

Polemics and patronage in Safavid Iran: The debate on Friday prayer during the reign of Shah Tahmasb

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Abstract

This study argues that five treatises on the legal status of Friday prayer in Twelver Shiite law that were composed between 1555 and 1563, in the middle of the reign of Safavid Shah Tahmasb, were all penned as part of a heated competition over the post of *shaykh al-islām* of the Safavid capital Qazvin. Detailed analysis of the first four treatises and the context in which they were produced, building on a 1996 article that discussed the fifth, demonstrates the influence of politics and academic rivalry on texts of Islamic law and other sciences, the types of rhetorical strategies used by scholars in the competition for patronage, and the importance of support of scholars for the establishment of legitimate rule and an official religion.

A well-known anecdote portrays two leading religious scholars of seventeenth-century Iran, Shaykh Bahā'ī (Bahā' al-Dīn al-Āmilī, d. 1030/1621) and Mīr-i Dāmād (Muḥammad Bāqir al-Astarābādī, d. 1040/1631), riding on an outing with the cavalcade of the Safavid Shah Abbas I (996–1038/1587–1629). In order to test them, the Shah points out to each the clumsy riding of the other, caused by the tremendous weight of Mīr-i Dāmād on the one hand and the slight frame of Shaykh Bahā'ī on the other. Rather than chiming in with mean-spirited criticisms, each scholar defends his peer to the Shah, Shaykh Bahā'ī claiming that the plodding of Mīr-i Dāmād's horse was due to his tremendous learning, and Mīr-i Dāmād suggesting that the flightiness of Shaykh Bahā'ī's mount was due to its joy at carrying such a distinguished rider. The reaction of the two is surprising, and Shah Abbas was particularly pleased, taking time to thank the Lord for blessing his realm with such unusually wise and pleasant learned men.¹ The anecdote reveals something important about the religious

1 Versions of this anecdote are cited in a number of texts, including the nineteenth-century biographical dictionaries of al-Khwānsārī and Tunkābunī, but its ultimate source remains unclear. Abisaab, who cites Tunkābunī, notes that it is a late and probably apocryphal anecdote. It must predate by many years the works of al-Khwānsārī and Tunkābunī, neither of whom cites a specific source, because it also appears in Malcolm's *The History of Persia*, published in 1815. Malcolm derived it from a Persian text or texts that he mysteriously cites as "Persian MSS. Moolah Sāduck". Sir John Malcolm, *The History of Persia, from the Most Early Period to the Present Time: Containing an Account of the Religion, Government, Usages, and Character of the Inhabitants of*

hierarchy in Safavid Iran: the natural or expected relationship between two such members of the scholarly elite would be jealous rivalry. Given that the resources of the Empire and the patronage of the Shah were both limited, competition among the scholars of the realm, and particularly among those in the upper echelons, was often fierce. They would rarely have passed up an opportunity to undermine the favour rivals enjoyed with the Shah in an attempt to secure their own positions.²

There may be more behind this anecdote, however, than meets the eye: Shaykh Bahā'ī and Mīr-i Dāmād were not simply leading jurists at Shah Abbas' court, but belonged to two distinct lineages of scholars, both of which had originated in Lebanon, established important ties to the Safavid government, promoted the legitimacy of the Shiite dynasty and helped conduct ideological warfare against the Ottomans. They had also opposed each other, engaging in a bitter rivalry in the mid-sixteenth century. Bahā' al-Dīn's father, Ḥusayn b. 'Abd al-Ṣamad (918–84/1512–76), and his father's teacher, Zayn al-Dīn al-Āmilī (911–65/1506–58), had publicly opposed Mīr-i Dāmād's maternal grandfather, 'Alī b. 'Abd al-Āl al-Karakī (d. 940/1534), his uncle 'Abd al-Āl al-Karakī (926–93/1522–85), and his cousin Sayyid Ḥusayn al-Karakī (d. 1001/1591–92) on a variety of Islamic legal issues. Newman observed that Zayn al-Dīn al-Āmilī and Ḥusayn b. 'Abd al-Ṣamad criticized the views of al-Muḥaqqiq al-Karakī regarding the determination of the *qibla*, interpreting it as a rejection of al-Karakī and Safavid Shiism in general.³ The present author suggested that their criticisms were part of a long rivalry evident in writings on such important public religious issues as the *qibla* and Friday prayer.⁴ Abisaab also discussed the competition between these two groups, adding new information and calling attention to the activities of a fourth Karakī, Ḥasan, a second son of al-Muḥaqqiq al-Thānī. She emphasizes in particular Ḥusayn b. 'Abd al-Ṣamad's criticisms of al-Muḥaqqiq al-Karakī's views with regard to the *qibla*, Friday prayer, the distribution of the Imam's share of *khums* funds, and the cleansing of prayer mats exposed to urine.⁵ Against this background, the mutual support of Bahā' al-Dīn and Mīr-i Dāmād in the anecdote represents a reconciliation between the most prominent living representatives of these two scholarly lines, symbolizing the cordial end of a long and intense rivalry. This study examines one phase at the height of the rivalry between

That Kingdom, 2 vols (London: Longman and Co., 1815), 1/558–9; Muḥammad Bāqir al-Khwānsārī, *Rawḍāt al-jannāt fī aḥwāl al-ʿulamā' wa'l-sādāt*, 8 vols (Beirut: al-Dār al-Islāmīya, 1991), 2/62; Mīrzā Muḥammad Tunkābunī, *Qīṣaṣ al-ʿulamā'* (Tehran: Intishārāt-i 'Ilmīya-yi Islāmīya, 1985), 242–3; E. G. Browne, *A Literary History of Persia*, 4 vols (Cambridge: Cambridge University Press, 1924), 3/426–7; Rula Jurdi Abisaab, *Converting Persia: Religion and Power in the Safavid Empire* (London: I.B. Tauris, 2004), 70.

- 2 Abisaab comments insightfully on this anecdote, noting its message about the prevalence of rivalry among the scholarly class and adding that Shah Abbas intended to promote a level of controlled competition among them. Abisaab, *Converting Persia*, 70.
- 3 Andrew Newman, "The myth of clerical migration to Safawid Iran: Arab Shiite opposition to 'Alī al-Karakī and Safawid Shiism", *Die Welt des Islams* 33, 1993, 66–112, here pp. 105–6.
- 4 Devin J. Stewart, "Notes on the migration of Āmilī scholars to Safavid Iran", *Journal of Near Eastern Studies* 55, 81–103, here pp. 97–9.
- 5 Abisaab, *Converting Persia*, 22–30, 36–9, 45–8, 50–51.

these two groups of Shiite scholars, demonstrating that several polemical treatises devoted to the controversial issue of the legal status of Friday prayer and penned in the middle of the long reign of Shah Tahmasb (930–84/1524–76) were intended as salvos in a battle over the top position of religious authority in the Safavid Empire, that of the *shaykh al-islām* or chief jurist of Qazvin, the Safavid capital between 962/1555 and 1006/1597.⁶ This competition was of great significance when one takes into account, as Echraqi has noted, Shah Tahmasb's considerable efforts to propagate the Shiite faith as the official religion of the Empire and to assemble the top religious scholars at Qazvin and support them generously.⁷

Competition among the learned for lucrative posts and limited resources was widespread and intense in many Islamic societies, and became more regular after the spread of endowed institutions such as the *madrasa* or college of law and the *khāniqāh* or Sufi lodge with their associated stipends in the twelfth and later centuries. Chamberlain, focusing on Damascus between 1190 and 1350, analyses the competition for endowed positions (*manāṣib*) among the scholarly class in some detail, comparing it insightfully with the competition among military commanders for *iqṭā's* or military fiefs. Leading scholarly families endeavoured to amass and preserve wealth by controlling these endowed positions, holding many posts simultaneously, farming out the responsibilities they entailed to deputies, wresting them from rivals, defending them from seizure, paying bribes to acquire or keep them, passing them on to sons and relatives, and so on. Support of those in power, including the Sultan or his viceroy or governors, as well as the chief judge and other prominent members of the judiciary and scholarly establishment, was often crucial for the accession to, and continued control over, endowed positions.⁸ The situation Chamberlain describes existed in many other Islamic contexts, including both the Ottoman and Safavid empires. He addresses some of the strategies scholars used to gain positions, including petitioning rulers, getting powerful figures to intercede, making gifts and payoffs, and accusing the incumbents of vice, impiety or unbelief.⁹ A point that Chamberlain omits in his analysis is the role that books and treatises played in such competition. In order to enlist the intercession of a powerful figure to acquire a position, scholars dedicated books to him, most often in the field required for that post. As a rule such works flattered the ruler or high official and demonstrated the author's competence and qualifications. In addition, they often criticized peers, including the current incumbent, portraying them not only as wrong on specific issues but also as inferior or incompetent scholars, thus attempting to undermine their rival claims to the position.

The status of Friday prayer according to Islamic law of the Twelver Shiite tradition was a hotly debated issue throughout the history of the Safavid Empire,

6 Michel M. Mazzaoui, "From Tabriz to Qazvin to Isfahan: three phases of Safavid history", *Zeitschrift der Deutschen Morgenländischen Gesellschaft* suppl. 3.1, 1977, 514–22; Ehsan Echraqi, "Le Dār al-Salṭana de Qazvin, deuxième capitale des Safavides", 105–16 in Charles Melville (ed.), *Safavid Persia: The History and Politics of an Islamic Society* (London: I.B. Tauris, 1996).

7 Echraqi, "Le Dār al-Salṭana de Qazvin", 112.

8 Michael Chamberlain, *Knowledge and Social Practice in Medieval Damascus, 1190–1350* (Cambridge: Cambridge University Press, 1994), 91–107, esp. 92–100.

9 Chamberlain, *Knowledge and Social Practice*, 96–7.

for it impinged directly on questions of authority and on public ritual. The traditional Shiite view had been that only the Imam or a designated representative could legitimately convene Friday prayer. For this reason, while for centuries Shiites lived under Sunni domination in most areas of the Islamic world, jurists held that Friday prayer was in abeyance, on the grounds that obtaining the Hidden Imam's permission was impossible, and even when it was possible, the Sunni regimes would not allow it to be held, instead appointing their own prayer leaders. Shiites were therefore often in the position of Catholic Recusants in Reformation England, loath to attend services – though the Shiite doctrine of *taqīya* (dissimulation) encouraged them to do so, praying with the Sunni majority and in the Sunni manner. The situation changed, however, under Shiite rule, but the issue remained problematic. On the one hand, by promoting the performance of Friday prayer the Safavid Shahs risked being perceived as claiming authority that belonged properly to the Twelfth Imam. On the other hand, presiding over the revival of Friday prayer in the Shiite manner was a point of pride for the dynasty, particularly in their ideological conflict with the Sunni Ottomans. Moreover, many Shiite jurists wanted to provide ideological support for the legitimacy of the officially Shiite dynasty that had done so much to support the current resurgence of Shiite doctrine, literature and religious culture, but without undermining their own authority by promoting views seen as heretical innovations. Scores of treatises devoted to Friday prayer were composed during the Safavid period. There are about 200 such treatises extant in the Twelver tradition; about half of these are from the Safavid period, most from the seventeenth century and from Isfahan in particular.¹⁰ The authors generally championed one of three competing views on Friday prayer's legal status. One group held that Friday prayer was prohibited in the absence of the Imam or his direct representative. A second group held that Friday prayer could be held if a *mujtahid* presided or granted his permission, on the theory that the *mujtahid* was the “general representative” of Imam. A third position was that Friday prayer was obligatory in a general sense. The permission of a *mujtahid* was not required.¹¹

Safavid practice regarding Friday prayer during the reigns of Shah Isma'īl I and Tahmasb I, that is, between 1501 and 1576, was related to the publication

10 Rasūl Ja'fariyān, *Kāvish-hā-yi tāza dar bāb-i rūzīgār-i šafavī* (Qum: Nashr-i Adyān, 2005), 417.

11 Rasūl Ja'fariyān, *Dīn va-siyāsāt dar dawra-yi šafavī* (Qum: Intishārāt-i Anšāriyān, 1991), 121–80; idem, *Šafavīya dar 'arša-yi dīn, farhang, va-siyāsāt* (Qum: Pazhūhishkada-yi Ḥawza va-Dānishgāh, 2000), 251–363; idem, *Davāzdah Risāla-yi fiqhī dar bāra-yi namāz-i jum'a* (Qum: Intishārāt-i Anšāriyān, 2003), 1–102; Mahdī Farhānī Munfarid, *Muhājirat-i 'ulamā-yi shī'a az Jabal 'Amil bih Irān dar 'aṣr-i šafavī* (Tehran: Intishārāt-i Amīr Kabīr, 1998), 118–21; Hamid Algar, “Emām-e Jom'a”, *Encyclopedia Iranica* 8/386–91; Abdulaziz Abdulhussein Sachedina, *The Just Ruler in Shī'ite Islam: The Comprehensive Authority of the Jurist in Imamite Jurisprudence* (Oxford: Oxford University Press, 1988), 177–204; Andrew J. Newman, “Fayd al-Kashani and the rejection of the clergy/state alliance: Friday Prayer as politics in the Safavid period”, 34–52 in Linda S. Walbridge (ed.), *The Most Learned of the Shī'a: The Institution of the Marja' Taqlid* (Oxford: Oxford University Press, 2001), esp. 35–8.

of a limited number of treatises.¹² The main theoretical underpinnings for early Safavid practice were provided by *al-Ja'farīya fī al-ṣalāt* (The Ja'farī Treatise on Prayer), which al-Muḥaqqiq al-Karakī completed in Mashhad on 10 Jumādā I 917/5 August 1511. There, he argued that Friday prayer was only allowed on the condition that a representative of the Imam designate someone to conduct it.¹³ In al-Karakī's view, since the Imam's permission to hold Friday prayer was required during the time of their presence and a suitable deputy (*nā'ib*) had to be designated by the Imam in order to do so, it similarly had to be authorized during the occultation by a living *mujtahid*, on the grounds that he was the general representative (*al-nā'ib al-āmm*) of the Twelfth Imam. Friday prayer was therefore held in the Safavid realm during the lifetime of al-Muḥaqqiq al-Thānī himself, as he was recognized as a *mujtahid* and gave his permission for others to lead the prayer. When he died in 940/1534, though, Friday prayer fell into abeyance in the realm, either since no living jurist was generally recognized as a *mujtahid*, or because qualified jurists, out of circumspection or a show of humility, refrained from granting their permission. Just over two decades later, in 962/1555, Zayn al-Dīn al-Āmilī, who resided in Jabal Āmil, composed his *Risāla fī ṣalāt al-jum'a* (Treatise on Friday Prayer), which triggered an intense debate over the next decade. He argued, against al-Muḥaqqiq al-Karakī, that Friday prayer was obligatory in a general sense, and was not restricted by permission of a *mujtahid*.¹⁴ This opinion found support in Iran, particularly through Zayn al-Dīn's student Ḥusayn b. ʿAbd al-Ṣamad, who had immigrated to Safavid territory and settled in Isfahan in 961/1554. In about 963/1556, Ḥusayn wrote *Risāla fī wujūb ṣalāt al-jum'a* (Treatise on the Obligatory Status of Friday Prayer), which closely resembled the work of his master Zayn al-Dīn and upheld the same opinion. In 966/1559, less than a year after Zayn al-Dīn's death in Istanbul at the hands of the Ottomans, two refutations of Zayn al-Dīn's treatise were penned by al-Muḥaqqiq's son Ḥasan and his grandson Sayyid Ḥusayn b. Ḥasan b. Ja'far al-Karakī, both upholding al-Muḥaqqiq al-Karakī's original opinion that the permission of a *mujtahid* was required. Ḥusayn b. ʿAbd al-Ṣamad completed a rebuttal entitled *al-Iqd al-ḥusaynī* (The Husaynid Necklace) in 970/1563, defending Zayn al-Dīn's position and criticizing the views upheld by the Karakīs.

