

# An Introduction to 'Man la yahduruh al-Faqih' of Sheikh Al-Saduq

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## The Author

Al-Shaikh al-Saduq is the title given to Abu Ja'far Muhammad b. 'Ali ibn Babawaih al Qummi. He was the leading traditionist of his time (4th Century A.H.) and one of the most outstanding traditionists of Shi'ite Islam. He earned the title of al-Shaikh al-Saduq on account of his great learning and his reputation for truthfulness. It is a title which he also shares with his father.

Al-Shaikh 'Ali, the father of the author, was a leading figure among the scholars of Qumm. By the father's time the family were established as strong adherents of Shi'ite Islam. However, it is not known how early the family entered into Islam.<sup>[1]</sup> Al-Shaikh al-Saduq is sometimes known as Ibn Babawaih. This is the family name and indicates the Persian origin of the family. For

Babwaih is an Arabicized version of the Persian form Babuyah.<sup>[2]</sup>

The date of al-Shaikh al-Saduq's birth is not known exactly. However an interesting story surrounds the circumstances of his birth. When his father was in Iraq, he met Abul Qasim al-Husain b. Rawh, the third agent of the Hidden Imam. During their meeting he asked the latter several questions. Later he wrote to al-Husain b. Rawh asking him to take a letter to the Hidden Imam. In this letter he asked for a son. Al-Husain sent back an answer telling him that they (the Hidden Imam and al-Husain) had prayed to God to ask Him to grant the request and he would be rewarded with two sons. Another version of the story says three sons. The elder, or eldest, of these sons was Muhammad, that is al-Shaikh al-Saduq, our author.

On the basis of this story, early Shi'ite scholars have placed his birth after the year 305 A.H. probably 306 A.H. For al-Husain b. Rawh was the agent of the Hidden Imam from 305 A.H. until his death in 326 A.H. Al-Shaikh al-Saduq was born and grew up in Qumm. He was educated by his father and came into close contact with all the leading scholars of Shi'ite Islam in Qumm and studied under many of them.<sup>[3]</sup>

Qumm was one of centres of the study of Shi'ite traditions and it was this form of religious learning which held great influence over al-Shaikh al-Saduq. He travelled widely visiting many cities in search of traditions and as a result the number of scholars whom he learned traditions from is considerable. The number is put at 211.

The importance of traditions is emphasized by al-Shaikh al-Saduq and he quotes traditions against speculative theology. His works reflect this interest in traditions and nearly all of them

take the form of compilations of traditions. However he did write a creed of Shi'ite Islam al-I'tiqadat. His pupil, the eminent theologian al-Shaikh al-Mufid, wrote a correction of this creed Tashih al-i'tiqad where he criticises him on several points.[4]

The number of al-Shaikh al-Saduq's works is considerable.[5] Al-Tusi says that they numbered over 300 but list only 43 of them that he has immediately in his possession, while al-Najashi lists 193 of them. Curiously enough al-Najashi does not mention the important work Man la yahduruh al-faqih! Many of the works of al-Shaikh al-Saduq have been lost but a considerable number survive and have been published. There are also other works not yet published but extant in manuscript form. As has been mentioned during his life al-Shaikh al-Saduq devoted most of his energy to the collection and compilation of traditions; he was also a great teacher of tradition. During the last years of his life al-Shaikh al-Saduq lived in al-Rayy. He had been invited there by the Buyid Rukn al-Dawla.[6] He seems to have been well-treated and honoured there by Rukn al-Dawla and took part in many discussions with him. However it is reported that his teaching was eventually restricted by the Buyid Wazir Ibn 'Abbad. The attack appears to have been aimed at traditions for several Sunni traditionists also suffered similar restrictions at the hands of Ibn 'Abbad.[7]

Al-Shaikh al-Saduq died in al-Rayy in 381 A.H. and he was buried there. He was probably more than 70 years of age. He left behind him many collections of traditions which are of great importance.

