



## ANŞĀRĪ, SHAIKH MORTAŻĀ

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**ANŞĀRĪ, SHAIKH MORTAŻĀ B. MOḤAMMAD AMĪN** (1214-81/1799-1864), *marja'-e taqlīd* and important author of works on *feqh* and *oṣūl al-feqh*. Born in Dezfūl, he began his studies with his paternal uncle, Shaikh Ḥosayn Anşārī, a well-known *'ālem* of the city. In 1232/1817 he went with his father on a pilgrimage to Karbalā where he paid a visit to Sayyed Moḥammad Mojtāhed Karbalā'ī (d. 1242/1836-37), a leader of the Shi'ite scholars in the city. In a debate that followed he demonstrated such thoroughness of knowledge and such mastery in formulating and presenting his arguments that Sayyed Mojtāhed asked Mortażā's father to leave him in Karbalā to continue his studies (M. Kalāntar, intro. to Anşārī, *al-Makāseb* I, Najaf, 1392/1972, pp. 30-31).

Anşārī stayed in Karbalā, attending the lectures of Sayyed Moḥammad Mojtāhed and Mollā Moḥammad Šarīf Māzandarānī (d. 1245/1829-30) until 1234/1818-19, when Dāwūd Pasha, governor of Iraq, revolted against the Ottomans. He then went to Kāzemayn and from there returned to Dezfūl. After two years he returned to Karbalā, again attending the lectures of Šarīf Māzandarānī. The following year he went to Najaf to study with Shaikh Mūsā Kāšef-al-geṭā' (d. 1256/1840-41) for a year, then he returned to Iran, eventually going to Kāšān to study with Mollā Aḥmad Narāqī (d. 1245/1829-30), an outstanding authority in *feqh*, *oṣūl falsafa*, and mysticism (*'erfān*). Though Anşārī was already a *mojtāhed* when he left Karbalā, he remained with Narāqī for four years, acquiring from him a long *ejāza-nāma* (license), listing in unusual detail the many lines of transmission through which he had attained his learning (see Kalāntar, op. cit., pp. 58-64). After a pilgrimage to Mašhad,



Anşārī returned to Dezful, where he taught until 1249/1833-34; he then migrated to Najaf, where he began attending the lectures of two of the foremost Shi'ite 'olamā', Shaikh 'Alī Kāšef-al-geṭā' (d. 1254/1838-39), who was then considered *marja'-e taqlid*, and Shaikh Moḥammad Ḥasan Najafī (d. 1266/1849-50), author of the well-known *Jawāher al-kalām* (Kalāntar, pp. 77-80). After Shaikh 'Alī's death he established his own lecture circles and in 1266/1849-50 succeeded Shaikh Moḥammad Ḥasan Najafī as *marja'-e taqlid* (Kalāntar, p. 120). In the sixteen years that he occupied this position, he trained, according to Mo'alleṃ Ḥabībābādī (pp. 50014), 267 students including some outstanding figures (see also Kalāntar, pp. 131f.).

Anşārī led the life of a true ascetic. In spite of his tremendous prestige as the undisputed *marja'-e taqlid*, at his death his entire property amounted to only three dinars, and his two daughters were unable to pay for his funeral (Kalāntar, p. 214). He is the author of some thirty books and treatises (ibid., pp. 199-90; M. 'A. Modarres Tabrīzī, *Rayḥānat al-adab*, Tehran, 1367/1948, I, p. 192; Ḥabībābādī, pp. 497-99) written in a readable style which is in marked contrast to the dry and stifled language of most authors in the field. The most famous and influential of them are *al-Makāseb* (Tehran, 1304/1886-87; new but incomplete edition by M. Kalāntar, 5 vols., Najaf, 1392-/1972-) in *feqh*, and *Farā'ed al-oṣūl*, known as *al-Rasā'el* (Tabrīz, 1372/1953; summarized as *al-Rasā'el al-ḡadīda*, Qom, 1390/1970) in *oṣūl*. These two, along with Āḡūnd Ḳorāsānī's *Kefāyat al-oṣūl*, form the subject matter of the fourth and final (*nehā'i*) level of the curriculum in the Shi'ite *madrasas* (cf. Kalāntar, op. cit., p. 186; Modarres Tabrīzī, *Rayḥānat al-adab*, 3rd ed., Tabrīz, n.d., I, p. 197). (Eleven of his shorter treatises are appended to the older edition of *al-Makāseb*.) Because of the thoroughness and comprehensiveness of these works, since their publication none of the 'olamā' has attempted to write anything more than glosses upon them (for a discussion see Kalāntar, pp. 158-64, 194-206). He is generally referred to as the founder (*al-mo'asses*; cf. Kalāntar, pp. 182-84), of a new style of presenting arguments and discussions in *oṣūl*. His mode of argumentation (*estedlāl*), the dialectal nature of which is apparent, involves first presenting a view concerning a particular problem and marshalling all the available evidence supporting it, then presenting the opposing view with the same thoroughness, and finally establishing a new position and formulating it in the form of a succinct rule (for a brief example see his definition of *bay'* in *al-Makāseb*, p. 79).