12 The best available summary to date of the debate over Friday prayer in Safavid Iran is Ja'fariyān, *Davāzdah risāla-yi fiqhī*, 1–102.

13 Published in *Rasā'il al-Muḥaqqiq al-Karakī*, ed. Muḥammad Ḥassūn (Qum: Maktabat Āyat Allāh al-Mar'ashī al-Najafī, 1988–89), 77–136; also in Ja'fariyān, *Davāzdah risāla-yi fiqhī*, 103–30. Al-Karakī completed a second treatise on the topic, *Risālat ṣalāt al-jum'a* (Treatise on Friday Prayer), on 6 Muḥarram 921/20 February 1515. He also discussed the status of Friday prayer during the occultation in his major legal commentary, *Jāmi' al-maqāṣid fī sharḥ al-qawā'id*, as well, but refers readers there to his independent treatise on the topic, presumably the *Ja'fariya*. ʿAlī al-Karakī, *Jāmi' al-maqāṣid fī sharḥ al-qawā'id*, 13 vols (Beirut: Mu'assasat Āl al-Bayt li-Iḥyā' al-Turāth, 1991), 2/374–80.

14 Zayn al-Dīn al-Āmilī, *Risāla fī ṣalāt al-jum'a*, in *Rasā'il al-Shahīd al-Thānī*, vol. 1 (Qum: Markaz al-Abḥāth wa'l-Dirāsāt al-Islāmīya, 2000), 173–248.

Table 1. Twelver treatises on the legal status of Friday prayer, 1555–1563

1. Zayn al-Dīn al-Āmilī (911–65/1506–58): *Risāla fī ṣalāt al-jumʿa*, 1 Rabīʿ I 962/24 January 1555.
2. Ḥusayn b. ʿAbd al-Ṣamad al-Āmilī (918–84/1512–76): *Risāla fī wujūb ṣalāt al-jumʿa*, c. 963/1556.
3. Ḥasan b. ʿAlī al-Karakī (d. after 976/1569): *al-Bulgha fī luzūm idhn al-imām fī wujūb al-jumʿa*, 1 Shaʿbān 966/9 May 1559.
4. Sayyid Ḥusayn b. al-Ḥasan b. Jaʿfar al-Karakī (d. 1001/1592–93): *al-Lumʿa fī amr ṣalāt al-jumʿa*, Ramaḍān 966/June 1559.
5. Ḥusayn b. ʿAbd al-Ṣamad: *al-ʿIqd al-Ḥusaynī*, 9 Rajab 970/4 March 1563.

In an earlier study I analysed Ḥusayn b. ʿAbd al-Ṣamad’s work *al-ʿIqd al-Ḥusaynī*, linking it with competition in the Shiite religious establishment over the leading position of religious authority in the realm, the *shaykh al-islām*-ate of the capital, Qazvin. A close reading of the work, which was dedicated to Shah Tahmasb and ostensibly devoted to legal issues such as prostration to the Safavid monarch, obsessive doubt in Islamic ritual worship, and Friday prayer, suggests that it was actually a disguised petition to the Shah. Ḥusayn b. ʿAbd al-Ṣamad wrote it as a protest after being dismissed from his position of *shaykh al-islām* of the Safavid capital Qazvin, complaining of ill treatment by the Shah and his courtiers and asking to be reinstated or given some other suitable position to redress the wrong he has suffered. The treatise contains oblique messages to the Shah, suggesting that Ḥusayn’s rival was not as qualified as he appears, that the Shah was mistaken in replacing him, and that he should grant Ḥusayn an audience, after having rebuffed him on numerous occasions, to address his grievances if not return him to his rightful position. I argued that he was replaced as *shaykh al-islām* of Qazvin at this juncture, in 970/1563, by Sayyid Ḥusayn b. Ḥasan al-Karakī, a claim that must be revised in light of additional evidence.¹⁵ The present essay attempts to shed some light on the controversy which led up to the composition of *al-ʿIqd al-Ḥusaynī* over the preceding decade, focusing on four earlier works devoted to the legal status of Friday prayer: *al-Risāla fī ṣalāt al-jumʿa* by Zayn al-Dīn al-Āmilī; *al-Risāla fī wujūb ṣalāt al-jumʿa* by Ḥusayn b. ʿAbd al-Ṣamad; *al-Bulgha fī bayān iʿtibār idhn al-imām fī sharʿiyat ṣalāt al-jumʿa* (The Object of Desire, Showing That the Imam’s Permission Must Be Taken into Account in Establishing the Legality of Friday Prayer), by Ḥasan al-Karakī; and *al-Lumʿa fī taḥqīq amr al-jumʿa* (The Gleam, Addressing the Matter of Friday Prayer in the Correct Manner), by Sayyid Ḥusayn b. Ḥasan al-Karakī. These works were not merely expressions of ideological positions on points of Twelver Shiite law. All four were intimately related to Ḥusayn b. ʿAbd al-Ṣamad’s career in Iran, and all were penned as part of ongoing competition over the Shah’s patronage among the leading Shiite scholars of the day. All represented attempts to establish or upset the existing relational hierarchy among religious authorities within the Safavid polity.

15 Devin J. Stewart, “The First *Shaykh al-Islām* of the Safavid capital Qazvin”, *JAOS* 116, 1996, 387–405.

I. Zayn al-Dīn al-ʿĀmilī's *Treatise on Friday Prayer*

Zayn al-Dīn al-ʿĀmilī remains something of an enigmatic figure among leading Shiite jurists of the sixteenth century, for his execution by the Ottomans in 965/1558, which earned him the title *al-Shahīd al-Thānī*, “the Second Martyr”, in Twelver Shiite lore, seems to have been entirely avoidable. Zayn al-Dīn lived in the first half of the sixteenth century, after the foundation of the explicitly Twelver Shiite Safavid state. Other scholars from his native region, most notably Zayn al-Dīn's older contemporary, ʿAlī b. ʿAbd al-ʿĀl al-Karakī, had sought association with the Safavids and had reaped tremendous benefits thereby, not only in terms of wealth but also in terms of academic opportunity and religious authority. Zayn al-Dīn must have been fully aware of these opportunities, yet he chose not to leave Ottoman territory and associate with the Safavids. It is difficult to understand why did he not seek refuge in Iran when he must have known that he would find not only safety from the clear dangers that he faced, but also substantial rewards and recognition, particularly when statements of Zayn al-Dīn addressing either the Ottomans or the Safavids directly are lacking.¹⁶ His treatise on Friday prayer, however, may reveal something concerning his ideological and practical views towards the Safavids.

Zayn al-Dīn was the first jurist in the history of Shiite law to profess the third of the opinions on the issue of the legality of Friday prayer mentioned above. In this, he contradicted, and in doing so criticized, the opinion of al-Muḥaqqiq al-Thānī, who had played such an important role as a religious authority during the reign of Shah Ismaʿīl I and the early reign of Shah Tahmasb. Zayn al-Dīn probably intended his treatise for a Safavid audience, something that is not stated explicitly in the text but which may be deduced from circumstantial evidence, and many points suggest that the motives behind it had to do with Ḥusayn b. ʿAbd al-Šamad's career in Iran. The date of the treatise is suggestive, for Zayn al-Dīn composed the work not long after Ḥusayn had arrived in Iran yet before he had received an appointment from the Shah. Ḥusayn b. ʿAbd al-Šamad had left southern Iraq and entered Iran in the winter of 961/1553–54, settling in Isfahan by April 1554.¹⁷ From safety in Iran, Ḥusayn communicated regularly with Zayn al-Dīn, who remained in Jabal ʿĀmil; the sources mention two letters that he sent very soon after his arrival, one of which, a travel account of his journey from Iraq to Iran, has been preserved.¹⁸ In Mashhad, not long after his arrival in Iran, Ḥusayn composed a work on hadith criticism, *Wuṣūl al-akhyār ilā uṣūl al-akhbār*, which he dedicated to Shah Tahmasb. Since he mentions that he completed the work shortly after escaping from Ottoman territory, it may be dated tentatively to 961/1554. Ḥusayn probably travelled from Isfahan to Mashhad in the summer of 1554 in the company of his Isfahani patron Mīr

16 On Zayn al-Dīn in general, see Devin J. Stewart, “The Ottoman execution of Zayn al-Dīn al-ʿĀmilī”, *Die Welt des Islams* 48, 2008, 287–347.

17 See Devin J. Stewart, “An episode in the ʿĀmilī migration to Safavid Iran: the travel account of Husayn b. ʿAbd al-Samad al-ʿĀmilī”, *Journal of Iranian Studies* 39, 2006, 481–509.

18 Stewart, “Episode”, 491. Muḥammad Kāzīm Raḥmatī has brought to my attention another text, the beginning or heading of another letter from Ḥusayn to Zayn al-Dīn, that has recently been discovered and will soon be published in Iran.

Asad Allāh Khalīfa (d. 971/1564), who had been appointed supervisor of the Eighth Imam's shrine and *shaykh al-islām* of Mashhad between March and June of that year by Shah Tahmasb. By writing such a work, Ḥusayn was seeking the sovereign's patronage, either in the form of a stipend or a judicial position.¹⁹

Ḥusayn eventually succeeded in gaining Shah Tahmasb's attention and favour. Introduced at court by the *shaykh al-islām* of Isfahan, al-Shaykh 'Alī al-Minshār al-Karakī (d. 984/1576), Ḥusayn was appointed *shaykh al-islām* of the capital, Qazvin. He was thereby recognized as the leading legal authority in Safavid Iran, being catapulted from outsider status to the position of the most powerful jurist in the realm. He held this position in c. 963–970/1555–63.²⁰ A man who had entered Iran just a few years earlier, who had little experience at court and probably spoke Persian haltingly and with a strong Arab accent, suddenly became the supreme Islamic legal authority in the Empire. He had apparently out-manoeuvred 'Abd al-'Āl al-Karakī and his nephew Ḥusayn b. al-Ḥasan al-Karakī, descendants of the great legal authority 'Alī b. 'Abd al-'Āl al-Karakī, who had been in Iran longer and undoubtedly had stronger ties to prominent figures at court.

Back in Jabal 'Āmil, Zayn al-Dīn had received letters from Ḥusayn and presumably written letters in response in 961/1554. He completed his treatise on Friday prayer on 1 Rabī' I 962/24 January 1555, that is, between Ḥusayn's arrival in Iran and his appointment as *shaykh al-islām* of Qazvin. What is more, Zayn al-Dīn's student-servitor, Bahā' al-Dīn Muḥammad Ibn al-'Awdī, left Zayn al-Dīn in Jabal 'Āmil and set out for Iran on 10 Dhū al-Qa'da 962/26 September 1555, later that same year. The conjunction of dates may be more than coincidental. Zayn al-Dīn may have written the treatise at this particular juncture in answer to a request by Ḥusayn b. 'Abd al-Ṣamad, and he may have intended for Ibn al-'Awdī to deliver it to Ḥusayn in Iran.²¹

Ḥusayn's special relationship with Zayn al-Dīn also suggests that the treatise may have been concerned at least in part with Ḥusayn's career in Iran. According to Ibn al-'Awdī, Zayn al-Dīn's hagiographer, Ḥusayn b. 'Abd al-Ṣamad was Zayn al-Dīn's first and most senior student.²² He spent nearly twenty years with him as a constant companion. Ḥusayn was therefore Zayn al-Dīn's leading protégé and the main scholar promoting his ideological

19 Stewart, "Episode", 493–6.

20 A late Safavid chronicle reports that Ḥusayn came to Qazvin in 963/1555–56, but the most reliable account of Ḥusayn's career in Iran, the Persian biography of Ḥusayn's son Bahā' al-Dīn al-'Āmilī by Muẓaffar 'Alī, reports that Ḥusayn was appointed *shaykh al-islām* of Qazvin after spending three years in Isfahan. Since Ḥusayn arrived in Isfahan around April 1554, he was probably appointed *shaykh al-islām* in mid-964/1557. In addition, Badr al-Dīn Ḥasan al-Madanī, a Hijazi Shiite scholar known as Ibn Shadqam, came to the Safavid court at Qazvin, where he met Ḥusayn and received an *ijāza* from him in Dhū al-Qa'da 964/26 August–24 September 1557. This suggests that Ḥusayn had already been appointed to the position of *shaykh al-islām* by that date. Stewart, "Qazvin", 390–94; idem, "Episode", 494; Muḥsin al-Amīn, *Aṣyān al-shī'a*, 10 vols (Beirut: Dār al-Ta'aruf li'l-Maṭbū'āt, 1984), 7/157.

21 See Stewart, "Qazvin", 398; 'Alī al-'Āmilī, *al-Durr al-manthūr*, 2, 151.

22 'Alī al-'Āmilī, *al-Durr al-manthūr*, 2/191.

positions. Particularly after he had immigrated to Iran, his own reputation depended to a large extent on the fact that he was the star student of Zayn al-Dīn and representative of his scholarly legacy. Yūsuf Ṭabāja has argued that Zayn al-Dīn sent Ḥusayn to Iran purposefully in order to spread his own influence.²³ While this claim may be too strong, for there is no direct evidence that Zayn al-Dīn encouraged him to do so, once Ḥusayn was in Iran, Zayn al-Dīn may not have been averse to helping further Ḥusayn's career there, spreading his own influence at the same time. It is worth noting that another student of Zayn al-Dīn also became prominent at Qazvin during this period and was also associated with the performance of Friday prayer. Sayyid Raḥmat Allāh Najafī was the prayer leader at the court of Shah Tahmasb during his later reign. His reputation rested, in part, on the fact that he was a direct student of Zayn al-Dīn.²⁴ He had probably received an *ijāza* from the martyred master on one of Zayn al-Dīn's visits to Iraq, in 946/1539 or 952/1545–46.²⁵ He may have become prayer leader in connection with Ḥusayn b. 'Abd al-Ṣamad's tenure as *shaykh al-islām* of Qazvin c. 963–70/1555–63, and he was presumably instrumental in applying the new ruling on Friday prayer.

