

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Al-Sayed Mohammad Al-Mojahid
Al-Tabatab'ei Al-Ha'eri's
Neglected Heritage
(Al-Wasa'el Al-Ha'ereya)
As a Model

By

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The Islamic Seminary _ Holy Najaf



العَتَبَةُ العَبَّاسِيَّةُ المَقْلَبِيَّةُ

قِسْمُ الشُّؤْنِ المَكْرَمِ وَالثَّقَافِيَّةِ

المَكْتَبَةُ وَرِثَةُ المَحَطَّوطَاتِ

مَرْكَزُ الشَّيْخِ الطُّوسِيِّ فَهْجِيٌّ لِلدِّرَاسَاتِ وَالتَّحْقِيقِ

The Research: Al-Sayed Mohammad Al-Mojahid Al-Tabatab'ei
Al-Ha'eri's Neglected Heritage (Al-Wasa'el Al-
Ha'ereya) as A Model

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**A Statement from The Scientific and
Preparatory Committees
For the First International Scientific
Conference:
(Al-Sayyid Al-Mujahid and His
Scientific Legacy)**

All praise be to Allah Lord of the worlds, and may His peace and blessings be upon his noble messenger Muhammad and his pure progeny.

The sky of science and knowledge in the history of the Shias is filled with shining stars, whose bright light guides the lost. These great men carried the banner of truth and the torch of guidance and repelled ignorance. They are like how Imam Al-Sadiq (a.s) described as reported by Imam Al-Askari (a.s), "The scholars of our Shias are fighters at the border with Ibleesla and his warmongers, preventing them from advancing upon our weak Shias, and from them being overcome by Ibleesla and his adherents, the Nasibis (Hostile Ones). Indeed! So, the ones from our Shias who stand for that would be superior to the ones who fight against the Romans, and the Turks, and the Khazar, a thousand (upon a) thousand times,

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because he defends the Religion of ones who love us, but the other one defends their bodies "⁽¹⁾.

They spread the divine knowledge of Ahl al-Bayt (a.s) and lead their Shias to the correct and upright rulings, making them the cause of guidance and the apparent villages as mentioned by Imam Al-Sadiq (a.s), "So the one who accepts our merits that we are the apparent town between them and their Shias, the town which Allah has Blessed therein, the apparent villages is the Rasool, and the transferring (transmitting of Hadeeth) from us to our Shias, and scholars of our Shias, to our Shias. And the Words of the Exalted: and We Apportioned the traveling therein, so the traveling is like the knowledge, journeying with it nights and days. The example of the one who journeys from the knowledge during the nights and the days from us to them (Shias), regarding the Permissible and the Prohibited, and the Obligations and the Judgements, there is safety in it when it is taken from him, safety from the doubt and the straying, and then transferring from the Prohibited to (become) the Permissible, because they are taking the knowledge from the ones whom it is Obligated for them to take it from them, with the recognition. (This is) because they are the people who inherited the Knowledge from Adam to where it has ended, children of Mustafa, from each other. It has not ended up to you, but it has ended up with us, and we are the children, the Chosen ones, not you and those that

(1) Bihar Al-Anwar, v.2, p5.

resemble you, O Hassan!"⁽¹⁾.

Thus, the school of Ahl al-Bayt produced the most eminent and distinguished scholars the Islamic nation has seen, despite the repression, restrictions, and fears that the Shias faced. The last four centuries are considered the most virtuous academic era and the brightest in development and prosperity, which saw great productivity. The grand scholars of this era left behind many, many significant works, which should intensify scientific efforts to revive their memory by presenting examinations and studies and holding conferences and seminars about the most prominent of those personalities.

Among the brightest stars of the thirteenth century is one of the masters of jurisprudence, the excellent and comprehensively knowledgeable scholar, a competent scholar in the principles of jurisprudence, the great leader, Al-Sayed Muhammad Al-Tabatabaei, nicknamed: Al-Mujahid. Allah has combined unique aspects and numerous characteristics in his honorable personality, such as his knowledgeable family and noble lineage. His father was Al-Sayed Ali Al-Tabatabaei, known as the author of Riyad Al-Masa'il and his mother was Al-Wahid Al-Bihbahani's daughter. Muhammad Ali al-Tabatabaei and Abd Al-Hussain Al-Tabatabaei were his uncles. He married the daughter of his teacher, Al-Allama Bahr Al-'Ulum.

