

## Dr Zackery M. Heern – Idaho State University



Dr Zackery M. Heern is an Associate Professor in the Department of History at Idaho State University in the United States. Dr. Heern specializes in Middle East and Islamic studies, and his research and teaching interests include Iran, Iraq, modern Islamic movements, Shi'i Islam, intellectual history, world history, and religion. His book, *The Emergence of Modern Shi'ism: Islamic Reform in Iraq and Iran*, was published by Oneworld Publications in 2015 and was featured in *The Economist* magazine. He has also published several academic papers on Shi'i knowledge and authority. His current book project is titled *Britain and Shi'ism in Iraq: Imperialism and Resistance in State Formation*.

### **ABSTRACT: "Ijtihād and anti-Ijtihād in Shi'i History"**

This paper analyzes Shi'i conceptions of ijtihād through the lens of history. Instead of only including scholars who worked to normalize ijtihād and establish the official status of mujtahids, this paper outlines a spectrum of positions on ijtihād from varying scholarly perspectives, including those generally categorized as rationalists, textualists, and mystics. Research for this paper, then, is based on the writings of Shi'i scholars who address ijtihād from a wide range of viewpoints.

The question of accepting or rejecting ijtihād is often cited as a primary difference between Usulis, Akhbaris, and Shaykhis. Wahid Bihbihani (d. 1791) is widely cited as the champion of Usulism because he advocated ijtihād, and Muhammad Amin al-Astarabadi (d. 1627) is generally recognized as the founder of modern Akhbarism because of his rejection of ijtihād. Although Shaykh Ahmad al-Ahsa'i (d. 1826) was trained by the most prominent Usuli scholars of his day, he advocated a synthesis of Shi'ism that included mysticism, textualism, and rationalism. Al-Ahsa'i, however, argued that only Perfect Shi'is are capable of ijtihād. In this study I treat ijtihād as a rubric with which to test the boundaries between Shi'i schools of thought. My analysis of scholarship on ijtihād from representatives of these schools indicates that Shi'i conceptions of ijtihād are much more complex than a simple rejection or acceptance of a common set of principles. The ideas associated with ijtihād evolved over centuries. The ijtihād promoted by Bihbihani, therefore, was different than that of Murtada Ansari (d. 1864), who redefined the key terminology associated with ijtihād. Additionally, the reasons for accepting or rejecting ijtihād changed over the course of Shi'i history, but were often tied to Sunni-Shi'i polemics. Al-Astarabadi, for example, condemned Usuli scholars for adopting Sunni methods of jurisprudence. Additionally, Bihbihani rejected analogical reasoning (*qiyās*) as a Sunni method, but accepted a similar concept of transference (*ta'diyya*) in his approach to Islamic law.