Additional circumstantial evidence is provided by the work's content. The legal status of Friday prayer was not a pressing issue for Shiites living under Ottoman rule. Holding such a prayer according to Shiite ritual law would have been seen as a direct threat to Ottoman sovereignty, as the Ottomans did not recognize Shiism as part of orthodox Islam, and Shiites would have avoided doing so for fear of the government's reaction. In addition, Shiite Islamic law and tradition supported them in not holding the prayer, for it was widely known that Shiites were allowed and encouraged to dissimulate and to pray according to the Sunni rites under such circumstances.²⁶ Zayn al-Dīn must therefore have had in mind a Safavid audience in particular, especially when one takes into account his position on the topic, that it was obligatory to hold

23 Yūsuf Ṭabāja, “Risālat al-Shaykh Ḥusayn b. 'Abd al-Ṣamad al-Āmilī, wālid al-Bahā'ī, ilā ustādhihi al-Shahīd al-Thānī (makhtūta): taḥqīq wa-dirāsa”, *al-Minhāj: majalla islāmīya fikrīya faṣṭīya* 29, 2003, 152–95, here pp. 154, 185–7, 194; Abisaab, *Converting Persia*, 32; cf. Stewart, “Episode”, 497–99.

24 Iskandar Beg Munshī, *Tārīkh-i 'ālam-ārā-yi 'Abbāsī*, 2 vols, ed. Īraj Afshār (Tehran: Mu'assasa-yi Intishārāt-i Amīr Kabīr, 2003), 1/146; Roger M. Savory (trans.), *The History of Shah Abbas*, 2 vols (Boulder, Colorado: Westview Press, 1978), 1/233–4; Mīrzā 'Abd Allāh al-Iṣfahānī, *Riyāḍ al-ʿulamā' wa-ḥiyāḍ al-fuḍalā'*, 5 vols, ed. Aḥmad al-Ḥusaynī (Qum: Maṭba'at al-Khayyām, 1980), 2/310; Mīrzā Muḥammad Shafī', *Maḥāfil al-mu'minīn*, 242.

25 'Alī al-Āmilī, *al-Durr al-manthūr*, 2/168–9, 179–81.

26 The dispensation of *taqīya*, literally “caution”, allows Shiites – and Muslims in general – the possibility to perform acts of devotion in an imperfect manner on account of a potentially hostile audience while nevertheless fulfilling their religious duties by doing so. In his treatise on *taqīya*, Khomeini gives the example of Shiites avoiding prayer in public places such as the mosque or the market so that they might perform it in the correct manner in private, or trying to pray at 'Arafa as part of the pilgrimage on the day after the other pilgrims pray, because Shiite authorities sighted the new moon at the beginning of the month a day after Sunni authorities did. He decries such behaviour, insisting that one should follow the majority practice for the sake of one's own safety and the safety of one's co-sectarians. Rūh Allāh Khomeini, *Risāla fi al-taqīya*, in *al-Rasā'il*, 2 vols (Qum: Mu'assasat Ismā'īliyyān, 1965), 2/173–210, here 2/196, 202–6.

Friday prayer. Under Sunni rule, this ruling would have little effect since it would be subject to the dispensation of *taqīya*, and so Friday prayer would not have taken place anyway.

The targets of Zayn al-Dīn's criticisms in the treatise, which is mainly a rebuttal of al-Muḥaqqiq al-Karakī's treatise on Friday prayer, *al-Ja'fariya*, also suggest a concern with academic disputes in Iran. Mīrzā Makhdūm al-Shīrāzī (d. 995/1587) states unequivocally in his anti-Shiite, anti-Safavid polemic that Zayn al-Dīn's main target was al-Muḥaqqiq al-Karakī, and he claims that Zayn al-Dīn condemned al-Karakī surreptitiously by quoting the quranic verse *a-ra'ayta lladhī yanhā 'abdan idhā ṣallā* "Have you seen the one who prohibits a worshipper when he prays?" (Q 969–10) in a clever allusion (*ishāra laḥifa*) to al-Karakī and the pernicious influence of his opinion on this issue.²⁷ According to Mīrzā Makhdūm, Zayn al-Dīn, who was a clever and accomplished scholar, sought to refute al-Karakī's position because he realized that it led to the abandonment of Friday prayer by Shiites, thereby creating disgust with their doctrine on the part of Sunnis.²⁸ However, al-Muḥaqqiq al-Karakī had died in 940/1534, over two decades before Zayn al-Dīn composed his treatise. Zayn al-Dīn's immediate opponents must have been contemporary scholars living within the Safavid Empire who upheld al-Muḥaqqiq al-Karakī's position on Friday prayer. In 962/1555, the main proponents of this view were presumably al-Karakī's sons, 'Abd al-'Āl and Ḥasan, and his grandson Mīr Sayyid Ḥusayn. For all these reasons, it seems clear that the work is directed at a Safavid audience, despite the fact that neither Shah Tahmasb nor the Safavid state is mentioned explicitly in the text.

The treatise contains one passage that suggests that Zayn al-Dīn has the Safavid state in mind in particular, though he avoids saying so explicitly. There, he makes a historical argument about the Twelver positions on the legal status of Friday prayer, stating that the Twelver Shiites have not paid sufficient attention to the issue since they often lived under tyrannical Sunni regimes and did not accept the prayer leaders appointed by the Sunni rulers. This continuing situation caused a habit to develop among the Shiites which they did not shake off easily when Shiite rule was established.

It appears to me that the secret behind the fact that the overwhelming group [of Imami scholars] made light of Friday prayer is a well-known rule of their doctrine: that they do not adopt as a prayer-leader an opponent in doctrine or a sinner, when Friday prayer is only held, most often, by the rulers of our opponents and their representatives, especially in the major cities. Zurāra (b. A'yan, d. 150/767) and 'Abd al-Malik (b. A'yan, fl. 2nd/8th c.) were in Kufa, the most famous of the cities of Islam at that time, and the Friday prayer leader there was a doctrinal opponent appointed by the heretical rulers (*a'immat al-dalāl*), so they considered it unimportant for this reason. But since Friday prayer is among the weightiest and

27 Mīrzā Makhdūm al-Shīrāzī, *al-Nawāqid fī radd al-rawāfiq*, MS Leiden Or. 2076, fol. 103v. I have not been able to locate this allusion in the published text of Zayn al-Dīn's work.

28 Mīrzā Makhdūm al-Shīrāzī, *al-Nawāqid*, fol. 103v.

most esteemed of Exalted God's imposed obligations, the Imam – peace be upon him – would not accept that they abandon it altogether, and therefore urged them to perform it wherever they were able to do so. The state of Friday prayer with our companions remained thus until the present time. Therefore, the ruling of categorical obligation was ignored and that of optional obligation was established, on grounds for which, we hope, Exalted God will excuse them, and the situation ended up with their abandoning it altogether at most times and in most regions, despite the ability to hold it in the proper manner. It was not fitting that such a venerated obligation be ignored to such a degree solely on account of this excuse, *which may be removed in many regions of faith, especially in this time* [italics mine]. . . . The Master and leading scholar ʿImād al-Dīn al-Ṭabarī (Ḥasan b. ʿAlī, fl. 7th/13th c.) – May God have mercy on him! – realized this explanation that I have mentioned and presented it before me in his book entitled *Nahj al-ʿirfān ilā hidāyat al-īmān* (The Path of Enlightenment to the Guidance of Faith), in which he stated, after quoting the disputed opinions among the Muslims regarding the conditions and obligation of Friday prayer, “The Imamis require Friday prayer with more rigor than the majority, yet despite this, [the Sunnis] vituperate them for abandoning it, since they do not consider it permissible to follow as prayer leader a man with bad morals, a mortal sinner, or an opponent of the correct doctrine”.²⁹

When Zayn al-Dīn states that it is possible to hold Friday prayer in the proper manner in many regions of faith in the present time, he must be referring to the Safavid state first and foremost. Though he does not mention the Safavid Shahs in particular, his text contrasts those regions in which prayer leaders are appointed by tyrannical rulers and are doctrinal opponents of the Imamis – obviously Sunnis – to regions where this is not the case, which must mean regions under Shiite rule. In the example of the two brothers ʿAbd al-Malik and Zurāra b. Aʿyan, well-known Shiite scholars and transmitters of hadith of the Imams Muḥammad Bāqir and Jaʿfar al-Šādiq, the rulers in question are obviously the Umayyads, who exercised especially tight control over Kufa as one of the most prominent centres of Shiite rebellion. One may take this as evidence that Zayn al-Dīn both recognized the prayer leaders of Iran as respectable Shiites and the Safavid Shahs as legitimate rulers, or at least not as oppressive tyrants. This hypothesis is corroborated by Ḥusayn b. ʿAbd al-Šamad's treatise on Friday prayer, one passage of which matches Zayn al-Dīn's remarks here very closely and refers to Safavid rule explicitly in the corresponding spot.

Zayn al-Dīn's views on the Safavids remain something of a mystery. Newman has claimed that Zayn al-Dīn and other ʿĀmilī scholars exhibited a clear repudiation of both al-Muḥaqqiq al-Karakī and Safavid Shiism. I have argued that to link the two so explicitly is not warranted by the evidence; other scholars, and especially Ḥusayn b. ʿAbd al-Šamad, shared Zayn al-Dīn's opposition to al-Karakī and his ideological successors while at the same time

29 Zayn al-Dīn al-ʿĀmilī, *Risāla fī ṣalāt al-jumʿa*, 188–9.

seeking out and accepting the patronage of the Safavid Shahs and writing works to support the legitimacy of their rule. Zayn al-Dīn did, it seems, have a low opinion of Persian scholars' accomplishments in the religious sciences and probably viewed them as having lax morals as well.³⁰ His omission of an explicit reference to the Safavid Shahs suggests either that he was concerned for his own safety while in Ottoman territory and wanted to avoid being denounced as a supporter of the Safavids, or that he genuinely felt that explicit recognition of their rule as legitimate would lead to a direct invitation to come to Safavid court, something he wished to avoid.

The opinion Zayn al-Dīn defended in his treatise on Friday prayer contradicts discussions in his earlier legal works, *Rawḍ al-jinān*, *Masālik al-afhām*, and *al-Rawḍa al-bahīya*.³¹ It was thus the result of some reconsideration of the matter or new *ijtihād* on his part, and was presumably provoked by Ḥusayn's presence in Iran and his description of the situation that obtained under the Safavids. Zayn al-Dīn completed the first volume of *Masālik al-afhām*, his commentary on al-Muḥaqqiq al-Ḥillī's (d. 676/1277) *Sharā'īc al-islām*, on 3 Ramaḍān 951/18 November 1544; this volume includes the section on Friday prayer.³² In the original work, *Sharā'īc al-islām*, al-Ḥillī holds that the first condition for Friday prayer is either the just ruler, generally understood by Twelver jurists to mean the current Imam or his representative. Zayn al-Dīn makes no significant comment on this particular requirement, but lets the text stand as it is.³³ In the other two works, both *al-Rawḍa al-bahīya* and *Rawḍ al-jinān*, Zayn al-Dīn presents some critique of previous legal scholarship on the issue but stops short of a forceful and direct statement that Friday prayer is itself obligatory during the occultation. He completed *al-Rawḍa al-bahīya* (The Bright Meadow), a commentary on al-Shahīd al-Awwal's *al-Lum'a al-dimashqīya* (The Gleam from Damascus), on 21 Jumādā I 957/7 June 1550.³⁴ He had completed the first volume of *Rawḍ al-jinān* (Meadows of Gardens), up to the end of

30 Newman, "Myth", 105–6; Stewart, "Migration", 97–102; idem, "Episode", 504–5.

31 For this reason, later scholars questioned the attribution of the treatise to Zayn al-Dīn or claimed that it belonged to his juvenilia, before his capacity for legal interpretation had fully developed, presenting an opinion that he later abandoned. Mīrzā 'Abd Allāh al-Ḥfahānī (d. c. 1130–39/1717–27), writing in 1106/1694–95, rejects these views, stating that references in the text prove that the attribution is correct. In addition, Zayn al-Dīn completed it in Rabī' I 962/January 1555, so that it was actually one of his last works. al-Ḥfahānī, *Riyāḍ al-ulamā'*, 2/376–7. Al-Ḥfahānī does not specify the earlier scholars who made these claims, but the idea that the treatise must belong to Zayn al-Dīn's juvenilia is taken up by the later jurist Muḥammad Ḥasan b. Bāqir al-Najafī (d. 1266/1850), who criticizes Zayn al-Dīn's opinion in harsh terms and describes the work as "a tremendous disaster". Al-Najafī, *Jawāhir al-kalām fī fiqh ahl al-bayt*, 14 vols (Chicago: The Open School, 2000), 11/177–8.

32 Zayn al-Dīn did not complete the work, however, until many years later, completing the second volume in 956/1549 and the remaining volumes between 963/1556 and 964/1557. Āghā Buzurg al-Tīhrānī, *al-Dharī'a ilā taṣānīf al-shī'a*, 25 vols (Tehran: Dānishgāh-i Tīhrān, 1936–78), 20/378; Riḍā al-Mukhtārī, "Introduction" to Zayn al-Dīn al-Āmilī, *Munyat al-murīd fī adab al-mufīd wa'l-mustafīd*, (Qum: Maktab al-ʿIlām al-Islāmī, 1989), 29–32.

33 Zayn al-Dīn al-Āmilī, *Masālik al-afhām ilā tanqīḥ Sharā'īc al-Islām*, 16 vols (Qum: Mu'assasat al-Ma'ārif al-Islāmīya, 1983), 1/233–49, esp. 1/235.

