

# The Truth of Taqleed

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# 1. Introduction

There is much confusion today about taqleed. This is because of the poor understanding of the meaning and concept of taqleed. First and foremost let us become aware of the basic terms and their meanings.

- Taqleed: According to the Shari'ah Taqleed means adhering to the rulings of a trustworthy, reliable and authentic scholar in matters of the religion.
  
- Muqallid (pl. Muqallideen): Today it refers to any person who adheres to either of the following four schools of thought or jurisprudence:
  - i) Hanafi (of Imam Abu Hanifa 80AH to 150AH)
  - ii) Maliki (of Imam Malik 93AH to 179AH)
  - iii) Shafi'i (of Imam Shafi'i 150AH to 240AH)
  - iv) Hanbali (of Imam Ahmed 164AH to 241AH)
  
- Ghair Muqallid: This is the opposite of Muqallid - a person who does not adhere to either of the above four Madhhaib (schools of jurisprudence).

## 2. Types of Taqleed

There are only two kinds of Taqleed.

- a) When no particular imam is specified and different imams are followed in different issues, it is known as Taqleed Ghair Shakhsi, also known as Absolute Taqleed or General Taqleed.
  
- b) When taqleed is made to a mujtahid and all issues are referred to him. This is Taqleed Shakhsi.

## 3. A Common Misconception

Often people claim that if you adhere to a particular school, you are not on the path of the Qur'an and Sunnah.

This is a very inaccurate statement because all schools derive their rulings from the Qur'an and Sunnah. The differences among the schools arise due to many factors. Two of these are that sometimes the companions (ra) disagreed on a particular issue and other times the basic underlying principles adopted by the respective Imams gave rise to a difference due to preference. For example, Imam Malik gave preference to the practice of the people of Madina as he said it was the living Sunnah.

This was his adopted principle and a person cannot say that it was incorrect because to say it is incorrect is again, an opinion due to preference.

Let us take some examples from the Holy Qur'an.

In Surah Hujurat (49) verse 12, it is stated:

وَلَا يَغْتَابَ بَعْضُكُم بَعْضًا  
wala yaghtab baAAadukum baAAdan

And do not backbite one another. (49:12)

Take a look at this injunction in the Qur'an. It is crystal clear and has no room for alternate interpretations. In Islam, it is forbidden to backbite. Anyone who can read this can understand the meaning of this because of its unambiguous nature and because there is no evidence contrary to this in Shari'ah.

Now let us take another verse of the Qur'an. In Surah Baqarah (2) verse 228, it is said:

وَالْمُطَلَّاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ  
Waalmutallaqatu yatarabbasna bianfusihinna thalathata qurooin

And the divorced women shall keep themselves waiting for three periods. (2:228)

Here the word used to define the waiting period of the divorced women is "quroo". This word is used in Arabic to denote both the purity period between two menstruations and also menstruation itself.

If the first meaning is taken then the woman needs to wait for three period of purity and if the second is taken then the woman has to wait for three menstrual periods. Question arises, what time period does a divorced woman need to wait?

Similar issues are present in the ahadith as well and this brings about difficulties in deducing a law from the Qur'an and Hadith. In such a situation one has two choices:

a) To rely on our judgment and then interpret the verses or ahadith

Or

b) To rely on what the pious predecessors did and thus conduct according to the conclusions of the scholars of Qur'an and Hadith of the first generation.

Any person will suggest that the second option is the right way to go about Islamic jurisprudence. It does not take a rocket scientist to acknowledge that the pious predecessors were closer to the time of the revelation of the Qur'an. This gave them a special insight which made it easier for them to understand the Qur'an and Sunnah.

For example, if I live in Pakistan, I can understand the issues here far better than a person living in the USA. Just as geographically you shift further from a region, your understanding about it decreases, the same principle holds to be true when talking about a time line. The culture and norms of society in the times of ones forefathers cannot be understood in the same manner by a person 500 years down the road. And right now we are talking about a time 1430+ years ago.

How then can today a person have a better understanding of the background, environment, style of conversation and social living than compared to those who were living around that same time?

There are many such factors which gave rise to difference of opinions among the four schools but to delve into them at this point is irrelevant. In short, if one adheres to any of the four Madhhaib, he will be from among the Ahl-e-Sunnah wal Jamaa'h. He will be following the Qur'an and Sunnah.

## 4. In what matters is Taqleed made?

As stated in the previous section, there are two kinds of injunctions in the Qur'an and Sunnah. One is that which is clear cut without any ambiguity and the other is where it is not clear and there is room for interpretation.

That which is clear and understood by any layman, no taqleed is made. Taqleed is only made when there is room for interpretation or there are contrary evidences or when a text is quite brief such that it becomes hard to derive a ruling.

In "Kulasatat Tahqeeq fi Hukm ut-Taqleed wat-Talfeeq", Abdul Ghani Nablusi (rh) states:

"Thus, the affairs on which there is an agreement and are known as essentials of religion, do not call for taqleed of any one of the four imams, like the obligation of salah, fasting, zakah, hajj and others of similar nature, and the prohibition of illegal sex, wine, slaying, theft and usurpation etc. However, affairs that are debatable call for taqleed."

In "Al-Taqih Wal-Mutafaqah", Khateeb Baghdadi writes:

"There are two kinds of legal commands:

- i) Those that are known to be essential part of religion, like five times salah, zakah, fasting during Ramadhan, Hajj, unlawful nature of adultery, consumption of wine and other such things. Since everyone has knowledge of these things, so taqleed is not proper in this kind.
- ii) Those that cannot be known without concentration and deduction, like the branch issues of worship, mutual dealings and marriage. In this kind, taqleed is proper because Allah (swt) has said:  
"So ask the people (having knowledge) of the Message, if you don't know" (16:43)

Besides, if we disallow taqleed in these branch issues of religion then it would require everyone to pursue the sciences of religion. If that is made necessary for the

people then all the necessities of life will be ruined. Fields and cattle will be ignored. So, such a command cannot be given."

## 5. Clarifying a false assumption: "Taqleed is not in the Qur'an"

A common misconception is prevalent among some of our Muslim brothers that the concept of taqleed is not present in the Qur'an. We will analyze some of the verses which prove that the concept of taqleed is mentioned in the Qur'an.

