**Theory of *Insidad* in the Shiite Epistemological Thought;**

**An Introduction to Secularization of the Religious Legal System**

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**Abstract:**

“Foundationalism” is the dominant approach in the epistemology of “*Uṣūl al-fiqh*” in which absolute authoritativeness of certainty belief (*Qat’*) is highly famous. According to Shiite epistemological thought, non-authoritativeness of conjecture (*Zann*) is perceived as a primary axiom and doubtlessly concluded that the “Theory of *Insidad*” is invalid and ineffective. However, in a state of certainty inadequacy, authoritativeness of conjecture is the secondary principle and the following acts based on conjecture would be considered rational. Therefore, arguments and justifications are necessary for refuting the analogy (*Qiyas*) and dedicating the authoritativeness to tradition (*Zann al-khabari*). Finally, the conflict between *“Akhbarism”* and *“Insidadism”*, led to “Loss of Certainty and Availability of Certainty-bearing” (*Insidad bab al-*'ilm, Infitah bab al*-*'ilmi) and the implications of *Insidad* have been entirely neglected. Theory of *Insidad* can validate rational conjecture as a reason to prove or defeat and based on this theory, the *fiqhī* rule cannot simply attribute to God; So *Insidad* is capable of establishing a rational and secular system. From this epistemic point of view that decreases inefficiency and incoherence, *fiqhī* rules become more compatible with modern law and the secularization of legislation and judgment in the legal system would be facilitated. This study seeks to examine Shiite epistemological thought and explain the abandoned theory of *Insidad*, along with its implication for the legal system in a religious society.

**Keywords**: Epistemic Foundationalism, *Fiqhī* Rule, *Insidad*, Loss of Certainty, Secular Legal System.