34 Riḍā al-Mukhtārī, "Introduction" to *Munyat al-murīd*, 36.

the book on prayer, on 25 Dhū al-Qa‘da 949/2 March 1543,³⁵ but it is possible that he revised this section on Friday prayer at a later date, for it seems to be a fuller version of the discussion in *al-Rawḍa*. In both texts, he rejects the opinion that Friday prayer is prohibited during the occultation, and seems to agree with the *wājib takhyīrī* position that the believer is faced with an option (*mukhayyar*) between noon prayer and Friday prayer; that is, one must perform one of the two but not both. He remarks that the status of Friday prayer is thus equivalent in a sense to “preferred” or “recommended” (*mustahabb*), not because Friday prayer is *mustahabb* on its own, but since it is considered the more meritorious of the two options that are collectively obligatory. However, he adds a critique, stating in *al-Rawḍa al-bahīya* that the evidence for the *wājib ‘aynī* position is just as strong as that of the *wājib takhyīrī* position, were it not for earlier jurists’ claim of a consensus against it. He states in *Rawḍ al-jinān*, “Were it not for the consensus that Friday prayer was not in itself obligatory, then we would not deviate from [that position]”.³⁶ He also suggests that many scholars have required a jurist to hold Friday prayer during the Occultation because of a confusion: they begin with a consensus on the requirement of the permission of the Imam or his representative to hold Friday prayer during the time of the Imams’ presence, then claim a consensus on its application to the Occultation, and conclude that Friday prayer is impermissible without the permission of the jurist. Zayn al-Dīn has grave doubts about this, and sees that the first consensus does not apply to the Occultation and that the permission of the jurist is not required for Friday prayer to be permissible. That view, he argues, is weakened by the general scope of the scriptural texts that impose the obligation of Friday prayer.³⁷ The passage in *Rawḍ al-jinān* mentions that *al-Muḥaqqiq al-Shaykh ‘Alī* – i.e. al-Muḥaqqiq al-Karakī – went to extremes in his insistence on the position that the jurist must be present for Friday prayer to be permissible in the Occultation, apparently referring to *al-Ja‘farīya*, but the passage in *al-Rawḍa al-bahīya* does not mention him.³⁸

In his treatise on Friday prayer, Zayn al-Dīn goes further than in his earlier works, championing the *wājib ‘aynī* position and arguing that Friday prayer is obligatory in itself. One is not free to choose between it and regular noon prayer. He also attacks the claim that the permission of a fully qualified jurist is required on the grounds that he is the representative of the Imam. In his view, the requirement of the Imam’s representative does not hold during the Occultation, whereas the general obligation to perform Friday prayer found in the Quran and the hadith reports of the Imams does.³⁹

Zayn al-Dīn wrote two other short works related to Friday prayer, *al-Ḥathth ‘alā ṣalāt al-jum‘a* (Incitement to Friday Prayer) and a treatise enumerating the special qualities (*khaṣā‘iṣ*) of Friday. Neither is noteworthy for its legal

35 Riḍā al-Mukhtārī, “Introduction” to *Munyat al-murīd*, 33.

36 Zayn al-Dīn al-‘Āmilī, *al-Rawḍa al-bahīya Sharḥ al-Lum‘a al-dimashqīya*, 2 vols (Cairo: Dār al-Kitāb al-‘Arabī, 1958), 1/89; idem, *Rawḍ al-jinān fī sharḥ Irshād al-adhhān* (Tehran: Muḥammad Riḍā al-Ṭīhrānī, 1889), 290.

37 Zayn al-Dīn al-‘Āmilī, *al-Rawḍa al-bahīya*, 1/89; idem, *Rawḍ al-jinān*, 290–92.

38 Zayn al-Dīn al-‘Āmilī, *Rawḍ al-jinān*, 291.

39 For a summary of Zayn al-Dīn’s argument, see Ja‘fariyān, *Davzdzah risāla*, 63–6.

argument, but both suggest Zayn al-Dīn's strong commitment to the *wujūb 'aynī* position with regard to Friday prayer and the great effort he expended to support it. It is likely that these treatises date from the same period – neither is dated, but the *Khaṣā'ish* predates *Risāla fī ṣalāt al-jum'āh* for it is mentioned in the latter – and that he wrote them as well to support his student Ḥusayn in Iran.⁴⁰

II. Ḥusayn b. 'Abd al-Ṣamad's *Treatise on the Obligatory Status of Friday Prayer*

Ḥusayn b. 'Abd al-Ṣamad is credited with reviving the performance of Friday prayer in Safavid Iran during the middle of Shah Tahmasb's reign. His efforts to establish Friday prayer are mentioned by both the Safavid court chronicler Iskandar Beg Munshī and Mullā Muẓaffar al-Dīn 'Alī in the biography of his teacher Bahā' al-Dīn al-'Āmilī, the son of Ḥusayn b. 'Abd al-Ṣamad, and they appear to be connected with his tenure as *shaykh al-islām* of Qazvin.⁴¹ It has been known for some time that in addition to *al-'Iqd al-ḥusaynī*, which treated Friday prayer along with several other issues, Ḥusayn b. 'Abd al-Ṣamad wrote a treatise devoted to Friday prayer exclusively, entitled *Risāla fī wujūb ṣalāt al-jum'a*.⁴² The work has now been edited and published by Rasūl Ja'fariyān along with a brief analysis.⁴³ He does not assign it a date, but implies that it was written after 966/1559, for he presents it as an answer to Ḥasan al-Karakī's *Bulgha*, dated in that year, itself a refutation of Zayn al-Dīn's treatise on Friday prayer.⁴⁴ Ja'fariyān rightly recognizes that Ḥusayn was influential in spreading the ideas of Zayn al-Dīn in Safavid Iran and in introducing his theory on Friday prayer to that environment.⁴⁵ He also observes that Ḥusayn's treatise follows Zayn al-Dīn's treatise quite closely, defending his position and refuting the *takhyīrī* position, particularly the condition that a *mujtahid's* permission is a necessary condition for Friday prayer.⁴⁶

40 Both treatises are published in *Rasā'il al-Shahīd al-Thānī*, 251–8, 259–9. The treatise on *Khaṣā'ish yawm al-jum'a* is mentioned in *Risāla fī ṣalāt al-jum'a*, *Rasā'il al-Shahīd al-Thānī*, 241.

41 Iskandar Beg Munshī, *Tārīkh-i 'ālam-ārā-yi 'abbāsī*, 1/155–6; al-Iṣfahānī, *Riyāḍ al-ʿulamā'*, 2/120; Savory, *History of Shah Abbas*, 247–8; Stewart, "Qazvin", 389, 390; Ja'fariyān, *Davāzdah risāla-yi fiqhī*, 28–9; idem, *Kāvish-hā*, 419; Munfarid, *Muhājārat*, 120–21.

42 Hossein Modarressi Tabataba'i, *An Introduction to Shī'ī Law: A Bibliographical Study* (London: Ithaca Press, 1984), 146.

43 Ja'fariyān, *Kāvish-hā*, 423–44.

44 Ja'fariyān, *Kāvish-hā*, 416, 421. Ja'fariyān's analysis includes some confusion of dates. He gives the date of Zayn al-Dīn's treatise as 963 AH, rather than the correct date of 962 AH (pp. 416, 421). He notes in one section that Ḥusayn came to Iran after the martyrdom of Zayn al-Dīn in 965 AH, that he spent eighteen years in Iran, and that he died seven years after leaving the Empire (pp. 417–18). In another passage, in contrast, he reports that Ḥusayn came to Iran in 960 AH, (p. 418). It is now known that Ḥusayn came to Iran in 961/1554. He spent about twenty-one years in Iran, leaving to perform the pilgrimage to Mecca in 983/1575 and dying in Bahrain the next year, in 984/1576. See Stewart, "Qazvin"; idem, "Episode".

45 Ja'fariyān, *Kāvish-hā*, 416–19.

46 Ja'fariyān, *Kāvish-hā*, 420–21.

A close reading of the treatise in conjunction with other information about the authors involved makes it possible to add to Jaʿfariyān’s remarks in several respects. First, the date of this treatise may be determined within a narrow range. Ḥusayn quotes Zayn al-Dīn’s treatise directly, so his own treatise must date to after Zayn al-Dīn had completed his treatise on 1 Rabiʿ I 962/24 January 1555. If Ibn al-ʿAwdī indeed carried the treatise to Ḥusayn in Iran, this would push the *terminus post quem* back later, for Ibn al-ʿAwdī left Jabal ʿĀmil on 10 Dhū ʿl-Qaʿda 962/26 September 1555 and would have arrived in Iran in early 963/late 1555. It is also clear that Ḥusayn wrote the treatise before Zayn al-Dīn’s death in Shaʿbān 965/May 1558, for the cognate blessing he voices after mention of his teacher’s name al-Zaynī (=Zayn al-Dīn), *zayyana llāhu l-wujūda bi-wujūdiḥ* “may God adorn existence with his presence!” indicates that he was still alive at the time.⁴⁷ The treatise therefore dates to between 963/1555 and 965/1558, and most likely to 963/1555–56, shortly after Zayn al-Dīn’s work arrived in Iran. Zayn al-Dīn probably wrote his treatise and sent it to Iran specifically to support Ḥusayn in his debate on Friday prayer with the supporters of al-Muḥaqqiq al-Karakī’s position. It seems likely that Ḥusayn wrote his treatise before he was appointed the *shaykh al-islām* of Qazvin c. 964/1557 in the course of his initial attempts to gain the patronage of Shah Tahmasb.

Ḥusayn, like Zayn al-Dīn, is chiefly concerned with refuting al-Muḥaqqiq al-Karakī’s position on Friday prayer. An example of his criticism is the following passage, which addresses the opinion that a *mujtahid*’s permission is a necessary condition for holding Friday prayer.

Not one of the ancients mentioned this, nor has anyone of the moderns explicitly stated this condition except for “the Martyr” [al-Shahīd al-Awwal, d. 786/1384] in *al-Lumʿa* alone. Indeed, the impression [of the setting of this condition] might be given by the *prima facie* reading of al-ʿAllāma’s (d. 726/1325) text *al-Tadhkira* alone and “the Martyr” in *al-Durūs* alone, but in their remaining books they agreed with the other scholars regarding [Friday prayer’s] unrestricted permissibility. However, our master Master ʿAlī [al-Muḥaqqiq al-Karakī] – may God overlook his faults – took up this opinion and claimed the consensus of those who uphold the legality of Friday prayer upon it, but we have seen no evidence for this from him, and not a single soul among those whose discussions we have seen mentioned this, either explicitly or by allusion, so that his claim of consensus regarding this condition is among the strangest of oddities. The consensus that they have transmitted regarding the condition of the Imam or his representative refers only to the time of [the Imam’s] presence. During the Occultation, the consensus is that [Friday prayer] is permissible, without the condition of the jurist, because dissenters are rare and have known genealogies.⁴⁸

47 Jaʿfariyān, *Kāvish-hā*, 436.

48 Jaʿfariyān, *Kāvish-hā*, 427.

Ḥusayn b. ʿAbd al-Ṣamad argues that al-Karakī misinterpreted and over-generalized statements found in the works of prominent earlier jurists. He was especially mistaken in claiming a consensus to the effect that the permission of a *mujtahid* is required for Friday prayer to be held. The following passage calls into question the scholarly status of anyone who upholds al-Karakī’s opinion.

No competent scholar (*muwaffaq*) would blindly adopt the opinion of a small group [of jurists], following them in abandoning this traditional rite which is recognized by all, simply because they claim an additional condition without supporting proof, casting aside the word of God and the statements of His Messenger and the chaste Imams – peace be upon them – and casting aside the opinions of all remaining jurists. Indeed, one could only profess such an opinion out of ignorance, leading one to adopt unthinkingly the opinions of the wrong authorities, since it would be more proper to follow the dictates of God, the Imams, and the majority of jurists, or out of tendentiousness – may God preserve us from such a thing!⁴⁹

This passage may be seen as a grave insult to al-Muḥaqqiq al-Karakī, whom he calls Master ʿAlī, and his contemporary followers, for Ḥusayn suggests that no *muwaffaq*, literally “one assisted or favoured by God” and here equivalent to any passable or competent scholar of the law, would adopt such an opinion. The implication is, at the very least, that al-Karakī’s opinion is based on flimsy evidence, and at worst, that both he and his followers are utterly inept.

In a statement very similar to the passage of his teacher Zayn al-Dīn, discussed above, Ḥusayn suggests that the reason why Twelver Shiites have ignored Friday prayer has to do with the historical dominance of tyrannical Sunni regimes and not with Shiite doctrine concerning prayer itself.

Perhaps the cause of some of our co-sectarians’ making light [of Friday prayer] is their well-known doctrine that they do not adopt a sinner as a model, when the Imam of Friday prayer was appointed by the Imams of our opponents, our fellows were not able to appoint an Imam from among themselves, and this situation continued [for a long time]. The prominent scholar al-Ṭabarī⁵⁰ states in *Nahj al-ʿirfān ilā hidāyat al-īmān* (The Path of Enlightenment to the Guidance of Faith), “The Imamis require Friday prayer with more insistence than the majority, yet despite this, [the Sunnis] vituperate them for abandoning it, since they do not consider it permissible to follow as a prayer leader a sinner, one who has committed mortal sins, or one who opposes the correct doctrine”. However, in this Alawī, Ḥusaynī, and Ṭahmāsī kingdom, which is apparent, pure, and victorious, led aright and supported [by God] – May God prolong its right guidance! –, there is nothing to prevent it in any

49 Jaʿfariyān, *Kāvish-hā*, 426.

50 The text reads al-Ṭabarsī.

way, so it is necessary to obey the command of God, the command of God's Messenger, and the command of the chaste Imams and the rightly-guided scholars to do it.⁵¹

Ḥusayn argues, following Zayn al-Dīn, that Shiites paid little attention to Friday prayer because they were living under tyrannical Sunni rule and did not accept the prayer leaders appointed by them as legitimate. In the absence of an oppressive regime, however, the dispensation for omission of a key obligation that is stressed in scripture no longer exists. Unlike Zayn al-Dīn, he mentions the Safavid state and Shah Tahmasb explicitly; the parallelism between the passages suggests that Zayn al-Dīn was indeed referring to the Safavids, but avoided doing so out of fear that he would be denounced to the Ottoman authorities or some similar motive.

Ḥusayn ends the treatise with a statement that may hint at a humble request from Shah Tahmasb.

Oh God, preserve us from the evils of our base instinct and our evil deeds, and use us to accomplish that which makes You pleased with us, and turn our instincts away from what You do not desire for us, and do not make this world our greatest concern, and include us among the people of the next world, who are praised in Your word in Your Mighty Book: "That is the abode of the next world; We appoint it for those who desire neither high station in the Earth nor corruption. The good outcome belongs to the God-fearing". (Q. 28. 83)⁵²

This statement, together with the quranic quotation and its placement at the very end of the treatise, indicates that Ḥusayn is referring to himself and adopting a modest posture, claiming that he is not seeking wealth, power, or stature, but merely intends to play his part in God's design. It seems that such a statement would only be necessary here if Ḥusayn happens to be doing just that, and thereby setting himself up for potential criticism. In other words, the denial of material motives suggests that with this treatise, Ḥusayn is indeed seeking a position of some importance from Shah Tahmasb. This corroborates the hypothesis that he wrote the work before being appointed *shaykh al-islām* of Qazvin.