Some of the verses which Mufti Abdur Rahim Lajpur, in Fatawa Rahimiyah, has listed to prove the concept of taqleed in the Qur'an are as follows:

1. "Ask the people of knowledge (those who know) when you do not know." (Surah Nahl)
2. "These are those whom Allah had guided so you also follow their path." (Surah Anaam)
3. "Had they referred to the Rasul and those in command amongst them, then surely those with insight would have been able to verify the matter." (Surah Nisa)
4. "O you with Imaan! Obey Allah, Obey the Rasool and obey those in command amongst you." (Surah Nisa)
5. "Follow the path of the one who turns towards me." (Surah Luqman)
6. "O you who have Iman! Fear Allah and be with those who are true." (Surah Taubah)

Below we will analyze only a selected few verses such that the issue at hand becomes clear.

### Surah Nisa (4) verse 59

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ

Ya ayyuha allatheena amanoo ateeAAoo Allaha waateeAAoo alrrasoola  
waolee alamri

O you who believe, obey Allah and obey the Messenger and those in authority among you. (4:59)

Who are the "ulul amr" in the verse? Some have explained this to mean "Muslim rulers". In "Tanwir al-Miqbas min Tafsir Ibn Abbas", a tafsir attributed to Ibn Abbas (ra), it is stated:

(and those of you who are in authority) the leaders of military expeditions; it also said that this means: the men of sacred knowledge.

Mufti Shafi Uthmani (rh) in Jawahir ul Fiqh writes:

"Jabir bin Abdullah, Ibn 'Abbas, 'Ata (bin abu Rabah and bin as-Sa'ib), Mujahid, Dhahak, Abu A'aliya, Hasan Basri and other Sahabah and Tabi'een and Tab'a Tabi'een have all explained it to be khulafah, 'ulema and fuqaha. A renowned ahl-e-hadith scholar, Maulana Siddique Hassan Khan has also accepted the same meaning in his tafsir of the Qur'an."

Imam Raazi (rh) in Tafsir al-Kabir, after giving extensive arguments for his preference has stated:

"It is preferable to apply the meaning 'ulema to 'ulul amr' in this verse."

Shawkani (rh) in Fath al Qadeer states:

"Allah (swt) commanded the people to obey His commands, and the command of the prophet (saw) and the 'ulul amr' who are the a'immah (plural of Imam) and the judges and the rulers and everyone who is responsible/wali legitimately (not oppressors), and the meaning is to obey them in what they command the people to do, unless it is against the commands of Allah (swt)."

In Durre Manthur it is stated:

"Imam 'Abd bin Hamid, Ibn Jarir and Ibn Abi Hatim has recorded the tafsir of this verse from 'Ata (rh) to be.....and 'ulul amr' refers to people of fiqh and 'ilm."

Imam Baidhawai (rh) in Tafsir Anwar ul Tanzil wa Israr al-Ta'weel says:

"....and it is also said it is the 'ulema (of sharia/deen) for His saying in surah nisa 4: 82-83"

Zamakshari (rh) in Tafsir al-Kashaaf writes:

"It is also said they are the 'ulema who teach the (common) people the religion (deen) and command them to do good (ma'ruf) and warn them from committing evil (munkar). And if there is a disagreement among you and the 'ulul amr', leave the matter to Allah (swt) and his prophet (saw), meaning go back to the Qur'an and Sunnah."

It is written in Tafsir Mazhari:

"Ulul amr includes fuqaha, 'ulema and mashaikh because this group of people are the heirs of the prophets (pbut) and are the trustees of the commandments of Allah (swt) and His Rasul (saw). Ibn Jarir, Hakim and others have recorded a narration of Ibn Abbas (ra) that 'ulul amr' are the fuqaha and people of deen. In another tradition it is that 'ulul amr' are people of 'ilm (knowledge)."

Imam Abu Bakr Jassas (rh) in "Ahkam ul Qur'an" explained that both these interpretation are equally valid and applicable. He said that the rulers need to be obeyed in political matters and the 'ulema need to be obeyed in matters related to the Shari'ah.

Ibn Qayyim, in "I'lam ul-Muqi'een", states that obedience to the rulers leads finally to the obedience of the 'ulema because in matters of Shari'ah, the rulers obey the 'ulema.

According to the explanations and evidence given above, this verse commands Muslims to obey Allah (swt) and Prophet Muhammad (saw) and the 'ulema and fuqaha - the people of knowledge.

### Surah Nisa (4) verse 83

وَإِذَا جَاءَهُمْ أَمْرٌ مِّنَ الْأَمْنِ أَوْ الْخَوْفِ أَدَّعَوْا بِهٖ وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَىٰ أُولِي الْأَمْرِ مِنْهُمْ لَعَلِمَ الَّذِينَ يُسْتَنْبِطُونَهُ مِنْهُمْ وَلَوْ لَا فَضْلُ اللَّهِ عَلَيْكُمْ وَرَحْمَتُهُ لَاتَّبَعْتُمُ الشَّيْطَانَ إِلَّا قَلِيلًا

Waitha jaahum amrun mina alamni awi alkhawfi athaAAoo bihi walaw raddoohu ila alrrasooli waila olee alamri minhum laAAalimahu allatheena yastanbitoonahu minhum walawla fadlu Allahi AAalaykum warahmatuhu laittabaAAatumu alshshaytana illa qaleelan

When news concerning peace or fear comes to them, they go about spreading it. Had they referred it to the Messenger and to those having authority among them, the truth of the matter would have come to the knowledge of those of them who are able to investigate. But for Allah's grace upon you, and mercy, you would have followed the Satan, save a few. (4:83)

Some hypocrites that were present in Madina were spreading rumors about war and peace. Consequently, some simple-minded Muslims heard those rumors and would relate them just as they heard it. This gave rise to the spreading of false information and created uncertainty in the land. This verse instructs Muslims to inform the Rasul (saw) or the 'ulul amr' i.e. those in authority among them. It then clarifies and explains that had they referred to people of knowledge, the people who are able to investigate, the truth of the matter would have been made clear.

Imam Raazi (rh) in Tafsir Kabir writes:

"So to draw conclusions is evidence, and analogical deduction (qiyas) is the same thing or part of it, and is proof, too. Given that, this verse is evidence of some matters.

- a) Some of the new issues that grow are not understood by the text, but one has to draw conclusion to find out their meaning.

- b) Istinbat (to draw conclusion, to arrive at the truth) is proof.
- c) It is obligatory for the masses to make taqleed of the scholars concerning issues and commands that they face."

However, a question arises that this verse was revealed concerning war and hence it would be specific about such situations so how can it be applied to times of peace?

Imam Raazi in Tafsir Kabir answers:

"Allah's saying 'And when comes to them any tiding, whether of peace or of fear....' is very general. It encompasses war situations and all legal questions too. War and peace are such that no chapter of Shari'ah excludes them. There is no word in the verse that might make it specific to war."