### **Man la yahduruh al-faqih**

This work is included in the four major books of the traditions of Shi'ite Islam. Despite the fact that many of his other works are extremely important, this book must be regarded as his most important work. However some authorities maintain that there were five major books of traditions and they include another of al-Shaikh al-Saduq's works Madinat al-'ilm, in this number.[8] Al-Tusi mentions that the latter work was bigger than Man la yahduruh al-faqih.[9] It appears that this book is no longer existent. It seems to have been concerned with *usul al-din* (the principles of religion) rather than the *furu'*, which are the practical regulations for carrying out the *shari'a*, the holy law of Islam.

As its title implies *Man la yahduruh al-faqih* was concerned with *furu'*. It has been neatly translated by E. G. Brown as "Every man his own lawyer"[10] In his introduction to the book al-Shaikh al-Saduq explains the circumstances of its composition and the reason for its title. When he was at Ilaq near Balkh, he met Sharif al-Din Abu 'Abd Allah known as Ni'mah whose full name was Muhammad b. Al-Husain b. Al-Husain b. Ishaq b. Musa b. Ja'far b. Muhammad

b. Ali b. Al-Husain b. Ali b. Abi Talib. He was delighted with his discourses with him and his gentleness, kindness, dignity and interest in religion. He brought a book compiled by Muhammad b. Zakharia al-Razi entitled *Man la yahduruh al-Talib* or "Every man his own doctor" to the attention of al-Shaikh al-Saduq. He, then, asked him to compile a book on fiqh (jurisprudence), al-halal Wa-'l-haram (the permitted and prohibited) al-shara-i' wa-'l-ahkam (revealed law and (ordinary) laws) which would draw on all the works which the Shaikh had composed on the subject. This book would be called *Man la yahduruh al-faqih* and would function as a work of reference.<sup>[11]</sup>

In fact the work represents a definitive synopsis of all the traditions which al-Shaikh al-Saduq had collected and included in individual books on specific legal subjects. In the lists of books of al-Shaikh al-Saduq, individual works are attributed to him on every subject of the *furu'*; examples are such works as *Kitab al-nikah* "Book of Marriage" or *Kitab al-hajj* "Book of the Pilgrimage". That this was the intention of both the author and the learned member of Ahl al-bait is emphasised by the author when he says that Sharif al-Din had asked him for this work despite the fact that he had copied or heard from him the traditions of 145 books.<sup>[12]</sup>

Another element in the work that stresses that it was conceived as a reference book to help ordinary Shi'ites in the practise of the legal requirements of Islam is the general absence of the isnads for traditions. The isnads - or the chain of authorities by which the tradition had been received from the Prophet or one of the Imams - was, and is, an all-important feature of the science of traditions. Therefore this book was not meant to be a work for scholars, who would want to check the authorities. Scholars could check the isnads in the numerous individual studies compiled by al-Shaikh al-Saduq. This book was a summary of the study of legal traditions by one of the great scholars of traditions. Al-Shaikh al-Saduq says that he complied with the request for him to compile the book "... because I found it appropriate to do so. I compiled the book without isnads (asanid) so that the chains (of authority) should not be too many (-and make the book too long-) and so that the book's advantages might be abundant. I did not have the usual intention of compilers (of books of traditions) to put forward everything which they (could) narrate but my intention was to put forward those things by which I gave legal opinions and which I judged to be correct.<sup>[13]</sup>

Al-Shaikh al-Saduq also gives an account of some of the earlier works which he referred to. These works were the books of Hariz b. 'Abd Allah al-Sijistani - he died during the life time of Imam Ja'far al-Sadiq; the book of 'Ubaid Allah b. 'Ali al-Halabi - who was also a contemporary of Imam Ja'far; the books of Ali b. Mahziyar - who took traditions from Imam 'Ali al-Rida, Imam Muhammad al-Jawad and Imam al-Hadi; the books of al-Husain b. Sa'id - who also