III. Ḥasan b. 'Alī al-Karakī's *Object of Desire*

In addition to his well-known son 'Abd al-Āl, al-Muḥaqqiq al-Karakī had another son, Ḥasan, who was both a trained jurist and an active author, although the sources from the period are mysteriously reticent about him.⁵³ Neither his date of birth nor his date of death is known. Al-Ḥurr al-Āmilī does not include

51 Ja'fariyān, *Kāvish-hā*, 442.

52 Ja'fariyān, *Kāvish-hā*, 444.

53 In general, see al-Iṣfahānī, *Riyāḍ al-ʿulamā'*, 1: 260–61; Muḥsin al-Amīn, *A'yān al-shī'a*, 5/186; Āghā Buzurg al-Ṭihriyānī, *Ṭabaqāt al-lām al-shī'a. Iḥyā' al-dāthir min al-qarn al-āshir* (Tehran: Dānishgāh-i Tihriyān, 1987), 57; Modarressi, *Bibliography*, 146, 170; Abisaab, *Converting Persia*, 23–4, 26, 29, 147, 160–62, 168–9.

a biographical notice on him in *Amal al-āmil*, and Mīrzā ‘Abd Allāh al-Iṣfahānī expresses surprise at this, as he belonged to a well-known family of scholars from what is now Lebanon and so would ordinarily merit prominent mention in that work. Nor does he appear in the available Safavid chronicles that cover Shah Tahmasb’s reign. The state of the sources has led Abisaab to speculate that Shah Tahmasb may have intentionally avoided promoting al-Karakī’s descendants lest they gain too much power or become firmly entrenched in their positions.⁵⁴ *Riyāḍ al-‘ulamā’* gives the most informative notice on him, and that provides only limited information – the dates of completion of two of his works. In 964/1556–57, at the shrine of the Eighth Imam in Mashhad, he completed *al-Manhaj al-qawīm fī mas’alat al-taslīm* (The Straight Path, on the Issue of Greeting), which treats a specific issue related to ritual prayer. In 972/1564–65, also in Mashhad, he completed ‘*Umdat al-maqāl fī takfīr ahl al-ḍalāl* (The Principal Statement, Declaring the People of Error Unbelievers), which argues that both Sunnis and Sufis are heretics.⁵⁵ Not noted by al-Iṣfahānī is a work he composed on family ties, *Aṭāyib al-kalim fī bayān ṣilat al-raḥim* (Fragrant Words, Explaining Familial Bonds), which has now been published.⁵⁶ He completed this work, of which a single autograph copy exists in the Mar‘ashī Library in Qum, in Rabī‘ II 976/23 September–21 October 1568.⁵⁷ These three works suggest that Ḥasan spent a considerable portion of his life and career in Iran and that he may have resided in Mashhad for many years, including the period 964–976/1556–1568.

Several other works by Ḥasan are known, and, given the lack of early biographical notices, any historical portrait of him constructed in the future will apparently have to be based exclusively on these. Modarressi notes an extant text by him entitled *al-Amr bi’l-ma’rūf wa’l-nahy ‘an al-munkar* (Enjoining the Good and Forbidding the Evil).⁵⁸ Of primary concern here is his work on Friday prayer, *al-Bulgha fī bayān i’tibār idhn al-imām fī shar‘īyat ṣalāt al-jum‘a*, which has recently been edited by Rasūl Ja‘fariyān.⁵⁹ *Al-Bulgha* is dated 1 Sha‘bān 966/9 May 1559; no place is mentioned, but Ḥasan may have completed it in Mashhad. It is essentially a refutation of Zayn al-Dīn al-‘Āmilī’s treatise on Friday prayer, arguing that Friday prayer is not simply obligatory and that its permissibility depends on the condition that the Imam’s representative permit it. During the occultation, this means that a fully qualified jurist, a *mujtahid*, must endorse the performance of the prayer and designate an agent or representative to lead it. In the text, Ḥasan defends the position of his father, ‘Alī b. ‘Abd

54 Abisaab, *Converting Persia*, 24.

55 Sections of this work devoted to Sufism are quoted extensively in a critique of Sufism by al-Ḥurr al-‘Āmilī entitled *al-Risāla al-ithnā‘asharīya* and a similar work by ‘Alī al-‘Āmilī (d. 1103/1692), *al-Sihām al-māriqa*. Muḥammad b. al-Ḥasan al-Ḥurr al-‘Āmilī, *al-Risāla al-ithnā‘asharīya fī al-radd ‘alā al-ṣūfiya* (Tehran: Durūdi, 1987–88).

56 Ḥasan b. ‘Alī al-Karakī, *Aṭāyib al-kalim fī bayān ṣilat al-raḥim*, ed. Aḥmad al-Ḥusaynī (Qum: Maktabat Āyat Allāh al-Mar‘ashī, 1973–74).

57 Ḥasan al-Karakī, *Aṭāyib al-kalim*, 11, 27.

58 Modarressi, *Bibliography*, 170.

59 Āghā Buzurg, Modarressi and Abisaab all report this as one of his extant works. Āghā Buzurg al-Ṭihirānī, *al-Dharī‘a* 3/146; Modarressi, *Bibliography*, 146; Abisaab, *Converting Persia*, 161; Ja‘fariyān, *Davāzdah Risāla*, 183–212.

al-ʿĀl al-Karakī, whom he terms *al-muḥaqqiq wālidī qaddasa llāhu rūḥahu* “the precise formulator of questions, my father – may God sanctify his soul”.⁶⁰ The treatise is directed mainly against Zayn al-Dīn, whose name is not given, but who is termed *baʿd [al-mutaʿakhhirīn] al-fāʿizīn bi-darajat al-shahāda* “one of those [recent scholars] who have won the distinction of martyrdom”.⁶¹ The emphasis on the work of Zayn al-Dīn is clear; after setting forth his own position, Ḥasan al-Karakī presents a concluding section in which he shows the error of Zayn al-Dīn’s argument in detail.⁶² The oblique reference to Zayn al-Dīn and the omission of his name are typical of medieval Islamic polemical discourse. It was considered more elegant to criticize in an indirect manner than to do so bluntly. Mention of Zayn al-Dīn’s martyrdom indicates a measure of respect, yet one senses that the author is angry about Zayn al-Dīn’s criticisms of his father’s work, in addition to feeling it necessary to defend the correct position on this issue.

Jaʿfariyān’s short analysis of *al-Bulgha* points out that the three Karakīs, al-Muḥaqqiq al-Thānī’s sons ʿAbd al-ʿĀl and Ḥasan, and his grandson through a daughter, Sayyid Ḥusayn b. Ḥasan b. Jaʿfar al-Karakī, all wrote treatises on the topic of Friday prayer. The unnamed sovereign mentioned in the dedication at the beginning of the work is certainly Shah Tahmasb. Jaʿfariyān also rightly recognized that *al-Bulgha* is a refutation of Zayn al-Dīn’s treatise, in defence of al-Muḥaqqiq al-Karakī’s position. He comments that when Zayn al-Dīn’s treatise arrived in Iran, Ḥasan was moved by its criticisms of his father and immediately wrote a rebuttal. Jaʿfariyān thus seems to suggest that this is an instance of the rapid pace of long-distance scholarly exchanges in the world of pre-modern Shiite scholarship. A work that Zayn al-Dīn had written a few years before his death in Lebanon provoked a refutation in Iran just four years later.⁶³

Jaʿfariyān’s analysis of *al-Bulgha* misses several important points. The timing of the work raises questions. As mentioned, Ḥasan completed the work on 1 Shaʿbān 966/9 May 1559,⁶⁴ about one year after the martyrdom of al-Shahīd al-Thānī at the hands of the Ottomans in Istanbul in Shaʿbān 965/May 1558.⁶⁵ The controversial work probably travelled to Iran faster than Jaʿfariyān supposes: Zayn al-Dīn’s treatise must have arrived in Iran not long after he composed it, by early 963/late 1555. It is more likely that Zayn al-Dīn’s death, rather than the arrival of his treatise, convinced Ḥasan to write *al-Bulgha* at this point. In the religious hierarchy, scholars were reluctant to attack respected figures of higher rank while they were still alive. This seems to have been the case with Zayn al-Dīn himself, who criticized al-Muḥaqqiq al-Karakī on several legal issues, but only after the latter’s death. This may have been done out of respect for elder, senior scholars, but also out of fear of reprisals or ostracism in case they took offence. Ḥasan probably wrote

60 Ḥasan al-Karakī, *al-Bulgha*, 188, 199, 201, 207.

61 Ḥasan al-Karakī, *al-Bulgha*, 199, 201, 202, 206.

62 Ḥasan al-Karakī, *al-Bulgha*, 202–12.

63 Ḥasan al-Karakī, *al-Bulgha*, 184–5.

64 Āghā Buzurg al-Ṭihriyānī, *al-Dharīʿa*, 3/146.

65 See Stewart, “The Ottoman execution of Zayn al-Dīn al-ʿĀmilī”.

al-Bulgha at this particular time at least in part because Zayn al-Dīn could no longer attack him directly in response.

The other major point that Jaʿfariyān’s analysis does not address has to do with the immediate targets of the treatise and the motives behind its composition. These one must gather from the context, because they are not stated outright. *Al-Bulgha* obviously focuses on Friday prayer in Safavid territory, particularly given the dedication to Shah Tahmasb. *Al-Bulgha* confirms that Zayn al-Dīn’s work was intended to address the situation in Iran. In addition, since Zayn al-Dīn had been martyred before the treatise was composed, he cannot be its main target. The immediate targets of *al-Bulgha* must be scholars in Iran who uphold Zayn al-Dīn’s opinions, chief among whom was Ḥusayn b. ʿAbd al-Ṣamad, the current *shaykh al-islām* of Qazvin. As a leading authority by this time, he supported the conduct of Friday prayer held in the capital and elsewhere in the Empire without claiming to be a *mujtahid* or having the prayer endorsed by a living *mujtahid*. The fact that his teacher Zayn al-Dīn, who was widely recognized as a *mujtahid*, had now died made his position even more difficult. In *al-ʿIqd al-ḥusaynī*, Ḥusayn wrote that the present age apparently lacked a *mujtahid*, which implies both that he did not himself claim the status and that he did not recognize any of his rivals, including ʿAbd al-ʿĀl al-Karakī and Sayyid Ḥusayn al-Karakī, as *mujtahids*.⁶⁶ Ḥusayn b. ʿAbd al-Ṣamad would thus appear to be the logical target of *al-Bulgha*.

One may detect oblique references to Ḥasan al-Karakī’s targets at several points in the *Bulgha*. He refers to having become aware of Zayn al-Dīn’s position on Friday prayer in a curious, oblique statement at the outset of the text:

I have heard repeatedly that a group of believers claimed that a certain one of our scholars – may God be pleased with them all! – espoused the opinion that it is permissible to hold Friday prayer during the occultation of the Imam – peace be upon him – without the presence of the jurist who fulfils all of the conditions for delivering legal opinions, and since the falsity of this claim is manifest . . .⁶⁷

If Ḥasan al-Karakī had access to Zayn al-Dīn’s treatise – and it is clear from the text of the refutation that he did, for he responds to its arguments in detail – then one would have expected him to say, “One of our scholars has espoused the opinion X . . .”. However, his diction seems to deny that any Shiite scholar has actually espoused this opinion. The omission of Zayn al-Dīn’s name, the denial that any scholar has upheld this opinion, and the avoidance of applying the term scholar (*ʿālim*) to Zayn al-Dīn are all intentional slights against the jurist who dared to criticize his father.

The references to Zayn al-Dīn, however, are not the only slights contained in the *Bulgha*. It is obvious, as mentioned above, that Zayn al-Dīn had already been executed before *al-Bulgha* was composed and so could not be the immediate target of Ḥasan al-Karakī’s argument. In the same opening statement he refers

66 Stewart, “Qazvin”, 397–8.

67 Ḥasan al-Karakī, *al-Bulgha*, 187.

to the contemporaries who must be the more immediate targets in an even more oblique fashion, reporting that he has heard of Zayn al-Dīn's position on Friday prayer "from a group of believers". Again, it appears that this phrase was chosen intentionally to avoid characterizing the group who transmitted Zayn al-Dīn's opinion to Ḥasan al-Karakī as scholars. Given that Ḥusayn b. 'Abd al-Ṣamad was the leading Islamic legal authority in Iran at the time, that he propagated the opinions of his revered teacher Zayn al-Dīn and that he himself was applying Zayn al-Dīn's ruling regarding Friday prayer, and had written at least one major treatise on the topic, this "group of believers" whom al-Karakī does not dignify by granting them the rank of scholars must include him first and foremost.

Overall, al-Karakī's explicit criticisms of Zayn al-Dīn are not extremely harsh, but his presentation conveys a certain deprecation of the martyred jurist. Moreover, the context in which the text was produced suggests that the refutation as a whole is meant as an attack on Ḥusayn b. 'Abd al-Ṣamad and his espousal of Zayn al-Dīn's position on Friday prayer in particular. There is no indication in the text that Ḥasan al-Karakī was seeking the position of *shaykh al-islām* of Qazvin, but he was impugning Ḥusayn b. 'Abd al-Ṣamad's credentials, suggesting that he was not even a recognized scholar, let alone a *mujtahid*. The treatise also suggests that he himself was superior in legal scholarship to Ḥusayn. The dedication to Shah Tahmasb, stating that he is writing the work not only to defend the true, correct position but also "serve" the Shah, is perhaps a veiled reference, suggesting that the Shah should accept his advice about whom to appoint. He has written this work, he explains,

... intending thereby to seek favour with God – glory be to Him, to lessen the suppression of evident truth, and to serve the one who raises up the pillars of the faith, the reviver of the customs of the prophets and messengers, the owner of the necks of kings and sultans, the shadow of God over all of his creatures – I mean the one who has been supported from God's presence by being granted the just and sublime, lofty and exalted, victorious and brilliant, noble and excellent, 'Alawī, royal, Safavid, Mūsawī rule – may Exalted God grant it ample conquest and victory, render it among the supporters of "the One Endowed with Authority" [i.e. the Twelfth Imam], raise through it His word until the Day of Gathering, abase the necks of kings and rulers before it, and cause its days to be yoked with lasting and eternal existence, through (the blessings of) the Prophet and his family ...⁶⁸

Besides serving as an effusive expression of support for the Safavid dynasty, Ḥasan makes it clear that he is writing this treatise as a service to the crown. In doing so, he reminds the Shah of the important royal role he plays as an upholder of the faith and custodian of Islamic rites. In this context, the reference to "decreasing the suppression of the evident truth" (*al-naqṣ min kitmān al-ḥaqq*) hints at the role the scholars who have argued for *wujūb 'aynī*, and

68 Ḥasan al-Karakī, *al-Bulgha*, 187.

especially Ḥusayn b. ʿAbd al-Ṣamad, have played in debate on this issue, “suppressing” the correct opinion.

