

Why follow only one Imām?

It is established by experience and observation that in this age most people are governed by selfishness, baneful motives, dominating desire, lust, insincerity. If under these circumstances, the door of following one Imām in general were unconditional, inadvertently desires would become the commanding principle. For example bleeding expiates Wudhu according to Imām Abu Hanifa (R), but not according to Imām Shāfi'i. for the sake of inconvenience and ease a person, who usually follows Imām Abu Hanifa (R), may choose to follow Imām Shāfi'i's opinion and offer Salāh in this condition, which according to the Hanafi's is not valid because he is without Wudhu. However touching a woman would invalidate his Wudhu according to Imām Shāfi'i (R) and does not according to Imām Abu Hanifa (R). According to all schools of jurisprudence such Wudhu is expiated and no school would accept Salāh of such a person as valid. This is called 'Talfeeq' and there is Ijma and consensus of opinion that Talfeeq is impermissible.

A person left freely to adopt the view which suited him best and abandon the ruling which did not meet his 'standards' of comfort begs the question upon what basis is the 'non-scholar' to choose between two contrary rulings if not ones own nafs (desire).

No Muslim scholar of any repute has validated this kind of practice. Imam Taymiyah (R) discussed the deception of this approach and wrote; *"Imām Ahmad among others, have categorically stated that it is not befitting for anyone to deem something Harām at one time and then deem the same thing Halāl at another merely on whim and*

fancy." (Fatāwa Ibn Taymiyah Vol.2 Pg.23).

"There is no difference, as far as the Qur'ām and Sunnah is concerned, in following one mujtahid and not others" (Ibid Vol.2 g.446).

Shay Waliyullah (R) writes; *"The Ummah has unanimously agreed upon the validity of following one of the four schools of thought, which have been organised and documented. There are many obvious benefits in this, especially today where determination has dwindled; where desires have penetrated our consciousness and gloating with ones own opinion is seen as a virtue."* (Hujjatullahul Bāligha Vol.1 Pg.154).

"You should know that following these four schools has tremendous public advantages and benefits. Forsaking them is wrought with mischief and harms." (Iqdul Jeed Pg.31).

These are the statements of two scholars who even those who do not agree with the concept of Taqleed hold them in great Academic standing.

Imam Taymiyah (R) reported that Imām Ahmad Ibn Hanbal (R) used to; *"Instruct the lay person to ask Ishāq, Abu Ubaid, Abu Thaur and Abu Mus'ab."* (Fatāwa Ibn Taymiyah Vol.2 Pg.240).

In the context of Taqleed a 'lay person' is defined as one who knows little regarding the Arabic language, and about Islām in general, even though they may be intelligent in other fields of knowledge. Proficiency to read Arabic titles concerning the Qur'ān and Sunnah but devoid of any formal Islāmic studies with a qualified instructor would also place a person within the ambit of laity.

In addition, students who have taken formal courses in Islāmic sciences but have failed to develop expertise would also fall within this classification. The above-mentioned are under

an obligation to practice Taqleed. They must follow a specific Imām and Mujtahid because they simply do not have the ability to refer to the Qur'ān and Sunnah directly nor can they differentiate between what is apparently contradictory and give scholarly preference to one opinion over the other.

Shaykh Khatib Baghdādi (R) wrote; *"As for those who should apply Taqleed it is the lay person who does not know the methods of extracting Islāmic rules. It is permissible for such a person to follow one specific Imām and act upon his rulings. This is so because he does not possess the tools for Ijtihād so his duty is to follow just as a blind person must follow someone who is able to see for determining the direction of the Qiblah."* (Al-Faqih wal Mutaffaqih Pg.68).

With regards to Taqleed of an individual, in reality even opponents of Taqleed engage in a form of following, after all even they were not born Mujtahids. Many opponents are not scholars in any sense of the word and even those who are scholars do not have the academic command over every issue. Antagonists of Taqleed-who are non-scholars-will follow the answers offered by scholars. Hence, there are several compilations of Fatwas where no immediate commitment is made to present proofs, and even where there exists some dialogue on proofs, how can a lay person determine right from wrong? Thus even the opponents of Taqleed end up being Muqallids (followers).

So who then can be free from Taqleed????

IN THE SAFE HAVEN OF TAQLEED

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BISMILLAH HIRRAHMĀ NIRRAHEEM

*"Ask those of knowledge if you do not know"
(Surah Nahl V:43))*

Islāmic history is littered with the wrecks of personalities and movements who ejected themselves from the protective shield of Taqleed. Sects and persons who discarded the Taqleed of the Sahābah and the A'imma Mujtahideen invariably slid into the abyss of deviation. All those who discarded the mantle of Taqleed ended with Imān shred to bits and pieces.

Each and every bātil (false) sect commenced its voyage into the ocean of falsehood and disbelief by firstly discarding and refuting the Shar'i concept of Taqleed. For Taqleed does not admit the unrestricted operation of the lowly nafs. Abandoning of Taqleed is the only way in which men of the world, slaves of the nafs could hope for the fulfilment of their conceptions of desire and passion.