Imam Abu Bakr Jassas Razi in Ahkam Qur'an, while agreeing with the same view gives a detailed answer and rejects incidental doubts. Due to such overwhelming evidence, Siddiq Hasan Khan, a known scholar of Ahl-e-hadith writes in Tafsir Fath ul Bayan:

"If we do not get from the verse guidance for the times of peace then how do we cite it for validity of qiyas?"

### Surah Taubah (9) verse 123

إِذَا رَجَعُوا إِلَيْهِمْ فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ  
طَائِفَةٌ لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ

falawla nafara min kulli firqatin minhum taifatun liyatafaqqahoo fee  
alddeeni waliyunthiroo qawmahum itha rajaAAoo ilayhim laAAallahum  
yahtharoon

So, why should it not be that a group from every section of them goes forth, so that they may acquire perfect understanding of the Faith, and so that they may warn their people when they return to them, so that they may take due care (of the rules of Shari'ah ). (9: 122)

This verse teaches that every one does not need to occupy in matters of Jihad. Instead one party should occupy in acquiring knowledge of the deen and then teaching it to others. Hence those who do not have the knowledge of Shariah are to listen and learn from the 'ulema who have gained this knowledge. They have to rely on their opinion. This is nothing but taqleed.

### Surah Nahl (16) verse 43

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رِجَالًا نُوْحِي إِلَيْهِمْ فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ  
Wama arsalna min qablika illa rijalan noohee ilayhim faisaloo ahla  
alththikri in kuntum la taAAlamoona

We did not send (messengers) before you other than men whom We inspired with revelation. So, ask the people (having the knowledge) of the Reminder (the earlier Scriptures), if you do not know. (16:43)

Allamah Aalusi (rh) in Ruh al Ma'ani states:

"This verse is cited to prove that it is wajib to refer to the ulama for such things in which one lacks knowledge. Allamah Jalalauddin Suyuti (rh) wrote in Ikeel that it is deduced from this verse that taqleed is allowed to the common men for branch issues."

Some suggest that these verses are specific to the background in which they were revealed. The mushrikeens of Mecca used to object why an angel was not sent as a rasul. In answer this complete verse was revealed.

Some mufassir have said that Ahl ud-Dhikr in the verse refers to the scholars of people of the Book. Others say it refers to those of them who accepted Islam and became Muslims. And some have stated that it refers to the Muslims.

The point here is that the principle of taqleed exists regardless of who one interprets the Ahl ud-dhikr to be. It is simply asking and relying on the opinion of the person who knows when you lack knowledge.

Khateeb Baghdadi, in Al-Faqeeh wal Mutataqqih, has written:

“As for the question who may make taqleed, it is the masses who do not know the methods of Shari’ah commands. It is allowed to them to make taqleed of a scholar and conduct themselves on these directions because Allah (swt) says.....‘ask the people of the message’.

He then further reports on his chain of transmission that Amr Ibn Qays (rh) said that Ahl ud-Dhikr in the foregoing verse means people of knowledge i.e. the ‘ulema.

## 6. Taqleed in the Hadith

- In Mirqaat V.5 pg 349 a hadith is recorded as follows:

Hudhaifa (ra) narrates that the Messenger of Allah (saw) said, “I do not know for how long I will be amongst you. So you follow two people after me - Abu Bakr and Umar.”

The word used in the hadith is ‘iqtida’ which means to follow. It is not used to follow a person in administrative affairs but is used to follow them in religious affairs. The same word is used in the Qur’an in Surah 6 verse 90 to mean “follow the prophets (pbut)”.

- A tradition reported in Bukhari and Muslim is as follows:

Abdullah ibn Amr reported that the Messenger of Allah (saw) said: “Definitely Allah will not remove knowledge from the world by raising it from the hearts of men but knowledge will be rised by calling the ‘ulema (to Him) till when there are none of them left, then people will make the ignorant their chiefs. They will be asked and they will issue fatawa without knowledge. Being misguided themselves, they will misguide others too.”

This hadith makes it clear that to derive a ruling and give a fatwa is the job of the ‘ulema and not a common man.

Another important point in the hadith is that it talks of a time when there will not be any ‘ulema left and ignorant people will be giving fatawa. In such a time, how will one follow Islam if it will not be through taqleed of the writings of the scholars who have passed away?

- In Saheeh Bukhari is the following hadith:

Abu Sa'eed al Khudri (ra) has reported that some Sahabah began to come late for salah. So, the Prophet (saw) encouraged them to come early and join the front rows in prayer. He also said, "Observe me and follow me and those after you will observe you and follow you."

One meaning of the hadith is the apparent one that the people behind the front rows will follow them. However Ibn Hajar in Fath al Bari writes:

"Some people have said that this hadith means you learn the commands of Shari'ah from me and the tabi'een following you will learn from you and this would go on one after another till the world ends."

Similar to these there are many ahadith that clearly contain the concept of taqleed in them. It is an ignorant statement to make that one cannot find taqleed in the hadith.

## 7. Absolute Taqleed & Taqleed Shakhsi during times of Sahabah (ra) & Tabi'een (rh)

Shah Waliullah (rh) states in "Fayoosul Haramain" that taqleed was prevalent in the blessed era of the Sahabah (ra) and Tabi'een (ra) without objection.

People who were not occupied in gaining knowledge or could not deduce a particular issue using their own ijtihad, consulted other jurist Sahabah (ra).

First we will see some examples of absolute taqleed also known as taqleed mutlaq.

- In Majma' uz Zawaid the following is recorded:

Ibn 'Abbas said that Umar (ra) delivered a sermon at Jabiyah saying, "O People! If anyone wishes to ask anything about the Qur'an, he must go to Ubayy ibn Ka'b (ra). He, who wishes to know about injunctions on inheritance, must go to Zayd bin Thabit (ra). And one who intends to learn about fiqh must go to Mu'az ibn Jabal (ra). And if anyone wishes to know about wealth and property

he must come to me because Allah (saw) has made me its guardian and distributor.”

In the above hadith, Umar (ra) informed the people about those who excelled in certain fields and told them to approach them and rely on their opinions in concerned matters. This is nothing but taqleed.

- In Muwatta Imam Malik it is stated:

“Saalim (rh) said that someone asked Abdullah ibn Umar (ra) that a man borrowed some amount of money from another for a specified period. The creditor was willing to waive a portion of the debt if the debtor repaid before the due date. Ibn Umar (ra) did not like it and he disallowed it.”