IV. Sayyid Ḥusayn b. Ḥasan al-Karakī’s *Gleaming Light*

Sayyid Ḥusayn b. Ḥasan al-Karakī became the most influential member of the Safavid religious establishment in the late sixteenth century, acting as the leading religious authority in the empire for over two decades and beginning a dynasty of leading officials in the realm.⁶⁹ Sayyid Ḥusayn’s birth date is not known. His father Sayyid Ḥasan b. Jaʿfar al-Karakī had died on 6 Ramaḍān 936/4 May 1530, presumably in Karak Nūḥ, his hometown in Lebanon.⁷⁰ Sayyid Ḥusayn could not have been much over twenty at the time, and most likely studied with his father as a youth. He settled in Safavid Iran in the middle of Shah Tahmasb’s reign, and was certainly there by Rabīʿ I 959/late February–March 1552, when he completed *Dafʿ al-munāwāt ʿan al-tafḍīl waʾl-musāwāt* (The Removal of Hostility, on the Superiority or Equality [of ʿAlī b. Abī Ṭālib and the First Three Caliphs]). Some manuscript copies of this book are dedicated to the ruler of Gilan, Sultan Ahmad Khan (d. 1005/1596–97), while others are dedicated to Shah Tahmasb.⁷¹ Iskandar Beg Munshī reports that Sayyid Ḥusayn held the position of *shaykh al-islām* in Ardabil, the ancestral seat of the Safavid Sufi order, before coming to court in Qazvin. In Ardabil in Ramaḍān 966/June 1559, Ḥusayn completed a work on the legal status of Friday prayer, entitled *al-Lumʿa fī amr ṣalāt al-jumʿa* (The Gleaming Light, on the Issue of Friday Prayer) and dedicated to Shah Tahmasb.⁷²

69 On this scholar and his role in Safavid politics, see Stewart, “Qazvin”, 395–6 and the sources cited there; also idem, “The lost biography of Baha’ al-Dīn al-ʿAmili and the reign of Shah Ismaʿīl II in Safavid historiography”, *Iranian Studies* 31, 1998, 1–29; Abisaab, *Converting Persia*, 3, 9, 19, 23, 28, 29, 33, 27, 39, 45–49, 51–52, 55, 58, 60, 64, 147, 153, 159–62, 164–5, 167–8.

70 al-Iṣfahānī, *Riyāḍ al-ʿulamāʾ*, 1/167.

71 al-Iṣfahānī, *Riyāḍ al-ʿulamāʾ*, 2/67.

72 al-Iṣfahānī, *Riyāḍ al-ʿulamāʾ*, 2/66; Āghā Buzurg, *al-Dharīʿa*, 18/353. Al-Iṣfahānī mentions as a separate text a *Risāla fī ṣalāt al-jumʿa*, in which he rejected *al-wujūb al-ʿaynī*, “as al-Tajallī quotes it in his treatise”. *Riyāḍ al-ʿulamāʾ*, 2/67. This later work on Friday prayer is *Risāla dar namāz-i jumʿa* by ʿAlī Riḍā b. Kamāl al-Dīn Ḥusayn al-Ardakānī al-Shīrāzī, known as Tajallī (d. 1085/1674–75). Modarressi, *Introduction*, 146. Al-Tajallī’s treatise is published in Jaʿfariyān, *Davāzdah risāla*, 357–404. The work al-Tajallī quotes is probably *al-Lumʿa* itself, as Aḥmad al-Ḥusaynī, the editor of *Riyāḍ al-ʿulamāʾ*, suggests. *Riyāḍ al-ʿulamāʾ*, 2/67, n. 1. Modarressi apparently overlooks *al-Lumʿa* in his bibliography of Shiite legal scholarship. He mentions a treatise on Friday prayer, extant in two MSS, with the title *al-Bulgha fī ʿadam ʿaynīyat ṣalāt al-jumʿa* and attributed to “*al-Mujtahid*”. This may be the *Lumʿa* with the title given incorrectly, or it may be Ḥasan al-Karakī’s treatise, *al-Bulgha*, misattributed to Mīr Sayyid Ḥusayn, who was often referred to as *Mujtahid* in the Safavid sources. Modarressi, *Introduction*, 146. Āghā Buzurg al-Ṭīhrānī provides a biographical notice for another scholar with a similar name; it appears that they are one and the same figure. This second name is given as al-Ḥusayn al-Ḥusaynī b. al-Ḥasan, and Āghā Buzurg describes him as a member of al-Muḥaqqiq al-Karakī’s generation. Āghā Buzurg has seen a copy in his hand of the *Hāshiya* of al-Muḥaqqiq al-Thānī on the legal text *Sharāʾiʿ al-islām* in the library of al-Sayyid al-Shīrāzī in Samarra, dated 949/1542–43. He has also seen a copy in his hand of *Uṣūl al-Kāfī* dated 961/1553–54. Āghā

In a 1996 study, I argued that Sayyid Ḥusayn al-Karakī came to the capital, Qazvin, claimed the status of a *mujtahid*, and successfully replaced Ḥusayn b. ‘Abd al-Ṣamad as *shaykh al-islām* of the capital c. 970/1563. After being ousted from his position, Ḥusayn b. ‘Abd al-Ṣamad petitioned the Shah in *al-‘Iqd al-Ḥusaynī* for redress and was subsequently appointed *shaykh al-islām* in Mashhad and Herat.⁷³ Abisaab has criticized this interpretation on the grounds that Ḥusayn’s appointment to Mashhad and especially to Herat was not actually a demotion, for Herat was equivalent to or even more prestigious than Qazvin; that the interpretation of *al-‘Iqd al-Ḥusaynī* is strained; and that the paths of the two Ḥusayns cannot be shown to have crossed, writing: “. . . to date, no data suggest any overlap between the careers of Husayn [b. ‘Abd al-Ṣamad] and Mir Husayn [al-Karakī]”.⁷⁴ Doubt about the relative prestige of the posts of *shaykh al-islām* of Qazvin and Herat may be dismissed, in my view; it is clear from the chronicles in this and later periods that the *shaykh al-islām* of the capital was in a pre-eminent position, undertaking important tasks on behalf of the Shah, participating in the Shahs’ coronations, washing the bodies of deceased members of the royal family, and so on. Moreover, the *shaykh al-islām* of the capital not only ranked higher than provincial *shaykh al-islāms* in a relational hierarchy of the Empire’s jurists but also influenced their appointment and supervision, though appointments to positions, distribution of stipends, and control of endowments were technically the responsibility of the *ṣadr*.

The question concerning the overlap of the careers of Ḥusayn b. ‘Abd al-Ṣamad and Sayyid Ḥusayn al-Karakī is more important, for while the career of the former may be described with some precision, information regarding the career of the latter is less complete. Abisaab considers it inconceivable that Ḥusayn b. ‘Abd al-Ṣamad could have been designated *shaykh al-islām* of Qazvin before 968/1561,⁷⁵ but this must be wrong. The data currently available suggest that he served as *shaykh al-islām* of Qazvin c. 964–70/1557–63, *shaykh al-islām* of Mashhad c. 971–74/1563–67, and *shaykh al-islām* of Herat c. 975–83/1568–75. Dating the appointment of Sayyid Ḥusayn al-Karakī to the office of *shaykh al-islām* of Qazvin is more difficult, for none of the available sources mention the appointment. Sayyid Ḥusayn was certainly a leading figure of religious authority at the very end of Shah Tahmasb’s reign. Abisaab has stated that Sayyid Ḥusayn was favoured by Shah Tahmasb at the capital by 979/1571–72 at the latest.⁷⁶ My earlier claim that Sayyid Ḥusayn was appointed in 970/1563, however, cannot be correct; his appointment must have occurred at a later date. The Safavid chronicle

Buzurg, *Ihyā’ al-dāthir*, 64. These dates would match the dates of activity of Sayyid Ḥusayn al-Karakī.

73 Stewart, “The First *Shaykh al-Islām*”.

74 Abisaab, “Migration and social change: the ‘Ulama of Ottoman Jabal ‘Amil in Safavid Iran, 1501–1736”, PhD dissertation, New Haven, Yale University, 1998, 135–9; eadem, *Converting Persia*, 39–40.

75 Abisaab, “Migration and social change”, 127–8.

76 Abisaab, *Converting Persia*, 45. The evidence for this statement is unclear, but may derive from one of Sayyid Ḥusayn’s unpublished manuscripts that she consulted.

Khulāṣat al-tawārīkh mentions Sayyid Ḥusayn while telling of the murder of Sām Mīrzā, one of Shah Tahmasb's brothers who had been imprisoned in the fortress of Qahqaha for rebelling against Tahmasb. In Jumādā II 975/December 1567, he was killed in the fortress prison along with his two sons and the two sons of the rebel prince Alqāṣ Mīrzā, another brother of Shah Tahmasb who had defected to the Ottomans in 955/1548. Just then, the Shiite Imams informed a dervish in Ardabil through a dream that something terrible had befallen their descendants, and he asked Sayyid Ḥusayn to interpret his dream. Several days later, news of the princes' deaths arrived, confirming the dream's message. In the anecdote, the chronicler describes Sayyid Ḥusayn as *shaykh al-islām* of Ardabil.⁷⁷ This suggests that he was still away from the capital and serving as *shaykh al-islām* of Ardabil in Jumādā II 975/December 1567. He must have come to Qazvin and acceded to the position of *shaykh al-islām* there only at a later date, between 975/1567 and 984/1576.

A recently published source nevertheless confirms the conjecture that Sayyid Ḥusayn al-Karakī in fact served as *shaykh al-islām* of Qazvin. In the late seventeenth century Sayyid Ḥusayn's descendant Muḥammad Shafīʿ wrote *Maḥāfil al-mu'minīn*, a sequel to Nūr Allāh al-Shushtarī's (d. 1019/1610) biographical work *Majālis al-mu'minīn*. This work includes a fairly extensive notice on Sayyid Ḥusayn that mentions a number of his descendants as well. Muḥammad Shafīʿ reports that Sayyid Ḥusayn served as *shaykh al-islām* of Ardabil, a fact also reported by Iskandar Beg Munshī. However, he adds that Mīr Ḥusayn was charged with supervision of the shrine of the Safavid Sufi *shaykhs* at Ardabil (*tawliyat-i mazār*) and the office of the marshal of the *sayyids* (*niqābat*), and he states explicitly that Mīr Ḥusayn served as *shaykh al-islām* of Qazvin.⁷⁸ This statement is corroborated in *Maḥāfil al-mu'minīn* by indications that this last office remained the privilege of Sayyid Ḥusayn's descendants. When he died in 1001/1592–93, his son Mīrzā Kamāl al-Dīn Ḥusayn became *shaykh al-islām* of Qazvin. After the death of Kamāl al-Dīn, Mīrzā Bahā' al-Dīn Muḥammad inherited the post, then Mīrzā Muḥammad Shafīʿ, and then Mīrzā Bahā' al-Dīn Muḥammad [II], the author's father.⁷⁹ It is no longer a matter of doubt whether Sayyid Ḥusayn actually served as *shaykh al-islām* of Qazvin; he certainly held that office. It remains unclear, though, when he was first appointed.

Sayyid Ḥusayn remained *shaykh al-islām* of Qazvin for about three decades, surviving Shah Tahmasb, Shah Isma'īl II (r. 984–85/1576–77) and Shah Muhammad Khudabanda (r. 985–96/1577–87), and serving for several years at the beginning of Shah Abbas I's reign. Events reported in the chronicles indicate that he was the leading religious authority at the Safavid capital by the end of Shah Tahmasb's reign, in 984/1576. He prepared the corpse of

77 Qāḍī Aḥmad b. Sharaf al-Dīn Qummī, *Khulāṣat al-tawārīkh* (Tehran: Dānishgāh-i Tihārān, 1980), 550–55.

78 Muḥammad Shafīʿ Ḥusaynī ʿĀmilī, *Maḥāfil al-mu'minīn fī dhayl Majālis al-mu'minīn*, ed. Ibrāhīm ʿArabpūr and Maṣṣūr Jaghatā'ī (Mashhad: Bunyād-i Pazhūhish-hā-yi Islāmī, 2004), 239.

79 Muḥammad Shafīʿ Ḥusaynī ʿĀmilī, *Maḥāfil al-mu'minīn*, 226–41, esp. 239. I have not been able to determine the dates of any of these descendants of Mīr Ḥusayn.

Shah Tahmasb for burial when the king died in 984/1576.⁸⁰ He remained in Qazvin throughout Shah Isma‘il II’s short reign and led opposition to the Shah’s pro-Sunni policies. At one point, the Shah imprisoned him and confiscated his books.⁸¹ He was also charged with preparing Shah Isma‘il II’s corpse for burial in Ramaḍān 985/November 1577.⁸² In 994/1586, during the Takkalū and Turkman rebellion, the loyalist Shāmlū commander Ismā‘il-Qulī Khan sent Sayyid Ḥusayn, together with Mīr Ṣadr-i Jahān, outside Qazvin to pay his respects to Tahmasb Mīrzā, whom the rebels had abducted and proclaimed Shah. Naṭanzī refers to Sayyid Ḥusayn in this context as *janāb-i mujtahid al-zamānī Shaykh Ḥusayn Ardabīlī*.⁸³ This must have occurred shortly before 12 Rabī‘ I 994/3 March 1586, when the rebels, led by Muḥammad Khan Takkalū, entered Qazvin and installed Prince Tahmasb in the palace, Ismā‘il-Qulī Khān having abandoned the capital with his troops.⁸⁴ The next year, in Dhū al-Qa‘da 995/October 1587, Sayyid Ḥusayn led the delegation to meet the supporters of Abbas I outside Qazvin as they approached the capital, intending to place him on the throne.⁸⁵ Murshid-Qulī Khan sent him outside Qazvin to negotiate with the chiefs of the rival Qizilbash faction the next month, in Dhū al-Ḥijja 995/November 1587.⁸⁶ In 999/1591, Sayyid Ḥusayn led a delegation including Bahā’ al-Dīn al-‘Āmilī and Abū al-Walī Injū-i Shīrāzī to Gilan. After convincing the hereditary ruler of the province, Khan Aḥmad, to marry his daughter to Shah Abbas’ son Ṣafī Mīrzā, they returned to Qazvin on 27 Sha‘bān 999/20 June 1591.⁸⁷ Two years later, in 1001/1592–93, Sayyid Ḥusayn died in Qazvin after succumbing to the plague or cholera.⁸⁸

Al-Lum‘a has not been published, despite the fact, suggested by its prominent use in later treatises on Friday prayer, such as *Risāla dar namāz-i jum‘a* by ‘Alī Riḍā b. Kamāl al-Dīn Ḥusayn al-Ardakānī al-Shīrāzī, known as Tajallī (d. 1085/1674–75), that it was one of the more influential works on the topic.⁸⁹ The date of the original work, Ramaḍān 966/June 1559, is known from a note in *Riyāḍ al-‘ulamā’*; it apparently derives from the colophon of a manuscript at Mīrzā

80 Iskandar Beg Munshi, *Tārīkh-i ‘ālam-ārā-yi ‘Abbāsī*, 1/123; Savory, *History of Shah Abbas*, 205.

81 Stewart, “Lost biography”.

82 al-Iṣfahānī, *Riyāḍ al-‘ulamā’*, 2/73.