In this age of 'modernity' the slogans of anti-Taqleed have been raised everywhere from individuals totally lacking in true Islāmic knowledge and wholly deficient in Imān. Hence this short leaflet has been compiled in an effort to save the Imān of many a Muslim who has become the victim of the votaries of non-Taqleed.

Definition of Taqleed

The acceptance without demanding proof of a statement of another, on the belief that the statement is being made in accordance with fact and proof is called Taqleed.

Proof for Taqleed

- ◆ *"O You who believe! Follow Allah; follow the Messenger and those of authority (Amr) amongst you."* (Surah Nisā V.59)

That of authority (Amr) has been explained by some as Muslim rulers while others have viewed them as jurists. The latter view was the opinion of Abdullah Ibn Abbās (R.A.), Mujāhid, Atā Ibn Rabah, Atā Ibn Saib, Hasan Basri (R) and many others.

- ◆ *"So if you do not know, ask those of remembrance."* (Surah Nahl V.43)

There is an academic principle in this verse, which is that those who are not experts in a field should resort to seeking advice from those who are and act accordingly.

Shaykh Āloosi writes in the commentary of this verse; "This verse has been used to prove that referring to scholars is necessary in cases where one does not have knowledge of the issue in question. Imān Suyuti in his 'Ikhleel' writes that this verse has been used to prove the point that the lay person should follow another Imām (make Taqleed) in details of Islāmic law." (Roohul Ma'āni Vol.14 P.148).

- ◆ *Hudhaifah (R.A.) said that the Prophet of Allah (Sallallahu Alaihi Wasallam) said; "I do not know how long I will remain with you. So follow these two people (who will remain) after me- Abu Bakr and Umar."* (Tirmizi, Ibn Majah and Ahmad).

In this Hadith, special attention should be given to the word 'Iqtidā' (follow) which is used in the Arabic text. 'Iqtidā' is not used to mean following in the organizational sense, but rather it is used to refer to religious following.

Ibn Manzoor, the famous expert on the Arabic language writes; "The words Qudwa and Qidwa are used for people who are followed in their

traditions. Qudwa means uswah (an example)." (Lisānul Arab Vol.20 Pg.31).

- ◆ *Imam Tirmizi and Imām Abu Dā'wood have both narrated that when the Prophet of Allah (Sallallahu Alaihi Wasallam) send Mu'adh Ibn Jabal (R.A.) to Yemen (as a governor), he asked him; "How will you judge if you are asked to do so?" Mu'adh (R.A.) said; "I will judge according to the Book of Allah." The Prophet of Allah (Sallallahu Alaihi Wasallam) asked; "And if you do not find it in the Book of Allah?" Mu'adh (R.A.) replied; "Then I will judge according to the Sunnah of His Messenger." The Prophet of Allah (Sallallahu Alaihi Wasallam) then asked; "And if you do not find it in the Sunnah of the Messenger, or in the Book of Allah?" Mu'adh (R.A.) replied; "Then I will exercise my own opinion and I will not be negligent with it." The Prophet of Allah (Sallallahu Alaihi Wasallam) then patted the chest of Mu'adh (R.A.) with his hands and said; "All praise is due to Allah, Who has guided the emissary of His Messenger towards that which He guided His Messenger."*

The Prophet of Allah (Sallallahu Alaihi Wasallam) sent one of the best scholars from amongst the companions. He appointed Mu'adh (R.A.) as a governor, judge, mentor and Mujtahid for the people of Yemen and ordered him to be followed. It is clear that the Prophet of Allah (Sallallahu Alaihi Wasallam) decreed the people of Yemen to practice Taqleed of an individual.

- ◆ *Aswad bin Yazeed narrates; "Mu'adh came to us in Yemen as a teacher and commander. We questioned him regarding a man who had died leaving (as his heirs) a daughter and a sister. He decreed half the estate for the daughter and half for the sister. This was while the Prophet of Allah (Sallallahu Alaihi Wasallam) was alive."* (Kitābul

Farā'idh-Bukhāri/Muslim).

It is realised from this narration that Taqleed was in vogue during the time of the Prophet of Allah (Sallallahu Alaihi Wasallam). The questioner did not demand proof of the ruling or decree. He accepted the ruling on the basis of integrity. Piety and righteousness (R.A.). This is precisely Taqleed.

- ◆ *Huzail bin Shurahbeel narrates that when Ash'ari (R.A.) was asked a question and the same was asked to Abdullah bin Umar (R.A.) both had deferred in the matter. When Abu Musa (R.A.) was informed of this (R.A.) answer, he said; 'Do not follow this great scholar is among you.' (R.A.) Dā'wood, Tirmizi).*

It will be understood that in Abul Hasan's view directing the people towards Ibn Umar is in fact a mandate for following them.

- ◆ *Ibn Abbās (R.A.) narrates that Umar (R.A.) gave a sermon at Jabiyah to the people! If you want to know anything about the Qur'ān, go to Ubaid Ibn Ka'b. If you want to know anything about inheritance, go to Thābit. If you want to know anything about Mu'adh Ibn Jabal. If you want to know anything about wealth, then come to me for Allah's Messenger, guardian and a distributor." (R.A.) (Awsat).*

These narrations indicate that Taqleed is a new concept which could have existed from the very epoch of the Prophet of Allah (Sallallahu Alaihi Wasallam) an established fact.