(1) Al-Ihtijaj, v.2, p.63.

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He was also blessed with God-given talents, a scientific environment, and a spiritual atmosphere that distinguished his scientific personality. In addition to that, his brilliance and intelligence aided his swift achievements. He studied in the holy seminary of Karbala under his father, in Najaf under Al-Sayed Muhammad Mahdi Bahr Al-'Uloom, and in the holy city of Kadhimiya under Al-Sayed Muhsin Al-A'raji. He then went to the Islamic seminary of Isfahan, in which he engaged in teaching and writing for thirteen years. Hence, he attended various Islamic seminaries and gained his knowledge from several religious schools.

After his father's death – the leading Shia authority – he succeeded his father and became the leading Shia authority and leader of the Islamic seminary. His noble presence in Karbala's Islamic seminary helped it flourish with knowledge and development. Many scholars attended his classes trained under him – some of which were his father's former students, the most important of whom are:

Al-Sheikh Al-Ansari

Dawud b. Asad Allah b. 'Abd Allah Burujirdi

Ibrahim Musawi Qazwini

Muhammad Salih Baraghani

Mulla Hasan b. Muhammad 'Ali Yazdi

Mulla Husayn Wa'iz Tustari

Muhammad Sharif Mazandarani

Mulla Safar 'Ali Lahijani Qazwini

Al-Sayed Muhammad Shafi' Japalaqi

Ahmad b. 'Ali Mukhtar Gulpaygani

'Ali b. Muhammad Wali Qa'ini

Mirza Nasr Allah Mashhadi

Mirza Muhammad 'Ali b. Muhammad Husayn Shahristani

Mirza Muhammad Rida b. Muhammad Baqir Qazwini al-Khuwaysini.

Another significant role Al-Sayed Al-Mujahid had was his fatwa of jihad to protect the Shia borders in the Russo-Persia war. This critical historical incident is considered a significant event in his honorable life, and an important historical turning point in his biography, even more, in the history of Shias. Thus, it becomes clear why he is nicknamed: Al-Mujahid (The Warrior).

Al-Sayed Al-Mujahid left behind various highly valuable works such as:

Mafatih al-usul

Al-Wasa'il fi l-usul

Risalat hujjiyyat al-zann

Al-Manahil

'Umdat al-maqal fi tahqiq ahwal al-rijal

Al-Masabih fi sharh al-Mafatih li l-Kashani

Jami' al-'Aba'ir fi l-fiqh

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Kitab fi al-aghlat al-mashhura

Al-Misbah al-bahir fi radd al-yadiri wa ithbat nubuwwat nabiyyina al-tahir

Based on the important historical roles, unique characteristics, and overlooked aspects Al-Sayed Al-Mujahid possessed, the Sheikh Al-Tusi Center for Studies and Examinations committed to holding an international scientific conference on the authority of Al-Sayed Muhammad Al-Mujahid Al-Tabatabaei. The conference aims to commemorate his memory and to preserve his tremendous hard work. In addition, it intends to supplement the Islamic library and fill scientific gaps by shedding light on various aspects of his life, biography, and sacrifices.

Astonishingly, Al-Sayed Al-Mujahid's works have not been published or examined until now. It is also surprising that there are no books, studies, theses, or scientific articles about Al-Sayed Al-Mujahid in Arabic, Persian, and foreign languages. The historical sources are scarce with information about him, and some of them, including errors and inaccurate information regarding the jihad fatwa. Therefore, the importance of holding this conference is undeniable.

The most important objectives of the conference are to shed light on the overlooked aspects of Al-Sayed Al-Mujahid's life and his scientific heritage, examine and publish his most important works, and study his role in the Russo-Persia war to respond to the false and fabricated allegations about his fatwa.