The extent to which Anşārī applied his new method to refining *oṣūl* is of



particular importance. M. Šehābī discerns nine stages in the development of *oṣūl*, the last and most advanced of which was begun by Anṣārī (*Taqrīrāt-e oṣūl*, Tehran, 1339 Š./1960-61, intro.; cf. A. Gorjī, “Negāh-i be taḥawwol-e ‘elm-e oṣūl,” *Maqālāt wa barrasīhā* 13-16, 1352 Š./1973, p.73). The subject matter of *oṣūl* was traditionally divided into four categories: the Qur’ān, Hadith, *ejmā’*, and *‘aql*. By the time of Anṣārī, the Shi’ites had divided the science into two major branches, *lafzī* (semantic) and *‘amalī* (practical or concerned with action); in effect, the four traditional categories were subsumed under the heading of *al-oṣūlal-lafzīya* (semantic principles), while discussions of principles related to action were separated out as a new branch of the science. Detailed discussion of semantic principles had already been written by Anṣārī’s time, so he turned his attention to *al-oṣūlal-‘alamīya*, which had been discussed as such only by Mīrzā Abu’l-Qāsem b. Ḥasan Qomī (d. 1231/1816) in the second volume of *Qawānīn al-oṣūl* (Tehran, 1324/1906-07); however, he deals with it within the context of *feqh* and not as a separate subject. Anṣārī’s major contribution seems to have been the manner in which he established *al-oṣūlal-‘amalīya* as a separate and clearly structured science.

At the beginning of *al-Rasā’el* (p. 2), which is devoted entirely to *al-oṣūlal-‘amalīya*, Anṣārī explains in a characteristically systematic and original manner the goal of studying this branch of *oṣūl*: A Muslim facing a religious injunction (*ḥokmšar’ī*), has three options: doubt (*šakk*), certainty (*qaṭ’*), or supposition (*ẓann*). If he is certain of the truth of the *ḥokm* and its applicability to himself, or if he supposes as much, then he must act according to it. But if he has doubt, then he must refer to *ḥokms* relevant to a person in this situation; these are called the “practical principles” and are of four kinds: First he must observe if there is an earlier situation that might justify the present situation; if there is, he follows the principle of (1) *esteṣhāb* (maintaining the present situation). If there is not, then he must observe if there is doubt concerning his religious duty (*taklīf*); if there is, then he follows the principle of (2) *barā’a* (being free of the statute). If there is not, he must see if it is possible to exercise precaution; if it is, then he exercises the principle of (3) *eḥtīāṭ* (precaution). If there is not, then he exercises the principle of (4) *takyīr* (free choice). Basing himself on this outline of the four practical principles, Anṣārī then sets down a systematic discussion of *al-oṣūlal-‘amalīya* in great detail.



## BIBLIOGRAPHY

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See also M. ‘A. Mo‘allem Ḥabībābādī, *Makārem al-āṭār* I-II, Isfahan, 1337 Š./1958, pp. 487-516, especially pp. 498-89 for sources.