This question is not answered by any clear hadith which can go back to the Prophet Muhammad (saw) and thus Ibn Umar did ijtiḥad. Neither the person enquiring asked for any reason for the ruling, nor was any reason given by Ibn Umar (ra). The ruling of Ibn Umar (ra) was acted upon. If this is not taqleed then what is?

Like these there are numerous incidents which clearly show taqleed in the times of the Sahabah. For detailed arguments and further evidence refer to the book by Mufti Taqi Uthmani titled “The Legal Status of Following a Madhhab.”

Shah Waliullah, as quoted by Mufti A.H. Elias in “Taqleed made easy”, has said:

“The Sahabah (ra) were spread in different countries and in every place one Sahabi was followed, for example:

Mecca: Ibn Abbas (ra)

Medina: Zayd Ibn Thabit (ra)

Kufa: Abdullah Ibn Mas’ud (ra)

Yemen: Mu’az (ra)

Basra: Anas (ra)”

Just like there are numerous examples of Absolute Taqleed in the times of the Sahabah (ra), there are abundant evidences of Taqleed Shakhsi during the times of the Sahabah (ra) and Tabi’een (rh).

- In Sahih Bukhari a tradition is recorded as follows:

Ikramah (rh) reported: Some people of Madina ask Ibn Abbas about the woman who menstruated after the fard tawaf. (Should she wait to perform tawaf wada or may return without performing it?) He said, "She may go home (without performing it)." The people of Madina said, "We cannot act on your ruling and forsake Zayd ibn Thabit's ruling."

This incident is also reported by Qatadah in Musnad Abu Dawood Tiyalsi. The people of Madina are quoted to have said:

"On Ibn Abbas! We will not follow you in the matter you disagree with Zayd ibn Thabit." He replied, "Ask Umm Sulaym (ra) (when you go to Madina whether my ruling is correct).

The people of Madina adhered to the ruling of Zayd ibn Thabit (ra) despite the fact that Ibn Abbas (ra) gave them ahadith of Umm Sulaym (ra). Is this not taqleed shakhsi?

Also note that Ibn Abbas (ra) did not say that they are committing a sin by doing taqleed shakhsi or they are committing polytheism or anything of that sort.

Ibn Abbas (ra) simply told them to refer to Umm Sulaym and then refer the matter back to Zayd (ra). As explain in Muslim, Bayhaqi etc, when this matter was re-referred to Zayd (ra), he changed his verdict.

A question arises. When people of Madina made taqleed to Zayd (ra), why would they investigate the hadith of Umm Sulaym (ra)?

Mufti Taqi Uthmani answers in "The Legal Status of Following a Madhhab", explaining that this question is based on a misconception that if you do taqleed of a mujtahid then you cannot investigate a Hadith. The majority of the questions by the ghair muqallideen are based on this one misconception.

He further writes:

"As I have stated already, the reality of taqleed is merely that if anyone is unable to understand the Qur'an and Hadith on his own, to clear the superficial doubts, know

the abrogated and abrogating then without seeking a detailed study from a mujtahid, he relies on his (mujtahid's) knowledge and conducts himself on his edicts. Such a person is in no way disallowed thereafter to study the Qur'an and Ahadith. In fact, this door remains open even after taqleed. There are many scholars who have written exegesis of the Qur'an and Ahadith in spite of having adopted the Madhhab of an imam. If they come across a hadith that contradicts the ruling of a mujtahid, and there is no evidence against it then they conduct themselves on the hadith, not the imam's rulings."

- In Sahih Bukhari it is mentioned:

Huzayl Ibn Shurahbeel (rh) reported that someone asked Abu Musa Ash'ari (ra) a ruling. He gave an answer but also advised them to ask Abdullah ibn Mas'ud (ra). They went to him and told him that they had asked Abu Musa Ash'ari already. His ruling was contrary to Abu Musa Ash'ari (ra). When Abu Musa Ash'ari (ra) was told about this, he said, "Do not ask me (for rulings) as long as this great scholar is among you."

Musnad Imam Ahmed also records this narration but the words in it are:

"As long as this major scholar is among you, do not ask me anything."

This was a clear example of Abu Musa Ash'ari (ra) recommending the taqleed shakhsi of Abdullah Ibn Mas'ud (ra).

Some ghair muqallideen argue that Abu Musa Ash'ari (ra) meant 'do not come to juniors when seniors are present'. Meaning, he did not say 'only ask Abdullah Ibn Mas'ud (ra)'.

Mufti Taqi Uthmani explains:

"The truth is that this incident took place in Kufah where Abdullah Ibn Mas'ud (ra) was the most learned man available. It took place in the times of Uthman (ra). During this time Ali (ra) was also not in Kufah. Thus there was no one else of the caliber of Abdullah Ibn Mas'ud (ra). So, if

the saying of Abu Musa (ra) were to mean 'when the senior is there, the junior should not be consulted,' it would mean the same thing that as long as Abdullah Ibn Mas'ud is there, only he should be asked for rulings. There was no scholar in Kufah more learned than him."

- In Abu Dawood is the following famous tradition:

Mu'az ibn Jabal (ra) reported that when Allah's Messenger (saw) sent him to Yaman, he asked him how he would decide cases when they were brought to him. He said, "According to Allah's Book." The Prophet (saw) asked, "If you do not find them there?"

"Then according to your Sunnah."

"But if they are not there?"

Mu'az said, "I will make ijtehad and extract judgment with my opinion (and try to arrive at a true conclusion), not being negligent in that."

The Prophet (saw) was pleased and patted him lightly on the chest saying, "All praise belongs to Allah Who caused the envoy of Allah's Messenger (saw) to conform to what pleases Allah's Messenger (saw)."

Prophet Muhammad (saw) sent Mu'az (ra) as a governor, judge, teacher and mujtahid to the people of Yaman and bound them to obey him. He was also given permission to issue a verdict on his personal judgment. The people of Yaman were permitted to make taqleed of an individual. The prophet (saw) made it binding to him.