heard traditions from those three Imams; the Nawadir of Ahmad b. Muhammad b. 'Isa - who died in 297 A.H. and also heard traditions from those three Imams; the Kitab nawadir al-hikma of Muhammad b. Yahya b. 'Imran al-Ash'ari; Kitab al-rahma of Sa'd b. 'Abd Allah - who died in 299 A.H. or 301 A.H.; the Jami' of Muhammad b. al-Hasan - who was one of the teachers of the Shaikh and died in 343 A.H.; the Nawadir of Muhammad b. Abi 'Umayr - who died in 218 A.H.; the Kitab al-Mahasin of Ahmad b. Abi 'Abd Allah al-Barqi (i.e. Ahmad b. Muhammad b. Khalid al-Barqi) who died in 274 A.H. or 280 A.H. (this book has been published in Teheran); and the Risala which his father had written to him. The Shaikh goes on to mention that he also consulted many other works whose names occur in the book-lists.[14] This inclusion of the list of some of the works consulted is useful evidence that the works of both al-Shaikh al-Saduq and his predecessor, al-Kulaini, who compiled the first of the four major books of Shi'ite traditions, al-Kafi, represent the culmination of works of traditions which had been compiled in a continuous process from the earliest times and at least from the time of Imam Ja'far al-Sadiq.

In addition to these references which the author gives in his introduction he frequently refers to his own works during the course of the book. Thus at the end of his Bab nawadir al-hajj (Chapter of Exceptional Traditions of the Pilgrimage), he says: "I have published these nawadir with isnads with others in Kitab jami', nawadir al-hajj." [15]

Another feature of the work is the method used by the author. He does not leave the traditions to speak for themselves but frequently draws rules from the traditions or explains their meaning. In a summary of the various traditions on the pilgrimage, he gives a long outline of all the rituals which should be performed by the faithful with very few traditions intervening in his outline.[16]

The book covers most of the points concerned with the furu' (practices) of fiqh jurisprudence. It is not arranged in chapters (kutub) but in smaller sections (abwab), with the various categories such as fasting and pilgrimage following closely after each other. As indicated, its lack of isnads and al-Shaikh al-Saduq's own explanations make it an extremely useful compendium of law for ordinary Shi'ite Muslims of the period.

The book, naturally as one of the four major works of traditions, has had many commentaries written on it. Among the great Shi'ite writers who have written such commentaries are al-Sayyid Ahmad b. Zain al-'Abidin al-'Alawi al-'Amili (died 1060 A.H.) and Muhammad Taqi al-Majlisi al-Awwal (died 1070 A H ).[17] The book itself has been recently published in four volumes in Teheran.

## Notes:

- 1- Cf. "Introduction" by al-Sayyid Hasan al-Musawi al-Khurasan in his edition of *Man la yahduru al-faqih* (4 volumes Teheran, 1390), I, pages h-w
- 2- A. A. Fyzee, *A Shi'ite Creed* (Calcutta, 1942), p.8 footnote 2
- 3- Cf. al-Sayyid Hasan al-Musawi al-Khurasan, "Introduction", op cit, I, pages z-t
- 4- W. Madelung, "Imamism and Mu'tazilite Theology", *Le Shi'isme Imamite*, (Paris 1970), 21
- 5- Al-Shaikh al-Tusi, *al-Fihrist* (Mashhad 1351 A.H.S.), 303
- 6- Cited by A. A. Fyzee, op cit., 11, 16
- 7- Cited by W. Madelung, op cit., 20
- 8- Al-Sayyid Hasan al-Musawi al-Khurasan, op cit., page Ar
- 9- Al-Shaikh al-Tusi, loc cit
- 10- Cited by A. A. Fyzee, op cit., 6
- 11- *Man la yahduru al-faqih*, I, 2-3
- 12- Ibid, I. 3
- 13- Ibid
- 14- Ibid, I, 3-5
- 15- Ibid, II, 311
- 16- Ibid, II, 311
- 17- For a full list cf. "Introduction", ibid pages Aba-Ana