83 Maḥmūd b. Hidāyat Allāh Afūshā-yi Naṭanzī, *Nuqāwat al-āthār fī dhikr al-akhyār*, ed. Iḥsān Ishrāqī (Tehran: Bungāh-i Tarjuma va-Nashr-i Kitāb, 1971), 183. The fact that he gives Mīr Ḥusayn the toponymic *nisba Ardabīlī* here suggests that he has spent many years there as *shaykh al-islām*.

84 Qummī, *Khulāṣat al-tawārīkh*, 815. For the rebellion in general, see Savory, *History of Shah Abbas*, 1/455–79.

85 Qummī, *Khulāṣat al-tawārīkh*, 861, 1069; Iskandar Beg Munshi, *Tārīkh-i ‘ālam-ārā-yi ‘Abbāsī*, 1/369; Savory, *History of Shah Abbas*, 509.

86 Qummī, *Khulāṣat al-tawārīkh*, 867.

87 Qummī, *Khulāṣat al-tawārīkh*, 1086–87.

88 Iskandar Beg Munshi, *Tārīkh-i ‘ālam-ārā-yi ‘Abbāsī*, 1/458; Savory, *History of Shah Abbas*, 631–2.

89 Ja‘fariyān, *Davāzdah risāla-yi fiqhī*, 357–404. Ja‘fariyān lists six MSS of the work in *Davāzdah risāla*, 86. The MS consulted here is MS Mashhad Faculty of Theology, Tārīkh 217.54, which was copied on 8 Dhū al-Ḥijja 1009/10 June 1601.

‘Abd Allāh al-Iṣfahānī’s disposal.⁹⁰ The MS I used includes a long dedication to Shah Tahmasb (fol. 3v-5v). The fact that some copies are dedicated to Aḥmad Khān, the ruler of Gilan, suggests that Mīr Ḥusayn was in Ardabil when he composed the work, and not in Qazvin.

Al-Lum‘a is in fact quite similar to *al-Bulgha*, the work on Friday prayer by Ḥusayn’s uncle Ḥasan al-Karakī, except that it is more critical, even sarcastic, and much longer. Like *al-Bulgha*, it is essentially a defence of the al-Muḥaqqiq al-Karakī’s position and a refutation of Zayn al-Dīn al-‘Āmilī’s treatise on the legal status of Friday prayer. Mīrzā ‘Abd Allāh al-Iṣfahānī reports that the main target of the treatise is Zayn al-Dīn, adding that Sayyid Ḥusayn’s harsh criticisms of Zayn al-Dīn’s arguments border on vituperation. He writes, “In that treatise he undertook to refute the Master the Second Martyr in his treatise that he had composed about the absolute obligation of Friday prayer, and he refuted all of his pieces of evidence utterly. Indeed, he discussed them in the rudest manner (*bal takallama alayhā bi-aqbaḥ wajh*)”.⁹¹ The book’s date demands attention, for it was written just one month after *al-Bulgha*, and presumably for the same immediate reason, that Zayn al-Dīn’s death had become known, so that it was now safe to criticize him without fear of a reprisal on the part of Zayn al-Dīn himself. As argued above with regard to *al-Bulgha*, the attack on Zayn al-Dīn, who had been executed by the Ottomans the year before and so could not be a direct opponent, must have actually been directed against Zayn al-Dīn’s student Ḥusayn b. ‘Abd al-Ṣamad.

Al-Lum‘a is much longer than *al-Bulgha*, and the style is more hyperbolic. Mīr Ḥusayn begins by announcing boldly that he is going to argue against an opinion that is preposterous and has not been held by any serious scholar in the history of Shiite law. He will then present the correct opinion (fol. 2b–3b). He complains in hyperbolic terms of the deplorable state of the times, revealing that he is very upset at the horrid circumstances of the world with regard to the performance of religious obligations (fol. 6b). This passage condemns the present state of affairs somewhat more than would be necessary if the issue were merely a debate over Friday prayer, and one suspects that it is a reaction to a perceived injustice and a condemnation of the current division of positions of religious authority in the Safavid Empire. Ḥusayn b. ‘Abd al-Ṣamad, an inferior scholar, has been granted a position higher than his own, and this goes against the proper order of things. Mīr Ḥusayn refers to al-Muḥaqqiq al-Thānī using the grand title *ra‘īs al-muḥaqqiqīn jaddī* (the chief of the verifiers, my grandfather), which would ostensibly assign him a rank above that of the first Muḥaqqiq, the famous earlier jurist Najm al-Dīn Ja‘far b. Ḥasan al-Ḥillī (d. 676/1277).

In a fashion similar to that found in *al-Bulgha*, Mīr Ḥusayn’s references to Zayn al-Dīn al-‘Āmilī suggest deprecation. He avoids mentioning Zayn al-Dīn’s name, but terms him “one of the learned men of this age” (*ba‘d al-afāḍil min ahl al-‘aṣr*) (fol. 19b–20a). His claim that the opinion Zayn al-Dīn espoused has not been held by any serious scholar implies that Zayn al-Dīn is not to be

90 al-Iṣfahānī, *Riyāḍ al-‘ulamā’*, 2/66. The date does not appear in the MS at my disposal, which does not include the original colophon.

91 al-Iṣfahānī, *Riyāḍ al-‘ulamā’*, 2/66.

considered a serious scholar. Also similar are veiled references to Ḥusayn b. ‘Abd al-Ṣamad. At the outset of the treatise, where he introduces the topic of debate, he writes, “The absolute obligation of Friday prayer has become well known on the tongues of students of the religious sciences in this age”. (*fa-qad ishtahara ‘alā alsinat al-ṭalaba fī hādihā al-‘aṣr wujūb ṣalāt al-jum‘a ḥatman . . .*) (fol. 2b). This suggests that the proponents of this opinion are not in fact mature jurists, but merely students (*talaba*). Ḥusayn b. ‘Abd al-Ṣamad is characterized as a mere student, in effect, and not a fully qualified scholar in his own right; he is only an underling or pupil of Zayn al-Dīn al-‘Āmilī who does not present his own opinions but only parrots those of his teacher. In a similar statement, he writes that one of Zayn al-Dīn’s arguments would cause “the (junior) law student to rejoice” (*yafrāḥ bihi al-mutaḥaqqih*) (fol. 20a). Again, this appears to be an oblique reference to Ḥusayn, suggesting that he is still a mere student, a pupil of Zayn al-Dīn. It is even more insulting than the term *ṭalaba*, for *mutaḥaqqih* refers specifically to a beginning law student, as opposed to a *faqīh*, an advanced law student.⁹² The passages of *al-Lum‘a* cited above suggest a sustained argument just below the surface of the text against Ḥusayn b. ‘Abd al-Ṣamad, portraying him as a mere pupil of Zayn al-Dīn al-‘Āmilī who cannot stand on his own as a scholar. It is particularly effective at this juncture; the master has died so that the student is left without his support.

In an important passage, Mīr Ḥusayn seems to suggest to Shah Tahmasb that a careful reading of this treatise will cause him to redress injustices with regard to the rewards he has accorded the scholars in his realm. Referring to his own argument regarding the correct position on Friday prayer, he writes:

*yudh‘inu ilayhā man ṣa‘ada ‘an darakāt al-taqīd ilā darajāt al-taḥqīq wa-taḥallaqa*⁹³ *min shāmikh haḍabāt*⁹⁴ *al-tawfīq ila ma‘ārij masāriḥ al-tadqīq [wa-]tahallā min ilhām al-ḥaqā‘iq wa-īdāḥ al-daqa‘iq bi-ibqā’ kulli dhī ḥaqqin ḥaqqahu wa-iblāgha kulli dhī rutbatin mustaḥaqqahu lā yatazalzalu ‘an mawāqī‘ al-qaṭ‘ li-shawārid al-zunūn wa-lā yanḥāzu ‘an muqtaḍā al-yaqīn li-mulāmaḥat mawhūm aw maznūn.*

[This argument] will be accepted by whoever has ascended from the base rungs of blind imitation to the high planes of determination of the truth, has soared from the lofty steppes of divine support to the ascending staircases of the avenues of precise examination, and has become adorned, through the inspiration of truths and the clarification of intricate matters, with the intention to give each holder of a right his due, and to cause each holder of rank to attain that which he deserves. He cannot be

92 Makdisi characterizes the *mutaḥaqqih* as an undergraduate student of law and the *faqīh* as a graduate student of law, citing a passage in Ibn ‘Aqīl’s (d. 513/1119) *al-Wāḍiḥ* as an illustration of the contrast between the two terms: “. . . and this is the sort of criticism regarding which many *fuqahā’* [pl. of *faqīh*] are unmindful who have not concerned themselves with this science, let alone the *mutaḥaqqiha* [coll. pl. of *mutaḥaqqih*]”. George Makdisi, *The Rise of Colleges* (Edinburgh: Edinburgh University Press, 1981), 172–4.

93 Reading *taḥallaqa* for *takhallaqa* in the text.

94 Reading *haḍabāt* for *habaḍāt* in the text.

dislodged from the strongholds of certainty by the stray arrows of conjecture and will not swerve from the dictates of certain knowledge at the looming of delusion or supposition (fol. 6a).

This passage has the air of a petition to the Shah couched in oblique terms. The references to rising up to a higher plane challenge the audience to interpret the text at a level beyond that of the *prima facie* or obvious reading, thus reaching a higher meaning, one that may be hidden to the less perspicacious reader. The reference to *taḥqīq*, arriving at the truth, in opposition to *taqlīd*, blind imitation, suggests that the Shah should depend on his own investigation of the issue and not be swayed by others. The reference to right or desert (*ḥaqq*, *mustahaqq*) and to rank (*rutba*) is of particular interest here, for these concepts appear frequently in discussions of entitlement to official positions and the competition over them.⁹⁵ This text reminds the Shah of his obligation to reward the scholars of the Empire appropriately, each according to his actual rank; it is an elliptical complaint that he has failed to do so in this instance. In order to rectify the situation, he should remove Ḥusayn b. ʿAbd al-Ṣamad from his position and replace him with a more deserving candidate, presumably the author of this treatise, Sayyid Ḥusayn himself.

The treatise *al-Lumʿa fī taḥqīq amr al-jumʿa* by Sayyid Ḥusayn al-Karakī, like *al-ʿIqd al-Ḥusaynī*, serves as a petition to Shah Tahmasb in addition to presenting a particular position on the issue of Friday prayer. In the work al-Karakī refutes the opinion of Zayn al-Dīn al-ʿĀmilī, but the immediate target is Ḥusayn b. ʿAbd al-Ṣamad. The work claims that the legal rulings he espoused were wrong, and that therefore he was an incompetent jurist, whereas Sayyid Ḥusayn was superior in standing. Sayyid Ḥusayn seeks to undermine the authority of Ḥusayn b. ʿAbd al-Ṣamad and perhaps to get Shah Tahmasb to replace him as *shaykh al-islām* of Qazvin, appointing instead al-Karakī himself, now recognized as the leading jurist of the realm.

V. Conclusion

The competition between individual scholars and the texts examined here point both to the importance of state sponsorship and patronage of scholars in establishing an official religion and to the influence of politics on works of Islamic law. The Shahs concentrated their resources on patronizing a limited elite, the upper echelons of various classes, including primarily the Turkic military commanders, the great established families of Persian *sayyids* who served as administrative officials, endowment supervisors, and so on, and the doctors of Islamic law, the leading representatives of whom, for over a century after the foundation of the Empire, were Arab Shiites from Lebanon. The top jurists among this latter group were in great demand because they played crucial roles in establishing the Shah's legitimacy and defending Safavid ideological positions against Ottoman attacks. This made the stakes quite high and the competition among the leading religious scholars fierce.

95 Chamberlain, *Knowledge and Social Practice*, 64–5, 90, 100.

Treatises on law and other Islamic sciences show a tremendous concern not only with the subject matter but also with academic and political life, a level of interpretation that is often overlooked because they use oblique references and often resort to allusion and innuendo. An accurate assessment of their significance requires a detailed knowledge of the historical context in which they were produced and attention to the conventions of polemics in Islamic contexts. Five works on Friday prayer were written over a short period: Zayn al-Dīn's treatise in 962/1555; Ḥusayn b. 'Abd al-Ṣamad's treatise c. 963/1556; *al-Bulgha* by Ḥasan al-Karakī and *al-Lum'a* by Ḥusayn al-Karakī both in 966/1559; and *al-Iqd al-Ḥusaynī* in 970/1563. All of these works are products of and steps in the competition over a particular position of legal authority, that of *shaykh al-islām* or the chief jurist of the Safavid capital Qazvin. Zayn al-Dīn, though living in hiding in Jabal 'Āmil at the time, authored his treatise specifically for a Safavid audience, and Ḥusayn may actually have requested that he write such a work initially. Zayn al-Dīn's work was intended to serve as a support for his most accomplished student in a bid to gain a position of authority in Safavid territory. The work was sent quickly to Iran, where Ḥusayn wrote a similar work c. 963/1556, upholding the same opinion and drawing extensively on Zayn al-Dīn's treatise. Both works criticize the opinion of al-Muḥaqqiq al-Karakī, who had died over two decades earlier, but whose *Ja'farīya* provided the main support for Safavid ideology and practice regarding Friday prayer. The immediate targets are jurists in Safavid territory who uphold al-Karakī's opinion, including his sons 'Abd al-'Āl and Ḥasan and his grandson through a daughter, Sayyid Ḥusayn. Ḥusayn b. 'Abd al-Ṣamad's treatise on Friday prayer was intended to establish his scholarly credentials, show that he was more qualified than contemporary Twelver jurists in Iran, and convince the Shah to grant him an appointment to a prominent position. He apparently succeeded, for he served as *shaykh al-islām* of Qazvin c. 963–70/1556–63, and his ruling on Friday prayer was enforced.

