Ḥanūfah's legal system and that of the Mu'tazilah. That is, his legal approach was a moderate one between Abū Ḥanūfah's multiplicity-oriented approach and Mu'tazilah's approach.

Abū Ḥanūfah endeavored to benefit from *qiyās* and *ra'y* to expand and extend the limited transmitted rules to the new unlimited cases. On the other side, Mu'tazilah went after narrowing the cases of legal texts by relying upon some legal principles like *barā'ah*, which means that people are initially free of any religious duty, unless God prohibits something. Avoiding the usage of *qiyās* on the one hand, and giving particular attention to applying some legal principles to the other hand, led the Imam to step towards the Mu'tazilī legal methodology. On the other side, his attempts to extract fundamental legal principles from the Qur'ān and *sunna*, and also actual answers to the new cases made his jurisprudence to have the faculty of providing as well as Abū Ḥanūfah's one had. (Pākatchī, 2012: 145)

## Conclusion

Imam al-Şadiq criticized both the Traditionists and Aşhāb-u-Ra'y to highlight more of his specific reading of *sunna*. Most of the issues with which the Traditionists were engaging were not valid points to be raised against Imam al-Şadiq. For instance, he did not see any need to use the chains of transmission to determine the *sunna*, a common practice in the circles of the Traditionists. Also, he did not believe in the authenticity of *qiyās*; rather, he considered that anything which is needed is either in the Qur'ān or the *sunna*.

Imam al-Şadiq also put great emphasis on the *sunna* of the Prophet. This can be understood due to his support of the idea that the prophetic *sunna* was a religious source besides the *farīdah* derived from the Qur'ān.

In terms of *sunna* hermeneutics, on various occasions, the Imam had reiterated that which was needed to understand the Qur'ān was also needed to understand the *sunna* of the Prophet.

In addition, the traces of some main uṣūlī principles can be seen in what Imam al-Ṣādiq has mentioned. In Imam al-Ṣādiq's traditions, it is very usual to extract legal rulings from *ta'wīl* (hidden meaning) as well as *tanzīl* (revelation), or the apparent meaning of the Qur'ān. He has also applied prophetic traditions as general principles to treat the new cases.

It was shown how Imam al-Ṣādiq contributed to conceptualizing the *sunna* in the early second Islamic century. The way he contributed to conceptualizing the *sunna* shows that Imam al-Ṣādiq was enjoying both Abū Ḥanūfah's legal system and that of the Mu'tazilah. That is, his legal approach was a moderate one between Abū Ḥanūfah's multiplicity-oriented approach and Mu'tazilah's approach.



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