The author of "at-tahqiq fi jawab at-taqleed" criticized Mufti Taqi Uthmani for using this hadith as evidence. While quoting him Mufti Taqi Uthmani writes:

"One who calls me and everyone who observes taqleed infidels and polytheists has commented on my conclusions thus, 'He should have seen first if the hadith is authentic.' He then reproduces the objections of Allamah Jauzqani (rh) from the marginal notes of Abu Dawood against this hadith. First of all, while he rejects taqleed, he himself practices it when he finds Allamah Jauzqani's words enough. Secondly, it sufficed him to see the marginal notes of Abu Dawood to verify the Hadith; if he had only seen Allamah Ibn Qayyim's (rh) investigation, his doubts

would have been set at rest. The Allamah has given answers to the objections of Imam Jauzqani (rh) and asserted that none of the narrators of this hadith is a liar or in any way defective. Besides, he has also named another chain of narrators for this Hadith:

Ubadah ibn Nusayi from Abdur Rahman from Ghanam from Mu'az (ra).

He has written that (the sanad and the narrators are known for reliability).

Also on reference to Khatib Baghdadi that the Hadith is worth citing for encouragement of the ummah. (I'lam al-Muqi'een)"

- Another clear example of taqleed shakhsi is given by Ibn Jarir (rh). According to him, six of the seven readings of the Qur'an were abolished by Uthman (ra). From the time of the prophet Muhammad (saw) down to the time of this event, reading from all of the seven readings was allowed.

Ibn Hajar (rh) is quoted in Tafsir ibn Jarir:

"In the same way, the ummah were instructed to protect the Qur'an, and to recite it. They were allowed to choose one of the seven ways of reciting. Then the same ummah made it binding on them that they would retain only one recital and recite according to that, and forego the remaining six recitals."

Ibn Jariri answers possible objections:

"That which those people did was wajib on them. Whatever they did was for the good of Islam and the followers of Islam. Hence, it was better for them to do this than to keep Islam and its people open to harm (by retaining all the seven recitals)." (Tafseer Ibn Jarir, Muqaddamah)

As for the objection of those who will say that scholars say Uthman (rh) did not abolish the six readings, Mufti Taqi Uthmani writes:

"It is that Uthman (ra) did not eliminate the six recitals. Rather all seven readings prevail to this day. However, he did determine a style of writing for the Qur'an.

If we adopt this point of view, which most scholars have, even then this is an example of taqleed of an individual because before that the Qur'an could be written down in any script. In fact, the sequence of the surah differed in different copies."

Many tabi'een have reported that they chose to follow one or another Sahabi (ra).

In I'lam al-Muqi'een by Ibn Qayyim (rh) the following narrations are reported:

1. Imam Sha'bi (rh) said, "To whom it pleases to gain authority in judgment let him adopt the sayings of Umar (ra)."
2. Mujahid (rh) said, "When people disagree about an affair, see how Umar (ra) acted. Thus, follow him."
3. Imam A'mash (rh) said about Ibrahim Nakh'ee (rh), "When Umar (ra) and Ibn Mas'ud (rh) agreed about a question, Ibrahim Nakh'ee (rh) did not regard any verdict equal to theirs. But when they differed, he went by Abdullah's (Ibn Mas'ud) verdict."

Shah Waliullah (rh) in al-Baligha has written:

"They (ibn Abbas and other Sahabah) differed in many rulings and many from the people of Mecca gave preference to his (ibn Abbas's) rulings over others."

To give preference to the rulings of one person over others is Taqleed Shakhsi.

All these were just a couple of examples given from the large database of evidences proving taqleed shakhsi i.e. taqleed of an individual during the times of the Sahabah (ra) and Tabi'een (rh).

## 8. Why do Taqleed Shakhsi?

In light of the evidence above, it has been established that absolute taqleed and taqleed of an individual i.e. taqleed shakhsi, both are proven from the Qur'an, Hadith, Sahabah (ra) and Tabi'een (rh).

We are prone to fall prey to our nafs - our desires. Islam is the submission to Allah (swt) by following and adhering to his laws. Without taqleed we can easily end up submitting to our nafs and not to Allah (swt).

Now let's take a practical example to see the dangers one faces if he or she does not make taqleed:

A person in wudhu starts to bleed. His wudhu becomes invalid according to the Hanafi Madhhab but according to the Shafi'i it does not. In this case the person thinks "oh well according to the Shafi'i it does not become invalid so I can offer Salah." Later on in the same day he touches a woman and now according to the Shafi'i his wudhu has become void but according to Hanafi it has not. Now he thinks "oh Hanafis say it's not broken so my wudhu is intact."

Here it can be seen how this person followed his nafs and not Allah (swt). For such reasons scholars have agreed that this methodology is haram.

Another example is as follows:

A person visits another town and thus becomes a traveler. He visits it for 5 days. Now according to the Shafi'i view he is not a traveler if he wishes to stay for 4 days or more. According to the Hanafi view he is a traveler till 14 days. So he uses the Hanafi view and declares himself a traveler and then uses the Shafi'i opinion and combines prayers.

Again in this example it is clear that this person has fallen prey to his nafs and is not submitting to Allah (swt).

Mufti Taqi Uthmani quotes various such opinions:

"So if absolute taqleed is allowed, people would choose the easiest and Shariah commands would become meaningless. For example,

- o Imam Shafi'i (rh) allows playing chess.
- o Abdullah ibn Ja'far (rh) allowed singing and flute. (Ithaf ab-Sadatul Mutqeen)

- Qasim Ibn Muhammad (rh) allowed pictures without shadows. (Nawawi in Sharh Muslim)
- A'mash (rh) held that fasting commenced from sunrise, not dawn. (Ruh al-Ma'ani under 2:187)
- Ata ibn Abu Ribah (rh) held that if Eid fell on Friday then both the salah of Friday and Dhuhr are waived and there is no salah till Asr. (Tahzeeb al-Asma wal-Lughat)
- Dawood Zahiri and Ibn Hazam (rh) have ruled that one who intends to marry a woman may see her in the nude. (Tuhfah al-Ahwazi; Fath al-Muhtam)
- Ibn Sahnun (rh) and others are said to have allowed anal intercourse. (Talkhees ul-Jeer by Ibn Hajar)  
So if Absolute Taqleed is allowed and everyone is permitted to do as he likes and choose a ruling that suits him then he would collect such sayings and prepare a religion with the help of his base self and the devil."

Knowing the dangers of such, scholars have written against such behavior declaring it as unlawful. One such opinion is quoted by a person who is accepted by the ghair muqallideen.

Ibn Taymiyyah (rh), in Fatawa al-Kubra has written:

"The people follow the imam who holds marriage (in a particular case) as void and later they follow an imam who holds it to be valid. This is because of following of one's own desires. Doing this is unanimously unlawful in the eyes of the Ummah."

Further on he writes:

"And if someone says he was not aware of the ruling of another Madhhab and now that he has become aware of it he adheres to it, even then his word is not acceptable because this is making the deen a toy."