The conference's scientific committee followed meaningful and accurate steps to hold the conference in the best and most complete way. The activities of the conference were divided into the following categories:

The First: Document Examinations of Al-Sayed Al-Mujahid's Works

Most of Al-Sayed Al-Mujahid's works are neither published nor examined and still in the form of manuscripts. Since some scientific centers have announced that they have begun to examine his two books in the field of Principles of Jurisprudence: (Mafatih Al-Usul) and (Al-Wasa'il Fi l-Usul), we turned to his most important remaining scientific works. Al-Sheikh Al-Tusi Center has also made great strides in examining Al-Manahel. This will be the first time these works will be examined and published, except for 'Umdat al-maqal, which was previously published.

The Second: Studies About Al-Sayed Al-Mujahid

Several independent studies have been written about Al-Sayed Al-Mujahid, in which we have tried to complete the various aspects of his scientific personality. This was through writing about the most important fields he mastered and highlighting his role in developing these sciences, such as Jurisprudence, Principles of Jurisprudence, Biographical Evaluation, and Hadith. Moreover, some studies looking at the most overlooked aspects of the personal and academic

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life of Al-Sayed Al-Mujahid have been written.

The Third: Researches and Articles

Researches and articles written on the personality of Al-Sayed Mujahid – especially the scientific ones –are varied with the variety of sciences and knowledge. Honorable students and eminent figures in the Islamic seminary and several Iraqi university professors wrote various researches. It must be noted that the participants were from different countries, including Iraq, Iran, Saudi Arabia, Lebanon, Kuwait.

The Fourth: Media Work About Al-Sayed Al-Mujahid

This category consists of numerous works, the most important of which was preparing a documentary film on the scientific and historical life of Al-Sayed Al-Mujahid.

In conclusion, we would like nothing but to express our heartfelt appreciation and gratitude to everyone who contributed and supported the formation of this scientific conference, even if it was just a prayer. In particular, we would like to mention the supreme religious authority, His Eminence Al-Sayed Ali Al-Husseini Al-Sistani, who like Al-Sayed Al-Mujahid, gave a fatwa of jihad without we would not have been able to hold such conferences. We pray to the Almighty to prolong his life.

We also thank the legal guardian of the Al-Abbas's (p) Holy Shrine, His Eminence Al-Sayed Ahmad Al-Safi, and all the honorable directors and officials of the Al-Abbas's (p) Holy Shrine.

Thanks are due to all the parties that contributed to the establishment of this conference, from institutions, scientific centers, and Islamic libraries, and we would like to mention in particular:

1. The Heritage Revival Center, (Al-Abbas's (p) Holy Shrine – Manuscript Department)
2. The Manuscripts Copying and Cataloging Center, (Al-Abbas's (p) Holy Shrine – Manuscript Department)
3. Karbala Heritage Center, (The Department of Islamic and Human Knowledge Affairs at the Al-Abbas's (p) Holy Shrine.)

We also thank the honorable Sheikhs and figures in the scientific committees, the technical cadres in the General Secretariat, the staff at Al-Sheikh Al-Tusi Center, and all the hands that contributed to the establishment of the conference. They have our sincere gratitude

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and appreciation, and we ask Allah Almighty to accept their deeds and greaten their rewards, and our last supplication is that praise is to Allah, Lord of the worlds.

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Abstract

The book (Al-Wasa'el Al-Ha'erya) in the field of Principles of Jurisprudence is one of the significant works of the Usuli jurist, investigator, prestige scholar, and author of (Al-Mafatih) and (Al-Manahil); Al-Sayed Mohammad Al-Mojahid Al-Tabatab'ei Al-Ha'eri (d. 1242 A.H). However, the book is highly neglected as it is still in the form of a manuscript that has yet been examined or published.

The author arranged a table of contents for his three volumes book. In it he put forward the main titles and topics of the book. Also,

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he mentioned the significant benefits that were researched under each topic.

The researcher in this article intended to raise awareness about this book to highlight and show its importance. This was accomplished by referring to its available manuscripts and the examination of the table of contents of the three volumes which informs the reader about the topics in general. Also, the researcher added scientific biography of the author, mentioning his educational journey.