After the death of Zayn al-Dīn, Ḥusayn b. 'Abd al-Ṣamad's opponents in Iran must have felt that it was an opportune time to attack him openly, as he had lost the support and backing of his teacher. In 966/1559, only one month apart, Ḥasan al-Karakī and Ḥusayn al-Karakī both penned treatises on Friday prayer, defending the opinion of al-Muḥaqqiq al-Karakī and refuting Zayn al-Dīn's treatise. Since Zayn al-Dīn had been executed the year before, the immediate target of both treatises must have been Ḥusayn b. 'Abd al-Ṣamad in particular, though he is not named in either work. The author of *al-Lum'a* suggests to the Shah in allusive terms that Ḥusayn b. 'Abd al-Ṣamad does not deserve the position of *shaykh al-islām* of the capital and hints that Sayyid Ḥusayn should actually fill that position. His work was a petition, supported by his uncle Ḥasan's similar work, to have the Shah remove the current *shaykh al-islām* of Qazvin on the grounds that he adopted untenable legal doctrines and was not the most qualified jurist available in the realm. This plea eventually succeeded, when Ḥusayn b. 'Abd al-Ṣamad was dismissed from his position in c. 970/1563 and subsequently appointed *shaykh al-islām* in Mashhad and then Herat. Sayyid Ḥusayn was eventually appointed *shaykh al-islām* of Qazvin before the end of Tahmasb's reign in 984/1576, but apparently not before 975/1567. Therefore, Ḥusayn's treatise *al-Iqd al-Ḥusaynī* was

not anomalous in serving as a disguised petition to Shah Tahmasb. It represented merely one turn in a competition over the top position of religious authority in the Safavid Empire that was presented after several other similar turns. *Al-ʿIqd al-Ḥusaynī* is essentially a riposte to *al-Lumʿa*, asking for the Shah to restore his position to him or at least to grant him another post as a consolation. The oblique criticism was not something that Ḥusayn b. ʿAbd al-Ṣamad initiated, but was merely in keeping with the tenor Sayyid Ḥusayn al-Karakī had already set in his own treatise.

Because of the patchiness of the historical sources, a number of questions remain concerning the *shaykh al-islām*-ate of Qazvin during this period. While Ḥusayn b. ʿAbd al-Ṣamad was dismissed in *c.* 970/1563, Sayyid Ḥusayn al-Karakī may not have been appointed *shaykh al-islām* of Qazvin until after 975/1567, which leaves a gap of at least five years. Perhaps al-Muḥaqqiq al-Thānī's son ʿAbd al-ʿĀl al-Karakī served as *shaykh al-islām* of Qazvin in the intervening period. Iskandar Beg Munshī presents ʿAbd al-ʿĀl as the top legal authority of the age, referring to him as “the Second Mujtahid”, indicating that he had taken over the mantle of his father. While he reports that ʿAbd al-ʿĀl appointed deputies to settle cases and answer legal questions, and sometimes came to court to do so himself, he generally stayed in Kashan, away from court. His statement that “most” of the scholars of the time recognized his *ijtihād* perhaps hints at Ḥusayn b. ʿAbd al-Ṣamad's rejection of this claim.⁹⁶ A treatise on Friday prayer has also been attributed to ʿAbd al-ʿĀl, but this may be the result of a confusion with Sayyid Ḥusayn's *Lumʿa*.⁹⁷ Did ʿAbd al-ʿĀl defer to his nephew Sayyid Ḥusayn al-Karakī at this juncture despite his own prominent status? He eventually stepped aside, as the chronicles note that he stayed away from the capital during the reign of Ismaʿil II, leaving his nephew to oppose the Shah's policies, and he remained aloof from then until his death. However, it is not clear that he was uninvolved in Qazvin during the reign of Shah Tahmasb, and he was certainly recognized as a *mujtahid*. Was the feeling that Ḥusayn b. ʿAbd al-Ṣamad had usurped a position rightfully belonging to him upon his initial appointment as *shaykh al-islām* of Qazvin? Could his brother and cousin have been supporting him as a candidate for the position of *shaykh al-islām* of the capital, rather than Sayyid Ḥusayn himself, when they wrote their works in 966/1559? Did ʿAbd al-ʿĀl write a similar treatise for Shah Tahmasb at this time? Did he serve as *shaykh al-islām* of the capital from 970/1563, when Ḥusayn b. ʿAbd al-Ṣamad was dismissed, until a later date, when his nephew Sayyid Ḥusayn was appointed to the position? The discovery of additional sources from the period may help to answer some of these questions in the future.

Friday prayer was not the only polemic issue debated by these scholars during this period, though it was the most prominent because of its direct bearing on issues of religious authority; a heated debate along similar lines took place over the related issue of the *qibla* or direction of prayer. Al-Muḥaqqiq al-Karakī had argued that one should turn slightly to the left when praying in

96 Iskandar Beg Munshi, *Tārīkh-i ʿālam-ārā-yi ʿAbbāsī*, 154; Savory, *History of Shah Abbas*, 244–5.

97 Āghā Buzurg al-Ṭīhrānī, *al-Dharʿa ilā taṣānīf al-shʿa*, 18, 352–3.

Iraq and Iran, and had changed the prayer niches of a number of mosques in Safavid territory to reflect this ruling. Zayn al-Dīn critiqued this opinion in his legal works.⁹⁸ Zayn al-Dīn caused an incident in Najaf in Dhū al-Qa‘da-Dhū al-Ḥijja 952/January–February 1546 when he prayed turning slightly to the right in the shrine there, for he had found that the *mihrāb* was not aligned with that of the Mosque of Kufa.⁹⁹ Ḥusayn b. ‘Abd al-Ṣamad wrote two treatises on determining the *qibla* in Iran, one entitled *Tuḥfat ahl al-īmān* and the other *Risāla fī qiblat ‘Irāq al-‘ajam wa-Khurāsān*.¹⁰⁰ In the latter, he strongly criticizes the view of the *qibla* espoused by al-Muḥaqqiq al-Karakī, whom he terms *Shaykhunā al-‘Alā’ī* or *al-Shaykh ‘Alī*, and accuses contemporaries of adopting his opinion without any proof.¹⁰¹ He presumably made a similar argument in *Tuḥfat ahl al-īmān*. ‘Abd al-‘Āl al-Karakī wrote a treatise on the *qibla* in general and the *qibla* in Khurāsān in particular, presumably upholding his father’s opinion.¹⁰² His treatise was most likely a rebuttal to that of Ḥusayn b. ‘Abd al-Ṣamad, or vice-versa. Sayyid Ḥusayn also discussed the setting of the *qibla* in a treatise on preparing the corpse for burial.¹⁰³ He, too, may have championed the opinion of al-Muḥaqqiq al-Karakī against the critiques of Zayn al-Dīn al-‘Āmilī and Ḥusayn b. ‘Abd al-Ṣamad. Unfortunately, none of these treatises are published and their dates and historical contexts are as yet undetermined. While they may have played a role in the competition over the *shaykh al-islām*-ate of Qazvin, this is yet unclear.

More generally, these treatises on Friday prayer reveal some of the conventions of polemic texts in the pre-modern world where competition over patronage was involved. Such texts often refer to rivals, the main targets of criticism, in an oblique fashion. Ḥusayn b. ‘Abd al-Ṣamad refers indirectly to Sayyid Ḥusayn Mujtahid in *al-‘Iqd al-Ḥusaynī*, and Ḥasan al-Karakī in *al-Bulgha*; Sayyid Ḥusayn Mujtahid in *al-Lum‘a* must be referring to him, also in allusive terms. This cannot be a matter of chance or coincidence, for they refer quite directly to other scholars on all sides of the historical debate over the issue at hand. The appearance of such indirect references and the criticism of a senior, deceased, scholar who one’s opponent accepts as an exemplar, rather than direct criticism of one’s opponent, is also a recurrent feature of such texts. For example, although Muḥammad al-Amīn al-Astarābādī attacks al-‘Allāma al-Ḥillī (d. 726/1325) most fervently in *al-Fawā'id al-madaniya*, his more direct target is Zayn al-Dīn al-‘Āmilī and the current proponents of his legal

98 See al-Muḥaqqiq al-Karakī’s passage on the *qibla* from *al-Muḥadhdhab al-bārīfī sharḥ al-Mukhtaṣar al-nāfi‘*, apud *Rawḍ al-jinān*, between pages 199 and 200, and Zayn al-Dīn’s criticism of this position in *Rawḍ al-jinān*, 198–9.

99 ‘Alī al-‘Āmilī, *al-Durr al-manthūr*, 2, 180–81.

100 al-Iṣfahānī, *Riyāḍ al-‘ulamā’*, 2, 111; Modarressi, *Bibliography*, 139; Stewart, “Migration”, 98; Abisaab, *Converting Persia*, 161.

101 Ḥusayn b. ‘Abd al-Ṣamad, *Risāla fī taḥqīq qiblat ‘Irāq al-‘ajam wa-Khurāsān*, MS Mar‘ashī 744/4, 181–8; Abisaab, *Converting Persia*, 37.

102 al-Ḥurr al-‘Āmilī reports that he had a copy in his possession. al-Ḥurr al-‘Āmilī, *Amal al-āmil*, 1, 110; al-Iṣfahānī, *Riyāḍ al-‘ulamā’*, 2, 131. Cf. Abisaab, *Converting Persia*, 161.

103 al-Iṣfahānī, *Riyāḍ al-‘ulamā’*, 2, 68. Cf. Abisaab, *Converting Persia*, 161.

scholarship.¹⁰⁴ In many cases, scholars waited until an important master had passed away to attack his opinions. Zayn al-Dīn al-ʿĀmilī criticized the legal opinions of al-Muḥaqqiq al-Karakī in a number of instances only after his death. Similarly, Ḥasan al-Karakī and his nephew Sayyid Ḥusayn Mujtahid attacked Zayn al-Dīn’s position on Friday prayer in 966/1559, the year after his death. In many cases, the authors involved enlisted the support of teachers and peers to bolster their cases by writing texts upholding the same opinion or endorsements of their own works. The works often include a hint that the text conceals a level of meaning beneath the surface that readers or patrons must ferret out drawing on their own perspicacity. This is a convention of allegorical or allusive texts of all kinds, including the common genre of riddle or enigma (*luḡh*, *alghāz*), and so was part of the well-known literary conventions of the age. Such passages appear in both *al-Lumʿa fī taḥqīq amr ṣalāt al-jumʿa* and *al-ʿIqd al-Ḥusaynī*. Another recurrent feature of such texts is the claim that the problem addressed is an urgent, public matter, affecting not just intellectual tradition but society as a whole. Attention to these conventions and rhetorical strategies may shed new light on myriad pre-modern Islamic texts, even those that have been studied with a certain degree of intensity but without attention to their use in a context of patronage and academic rivalry.

The rhetorical strategies found in such texts are based on a number of assumptions that were widely shared in pre-modern academic and political circles. First, resources were understood to be limited and divided up in something like a zero-sum game. This implies that a rival’s success is necessarily and directly detrimental to one’s own fortunes. Second, scholars within a specific field such as Islamic law exist in a well-known, if not formalized, relational hierarchy. Jurists themselves, patrons, and even lay outsiders, assume that it is possible to discover the most learned and qualified jurists alive and even to determine reliably an order of precedence among the prominent jurists in one city or realm. The ability to correct another scholar’s published opinions indicates that one’s own rank is superior to that of the corrected scholar. Third, rank entails entitlement. Learned men are entitled to rewards according to the rank that they hold by virtue of their relative levels of scholarly achievement, and it is the duty of rulers, government officials, supervisors of endowments and the like to ensure that resources are distributed not evenly, but with appropriate distinctions between scholars of different ranks. Those at the top of the hierarchy must be rewarded more than those further down. For top positions of religious authority, such as that of *shaykh al-islām* of the capital city and therefore the realm, the ruler is obligated to appoint the most learned jurist. Otherwise, he will violate his divine mandate as ruler to uphold the religion properly and consequently lose the favour of his subjects.¹⁰⁵

Competition among scholars for state patronage was a constant and widespread phenomenon in Islamic societies, and scholars were therefore continually driven to engage in polemics, even on contrived issues, in order to undermine

104 Devin J. Stewart, “The Genesis of the Akhbari revival”, 169–93 in Michel Mazzaoui (ed.), *Safavid Iran and Her Neighbors* (Salt Lake City: University of Utah Press, 2003).

105 Faḍl Allāh b. Rūzbihān al-Khunjī (d. 927/1521), *Sulūk al-mulūk*, ed. Muḥammad ʿAlī Muwaḥḥid (Tehran: Intishārāt-i Khwārazmī, 1983), 93–100.

rivals and promote their own interests and aspirations. In the examples examined here, though, Friday prayer was not simply a convenient peg on which competing scholars could hang their competing claims to authority. Friday prayer was one of the most visible public demonstrations of royal legitimacy, and served, along with the minting of coinage, as the primary public sign of sovereignty throughout Islamic history. It therefore represented one of the chief areas in which the alliance between the Shahs and the Twelver Shiite legal establishment, based in effect on a concept of shared religious authority, could be demonstrated. Both rival groups of scholars described here seem to have supported this alliance in general, but they disagreed regarding the exact form the attendant relationship and ideological positions would take. The position upheld by the Karakīs, particularly al-Muḥaqqiq al-Thānī and Sayyid Ḥusayn, tended to concentrate power in the hands of a single leading jurist, a *mujtahid*, insisting upon his permission as an essential requirement for the holding of Friday prayer, whereas Ḥusayn b. ʿAbd al-Ṣamad did not seek the same sort of direct control. It was somewhat risky for Shah Tahmasb to accede to the Karakīs' position at this juncture, for the authority of the leading *mujtahid* expanded at the expense of the Shah's own authority. Events of the short reign of Shah Ismaʿil II showed how powerful the *shaykh al-islām* of the capital would grow, when Sayyid Ḥusayn al-Karakī's opposition to the Shah's anti-Shiite policies eventually led to their abandonment and helped bring about his assassination.

Shah Tahmasb's decision to support Sayyid Ḥusayn al-Karakī instead of Ḥusayn b. ʿAbd al-Ṣamad at this juncture was most probably driven by considerations of political propaganda during the long period of uneasy truce following the Treaty of Amasya in 962/1555. In 969/1562 the Ottoman Prince Bayezid, who had rebelled against Sultan Suleiman and sought asylum at Safavid court two years earlier, was delivered into the hands of an Ottoman embassy and strangled on the spot along with his four sons. In the view of the Qizilbash commanders who led the Safavid forces, a perfect opportunity to strike at the Ottomans in concert with the renegade prince had been lost. The Shah was consequently under pressure not to appear weak in the face of the Ottomans, despite the fact that he lacked either the resources or the resolve to oppose them, and the appointment of Sayyid Ḥusayn al-Karakī, who adopted a fanatical, anti-Sunni ideology, was probably intended to appease critics by increasing public ideological attacks on the Ottomans and Sunnis in general, while the Shah continued to avoid a military conflict.¹⁰⁶

106 Stewart, "Qazvin", 404–5.