Thus it is important to do taqleed and adhere to that school of thought rather than jumping from one ruling to another. We cannot go fatwa shopping based on our desires.

During one of the best of times i.e. in the time of the Sahabah and Tabi'een, people still made Taqleed Shakhsi i.e. of an individual. But because people back then were very God-fearing and righteous, there was no fear in doing Absolute Taqleed.

Mufti Taqi Uthmani writes:

“When later jurists found that people were becoming unreliable, they gave the verdict that only taqleed of an individual was allowed. This was not a command of Shari’ah but an edict for administrative reasons.”

The jurists, for the benefit of the people and to secure and safeguard them from following their nafs, issued this ruling.

It was for the benefit of the ummah that taqleed shakhsi was made wajib and this happened in the 2<sup>nd</sup> century AH.

Shah Waliullah in al-Insaaf writes:

“It was during the second century of Islam that following a particular Madhhab became common and there was scarcely any who did not do so. This was wajib.”

For the same benefits today we need to do taqleed shakhsi.

Imam Nawawi (rh) writes in al-Majmoo’ Sharah al-Muhazzib:

“The reason taqleed of an individual has been made binding is that if man was allowed to follow whichever school of thought he liked then he would seek ease in every school of thought and act according to his base desires. People will get authority over the lawful and unlawful, the permitted and forbidden. The restrictions of Shari’ah will be removed finally. In earlier days, the schools of thought were not arranged completely and well-known. (Now that they are compiled and known) it is essential for everyone to select one of them and follow it specifically.”

In Fatawa Rahimiyyah, Shaami (rh) is quoted as reporting the following incident:

“A faqih wished to marry the daughter of a certain Muhaddith. The Muhaddith however stipulated that he would allow the marriage only if the faqih conformed to the practices of ‘Raf’ul Yadain’ and ‘Aameen bil Jahar’. The faqih accepted and the couple was married. When the

incident was mentioned to a saint of the time, he lowered his head and after a while said, "I fear for his Imaan because he compromised what he was doing as a Sunnah for worldly gain."

## An Issue of Fiqh

To prevent the ummah from falling into misguidance the 'ulema time and again recommend that which is good and tell people to abstain from that which could bring about potential damage. A related example is quoted below.

Mufti Shafi Uthmani (rh) in Jawahir ul Fiqh writes:

"An example similar to this matter is that of the seven qira'at which are from the Prophet Muhammad (saw) by mutawattir traditions. It has always been normal to recite the Qur'an in them. However, Allamah Halbi (rh) stated that these are the times of ignorance and thus it is better to recite only in that qira'at which is practiced in one's country. Any other qira'at should not be used so that the people do not fall into the confusion that there is ikhtilaf (difference) in the words of the Qur'an."

Keeping all this in mind, absolute taqleed was "abolished" by the 'ulema and taqleed shakhsi was made an obligation. In light of the above example and that of Uthman (ra) given earlier, this action cannot be termed as 'bid'ah'.

## 9. What Scholars have stated regarding Taqleed Shakhsi

Hereunder are statements of some of the scholars as taken from "Taqleed made Easy" by Mufti A.H. Elias and "Jawahir ul Fiqh" by Mufti Shafi Uthmani (rh).

- Imam Abdul Ghani an-Nablusi in Khulasat-ut-Tahqiq: "A Muslim is either a Mujtahid or has not reached the level of Ijtihad. The one who is not a mujtahid should follow which ever he likes of the four Madhhaib."

- Imam Abdul Wahhab ash-Sah'rani in al-Mizan al-Kubra: "However according to the 'ulema it is wajib for the ordinary Muslim to follow a mujtahid. They said that if a non-mujtahid Muslim did not follow a mujtahid, he would deviate from the right path. All mujtahids inferred rules from the documentary evidences they found in Islam....A person who speaks ill of any of the A'immat al-Madhhaib shows his ignorance."
- Allamah ibn Nujaim in al 'shabalu Nasir: "For any person to go against the rule/decision of the four Imams is going against ijma."
- Ibn Humam in al-Tarirr fi Usul Fiqh: "It is because of this, that certain....have stated that taqleed of the 4 imams is specified...and taqleed to be limited to these 4 imams is correct." Further Ibn Humam in Fath al Qadeer: "The ijma was that any school apart from the four will not be taken"
- Jiwan Siddique in Tafsir Ahmadi: "Ijma has occurred on that it is only permissible to make taqleed of the 4 imams. Thus, if any mujtahid is born and his opinions are against that of the 4 imams then it will not be permissible to follow it."
- Qadhi Thanauallah Panipati in Tafsir Mazhari: "After the third and fourth century there is not a fifth Madhhab to follow besides the 4 madhhaib of the ahl-e-sunnah wal jamaah....and in this matter ijma has occurred that any opinions contrary to the 4 madhhaib is false (Baatil)."
- Imam Sarsksi Maaliki in al-Fatuhatul Wahabia: "In this age after the era of the Sahabah just as Ibn Salah has said that its not permissible to make taqleed of anyone besides the 4 imams, viz., Imam Malik, Imam Abu Hanifa, Imam Shafi'i, Imam Ahmed ibn Hanbal (rha)."
- Ibn Hajar Makki in Farabul Mubeem fi Sahr Arba'een: "In our time it is the opinion of the Elder Imams that it is permissible to make Taqleed of the Imam-e-Arbaa, viz., Imam Shafi'i, Imam Malik, Imam Abu Hanifa and Imam Ahmed (rha) and it is not permissible to make Taqleed of another Imam."
- Tahawi in Tahtawi alaa Durre Mukhtar: "The one who does not follow those four schools is from ahl al-Bid'aa and people of hell."

- Abdullah, the son of Abdul Wahhab Najdi (in al-Hadayatul Sunnah - op sit- 'Propaganda of Mansoor Nomani against Muhammad ibn Wahab': "In secondary matters we are of the Madhhab of Imam Ahmed bin Hanbal (ra) and whosoever adheres to any of the 4 Imams we do not object."

## 10. Why Taqleed of one of Four Schools only?

There were many mujtahids and hence people often ask why an imam from among only the four schools be chosen. Some of the mujtahids were Sufyan Thawri (rh), Layth ibn S'ad (rh), Awza'i (rh), Abdullah ibn Mubarak (rh), Ishaq ibn Rahuyah (rh) and many others. Yet people talk of following one of the four schools only.