السيد محمد المجاهد الطباطبائي الحائري وتراثه المغمور الوسائل الحائرية أنموذجاً

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الحوزة العلمية - النجف الأشرف

الملخص

يعدّ كتاب (الوسائل الحائرية) في علم أصول الفقه من أهمّ المؤلفات المغمورة للفقهاء الأصولي، المحقق المتبّع السيد محمد المجاهد الطباطبائي الحائري (ت: 1242هـ) صاحب كتابي (المفاتيح) و(المناهل)، حيث ما زال مخطوطاً لم يأخذ طريقه إلى التحقيق والطبع، وقد أعدّ المؤلف لكتابه هذا بأجزائه الثلاثة فهرساً ذكر فيه عناوين الوسائل، بالإضافة إلى ذكر الفوائد المهمّة التي تعرّض لها في طيّات البحوث. فعمد الباحث في هذه الدراسة إلى التعريف بهذا الكتاب بغرض تسليط الضوء عليه وبيان أهمّيّته، وذلك بالرجوع إلى مخطوطاته المتوافرة، وفي هذا السياق قام أيضاً بتحقيق فهرس الأجزاء الثلاثة للكتاب كي يتعرّف القارئ على بحثه إجمالاً، بالإضافة إلى بيان السيرة العلميّة للمؤلف.

Introduction

In the name of Allah, the Most Gracious, the Most Merciful. All praise is due to Allah, the Lord of the Universes. May all His prayers and peace be upon the most honorable prophet and messenger, our master Mohammad and his sanctified and purified household. May the ever curse be upon all of their enemies.

Now then, some of our scholars are known by a book or more to the point that the author's name would be known only by attribution to their books. In some cases, the reputation of one of their books may overstep the others. This causes the other works to become forgotten and negligible. Thus, they would only be mentioned in bibliographies and the biographies of their authors, and unfamiliar between students and scholars, except for a few who specialize in the fields of bibliographies and manuscript examinations.

Therefore, it is crucial to inform about these works that have been forgotten and are trapped because of idleness. In this way, we contribute to enlightening scholars and disciples of knowledge about them and their scientific treasures, sophisticated issues, and detailed views and opinions, which have not reached us merely because they are unknown.

From those scholars is the Usuli jurist, the dignified scientist, and precise examiner, Al-Sayed Mohammad Al-Mojahid Tabatab'ei

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Al-Ha'eri (d.1242 A.H). He – may Allah be pleased with him – is renowned by two of his books; (Al-Manahil) in jurisprudence and (Al-Mafatih) in the principles of jurisprudence, to a point where is known as Sahib Al-Manahil (The author of Al-Manahil) or Sahib Al-Mafatih (The author of Al-Mafatih). Yet, his scientific heritage is not confined to the two books as he has other splendid works that are perhaps no less important than the main two.

Out of these neglected works is (Al-Wasa'el Al-Ha'ereya), which has not received any attention from examiners and is yet to see the light of publication, causing the disciples of knowledge to miss out on its benefits. It is still neglected, as only a few know about it, which is illustrated by the fact that it is rarely mentioned and hardly ever used as a source. This has made it more sunken in the abyss, to a point it is almost forgotten completely. This is unfortunate because of the significant aid it can bring in various studies, accurate views, and topics rarely researched by the principal's jurists, as we will try to explain that in this research.

As Al-Sayed Al-Mujahid (may Allah sanctify his secret) has taken in this book a different approach in ordering the topics, contrasting to the ordinary structure of the principles of jurisprudence issues. Hence, it was apparent that it would cause difficulty for readers to find the precise topics they need, so the author arranged an index where he mentioned the titles of his issues to make it easier for the reader to reach their aim.

Consequently, I didn't find a better way to shed light on the book and what it included of issues than examining the index, in the hope that the scholars will gain information on its topics in general. Also, I added a study about the index that clarifies and explains the book and its issues. This article consists of –after this introduction– three issues and a conclusion.

The first issue studies Al-Sayed Mohammad Al-Mojahid Tabatab'ei Al-Ha'eri's curriculum and works.

The second issue is a glance at the book: Wasa'el Al-Ha'ereya, a study that highlights the book's topics and their importance and mentions what distinguishes it.

The third issue is an examination of Wasa'el Al-Ha'ereya's index arranged by the author himself.

Finally, as a conclusion –as usual– the most important results reached in the article are mentioned.