The reason is quite simple. In theory there is no reason why the number has to be four. However, only these four have sufficient detailed literature available. All other madhhaib apart from these four died out over time. Their rulings are not available neither are any scholars representing them. One can say this is purely a matter of coincidence.

Mufti Shafi Uthmani (rh) in Jawahir ul Fiqh writes:

"Even if 2, 4, 10, 20, 50 or 100 rulings of these others were available today, it cannot be given a shape of a Madhhab so that people can follow them. This is because even if one will follow them in these available rulings, what will they do for the thousands of other matters? Now when it is seen that only 4 madhhaib survived, taqleed got confined to either of the four madhhaib."

Imam Nawawi (rh) writes in al-Majmoo':

"Although the Sahabah and the elders of the first generation were superior to later day jurists and mujtahids, yet they did not get an opportunity to compile and arrange their knowledge and its principles and branches. So. It is not proper to make taqleed of them because none of their teachings can be pinpointed for sure. Compilation began later on by the imams who had benefited from the Madhhab of the Sahabah and tabi'een. They compiled their commands and explained their own

basic principles and branches, like Imam Malik (rh) and Imam Abu Hanifa (rh)."

Ibn Taymiyyah (rh) states in al-Fatawa al-Kubra:

"From the point of view of the Book and Sunnah, there is no difference among the mujtahid imams. So, Imam Malik, Layth ibn Sa'd, Imam Awza'i, Sufyan Thawri (rha) were all imams of their times and the same command applies in each case for taqleed.

No Muslim argues that taqleed of any of them is disallowed. But, if anyone has forbidden taqleed of anyone then he has done that for one of the two reasons:

1. There are no more men surviving who might be fully aware of the Madhhab of any of them. There is bound to be differences in taqleed of a dead imam. While those who allow taqleed of a dead imam permit it only if any of the living 'ulema possess knowledge of the dead imam's Madhhab. (Since none of them survives, it is not proper to make taqleed of those imams.)
2. There is a consensus against the teachings (of those whose Madhhab is extinct).....But, if any of their sayings is available which is according to the surviving mujtahid's sayings, then their sayings would be seconded and thus strengthened."

Mufti Shafi Uthmani (rh) further explains this in Jawahir ul Fiqh:

"To argue why there are only 4 schools is like the example of a person who has children born in excess but they kept on dying and by the time the father died, only 4 survived. Now at the time of distribution of wealth, it is distributed among the 4 that survived. No one will object and say that the wealth should also be given to the children that died."

## 11. The Imams did not have access to all Ahadith

Some people have this misconception that the 4 Imams in those days did not have access to all ahadith and thus their rulings are incorrect in places due to lack of knowledge of ahadith.

Firstly this statement in itself is incorrect. But for arguments sake we will not delve into this and accept their objection.

Even if we believe that the 4 imams did not have access to all ahadith, their students and their students and their students and so on so forth have revised all rulings in detail. Even today rulings are made in light of evidence by the 'ulema. So its ignorance to state that only the ghair muqallideen have all the ahadith and the other 'ulema do not have all ahadith. Moreover, its stating that for over a thousand years every Muslim was misguided and not following true Islam and only today we can follow Islam correctly.

Also note that the rulings on matters of fiqh made by ghair muqallideen where they present their evidence of "all ahadith" have all been refuted in light of their "new evidence". To see these refutations in detail kindly refer to books of fiqh from the 4 madhhaib.

## 12. "We follow the 100% correct rulings" / "How can all 4 be correct when truth is one?"

This is another statement used by the ghair muqallideen. They state that a person who is a mujtahid today and has mastered all four schools sifted through the evidences of all schools and their opinions and then chose the rulings with the most correct evidence. Why should I not follow these correct rulings?

In theory this sounds very appealing to every Muslim but in reality it is just an illusion and nothing more. It makes it seem that mujtahids of the 4 madhhaib do not study other schools and their rulings and their evidences. Clearly a person who states such a statement has not read even the basic books of fiqh.

Secondly, fiqh is derived in light of principles. Like stated earlier, Imam Malik gave preference to people of Madina as he termed it to be

living Sunnah. This was one of the principles on which he based his opinions or rulings. Imam Hanbal did not give preference to the practice of people of Madina. Now who will decide which principle is correct? This is a matter of preference and to reject one and accept the other is also a matter of preference.

When there is a matter of preference then one cannot state that this principle is stronger than the other. What one can state is "this preference is stronger for me" and the people following this person would state "this preference given by our Imam is stronger evidence for us."

However, no one can state that only we are correct and everyone else is wrong.

Let me give another example as stated in "The Differences of the Imams" by Maulana Muhammad Zakariyah (rh):

"According to the Hanafi school of thought, tahiyatul masjid salah is prohibited whilst the Jummah Khutbah is in progress. However, one hadith makes mention of a very poor Sahabi named Sulaik Ghatfaani (ra) who entered the masjid whilst the khutbah was in progress. Prophet Muhammad (saw) ordered the Sahabi to perform tahiyatul masjid so that people may witness his poverty and constrained circumstances. Together with this, they will also witness this special concession awarded to this particular Sahabi in that the Prophet Muhammad (saw) ordered him to perform Nafil Salah while the khutbah was in progress. According to certain narrations, Prophet Muhammad (saw) brought the khutbah to a halt and remained standing to enable the Sahabi to complete his salah."

Based on this tradition, many have given the ruling that tahiyatul masjid salah is permissible during the khutbah. This is a matter of interpretation. Hanafis state that this was a specific case and hence the khutbah was also brought to a halt. Others state that this was a general case.

Who will decide which interpretation is the 100% correct one? No one can because it's a matter of interpretation. Hanafis therefore state "for us the ruling of it being a specific case is stronger" and Shafi'i's for example state, "for us the ruling for it being general is stronger".

However, not a single person can say that one is 100% correct and the other is 100% wrong.

So, our ghair muqallideen brothers who claim to follow the most correct opinions, can you please explain how one interpretation of the hadith is correct and the other is incorrect?

At other times the differences arose because some thought a particular action of the Prophet Muhammad (saw) was coincidental, natural and habitual. Others stated it was intentional and thereby made it part of Sunnah.

Similarly there are tons and tons of such examples throughout Islamic literature. For more information please refer to "The Differences of Imams" by "Maulana Muhammad Zakariyah (rh)".

In Fatawa Rahimiyyah, Mufti Abdur Rahim Lajpuri (rh) answers the question "how can all 4 be correct when truth is one?" He writes:

"We say that the sources of all the Madhhaib are the Qur'an and the Ahadith and to declare them all to be wrong is, (Allah forbid!), tantamount to claiming that Qur'an and Ahadith are misleading. The Kabah has four sides (north, south, west and east) and the people on each side face the side they are on. Now although the direction of every person is different, the salah of each of them is correct because their purpose is all the same.

In the same way, one Imam may use certain criterion and factors to interpret a certain verse of the Qur'an in a particular manner, another Imam may use other factors to arrive at a different interpretation, both of which are accommodated by the verse. In alike manner, a particular Imam may interpret a hadith according to his research and using certain rules and principles. At the same time, another Imam will use his principles and standards to interpret it differently. On other occasions one Imam may use the apparent meaning of a hadith or verse to arrive at a conclusion while another may use the implied meaning."

Mufti Taqi Uthmani explains further:

"The differences of opinion that we see among the mujtahids is primarily because of the manner of deduction of each of them varies. Some rely on the isnad when they

have to choose from ahadith of different apparent conclusion. Others reconcile the ahadith while some others choose the hadith on which the Sahabah conducted themselves. So, every mujtahid has a different approach and none of them can be accused of neglecting the authentic ahadith."

Further, on the issue of classification of hadith, Mufti Taqi Uthmani writes:

"There is ijthihad on deciding whether a hadith is sound or weak. And different imams have different results. Thus, Imam Abu Hanifa may regard a hadith worth following while another mujtahid may classify is as weak."

To state "we follow the 100% correct opinion" is a 100% incorrect statement. In this section only the very minimal basics were given and one can see how complex matters of fiqh are. Any person who has studied even the basics of the principles of fiqh will never give such a statement.

### 13. Those who say 'No Taqleed', in reality make Taqleed

Firstly let me begin by mentioning that a person makes taqleed in many areas of life. Where a person has no area of knowledge, he makes taqleed. For example, if your child is ill, do you approach medical textbooks in order to diagnose the disease and then recommend medicines for cure? Obviously not, you take him to see a doctor. When the doctor diagnoses the disease and prescribes medicines, do you then ask the doctor to explain what virus caused this and the pathology behind the disease and explain to you the indications, contra-indications, adverse effects etc of the medicine? You don't even ask for the generic name of a medicine let alone ask for such details. The doctor will end up throwing you out of the clinic and tell you to go attend a medical school.

There are some brothers and sisters who claim they do not make taqleed and follow the Qur'an and Hadith. The reality of this matter is that they make taqleed themselves. There is no way around it - It's unavoidable.

I will begin by a basic example. These people state that Bukhari is the most authentic book after Qur'an.

Which statement of the Prophet (saw) or which Qur'anic verse says Sahih Bukhari is the book after Qur'an?

Have they studied all the ahadith in this book and their isnad and scrutinized every single hadith for verification? No they have not. They rely on the opinions of the scholars blindly.

The same people accept the criticisms and objections on the narrators of hadith as stated in the books of 'Asmaa al-Rijaal' which are many times without any solid proof. Is this taqleed or not?

These people take rulings from their own 'ulema. To follow the rulings of one set of fiqh-ha rules is termed Taqleed Shakhsi. For example, if a Maliki takes rulings from different Maliki scholars, he still is doing taqleed shakhsi. If a salafi takes rulings from different salafi scholars then he still is doing taqleed shakhsi.

Moreover, when the ghair muqallideen rely only on the classification of ahadith of their 'ulema, this again is a clear example of taqleed shakhsi.

There are many such examples which prove that people who claim they do not make taqleed, in reality make taqleed.

Abdul Wahhab Najdi whom the ghair muqallideen profess to follow, is quoted in the book "Muhammad bin Abdul Wahhab" by Allama Ahmad Abdul Ghafoor, to have said:

"By the grace of Allah (swt), we follow our pious predecessors and are not perpetrators of Bid'ah. We follow the Madhhab of Imam Ahmed Ibn Hanbal."

## 14. Why cant Layman Judge Evidence?

Some of our ghair muqallid brothers say that we can see the evidence provided by everyone and then judge which one is true. If after reading this piece from the start, a person still says such a thing then he has either not read anything or was not paying attention.

For one to be able to judge evidence, one has to know about the evidence. Let me give an example. If you are not a doctor and I come to you with a disease, will you be able to diagnose the disease and prescribe any medicine to me?

What really happens is that they take a book of one of their Imams and then read his side of the argument and accept the view because it "seems to be correct". They do not bother to read the counter-arguments made by other scholars. Picking up one book and reading the "evidences" in it for a ruling does NOT in any way or form mean "judging" a matter. To judge, one has to be fluent in many sciences. Hence judges of courts in countries are chosen from people fluent in the field of law. A carpenter cannot be made a judge because he does not know the law.

In reality the ghair muqallideen just see the matter superficially and make taqleed to their imam's opinion without questioning any of the usul (principles) which he adopted.

Mufti A.H. Elias in "Taqleed Made Easy" writes:

"A common man cannot understand the finer details of the principles of Deen. Anything presented to him will be swallowed. This is because he cannot judge these things in the light of 'ilm due to lack of it. This is how falsehood spreads among the Muslims."

## 15. What Madhhab Should I adhere to?

A person new to Islam or someone who wishes to become a muqallid might ask this question. The answer is really simple. A person living in a particular geographical region should follow the Madhhab which is prevalent in that region.

The reason for this is, for example if I live in the USA and the region is predominantly Hanafi. Then if I choose to be a Maliki, how will I adhere to that school when I will not have access to the Maliki scholars? Hence it is best to stick to the Madhhab whose scholars one can easily access.

## 16. Conclusion

Now we have two paths in front of us. One is a new path and the other is an attested path laid down by people of knowledge. It is up to you to decide which path you want to be on. Do not get excited by statements like “we analyze all evidence” etc. After reading this one will realize why such claims are the most inaccurate claims.

To be on the safe side and to be sure that we don't end up following our nafs and desires, it is best for us to make taqleed and adhere to either of the Madhhaib.

When I decided to write on this topic, I had no idea it will get this extensive. The purpose was to incorporate as many aspects and objections but the length of it forced me to leave out many evidences and arguments of the scholars proving why taqleed is a necessity. The primary text used to write this article was “The Legal Status of Following a Madhhab” by Mufti Taqi Uthmani which answers other objections which are not in this article. Throughout the article wherever I have quoted Mufti Taqi Uthmani, it is from the same book.

I highly recommend everyone interested in this topic to get this book and read it, especially our ghair muqallideen brothers and sisters. A pdf format of this book is available in the “E-Books” section for all to benefit Insha'Allah.