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Somehow, Taqleed, i.e. following any of the 4 Imams, has become a contentious issue. This brief booklet lets light into this issue and explains the hows and whys of it.

The second part of the book gives ample proof that Imam Azam is not only a jurist, but also an expert in Hadith.

Human beings are forever in need of guidance for all their actions. It is beyond their ability to frame laws for themselves and obey them. Due to the inherent differences and shortcomings of the human mind, human beings cannot frame any law which is flawless in all respects. Inevitably, they have to turn to the Lord Almighty for guidance. For this reason, Allah Ta'ala has guided us through His revelation (Wahi).

The to-be-recited revelation (*Wahi Matlu'*) and the not-to-be-recited revelation (*Wahi Ghair Matlu'*) i.e. the Holy Quran and the Hadith are the only 2 sources of Islamic Law. Allah Ta'ala has declared the fulfillment of this religion in Surah Maida:

Today I have perfected your Din (Religion) for you, and have completed My Blessing upon you, and have chosen for you Islam (as) Din (a complete code of life). Surah Maida (5:3)

Allah Ta'ala has also said:

Truly, Islam is the only Din (Religion) in Allah's sight. And the people of the Book disagreed, after knowledge had come to them, only on account of their mutual jealousy and contention. And he who denies Allah's revelations, then surely Allah hastens in calling to account. Surah Al Imran (3:19)

And whoever seeks a Din (Religion) other than Islam that shall not at all be accepted from him, and he will be among the losers in the Hereafter. Surah Al Imran (3:85)

Necessity of Fiqh

Now there will be no revelation, but this is clear that the verses of the Holy Quran and the words of the Hadith are limited, where as the problems of the humankind, which are refashioned by the passing of time, are unlimited. For this reason, the extraction of rules of the contemporary issues by contemplating over the sources of Islamic law is highly necessary. In the Science of Jurisprudence (Fiqh), these very issues of human life are dealt with.

The verses of the Holy Quran and the Hadith that deal with these issues are 500 and 3000 respectively. Obviously, rules have to be formulated by contemplating over these verses and Hadith. At some places the rules have been mentioned concisely. At some places they are hidden. At some places they have been mentioned in abbreviated form and at some places they are ambiguous.

To contemplate over them, understand the intent of the Holy Prophet (Sallallahu alaihi wa sallam) and formulate rules, which include personal, economic, political, domestic rules for the guidance of the community and the Ummah, is beyond the ability of even an accomplished scholar, let alone a common man.

Mere mastery of language does not qualify one to understand the finer points of the law and neither can every litterateur/philologist be a legislator as well. When this is not possible in the laws made by men, but is considered a joke that only mastery over a language qualifies one to be a legislator, then comprehension of divine laws demands much more from us. For this reason, those revered personalities who spent their entire lives in the deduction and extraction of laws, who remained the leaders of the community because of their knowledge and piety, their deductions are more authoritative than ours.

Following one's superiors is but natural

This is so obvious that no explanation is needed for this. Every person turns to his/her superior in need and trusts the superior's judgment and the same happens in *Taqleed* (following any one of the 4 great Imams viz. Imam Abu Hanifa, Imam Malik, Imam Shafa'ee and Imam Ahmed Bin Hambal), in which because of the inherent harm of following one's own judgment, one turns towards the *Mujtahid* (lit. The legislator), in whom one sees the ability of extraction of laws. In a way, *Taqleed* is the nature of man and man cannot run away from *Taqleed*. For this reason, the whole Islamic world since the earliest ages, have considered any of the 4 Imams as their leader. After this brief introduction, the necessity of *Fiqh* and the compulsory nature of *Taqleed* will be dealt with in the light of the Holy Quran and the Hadith.

Necessity of Fiqh

The Holy Quran is the epitome of eloquence. In spite of being easy to understand, most of the subjects dealt with in the Holy Quran are such that understanding the rules that can be deduced from them is not easy. The reason is that it has indications, explicit rulings, verses which abrogate and are abrogated, commands which are general and which are specific, commands which are to be taken literally and commands which are veiled in metaphors and similes. Commands are bound by their aims. Specifying their aims, awareness about their different aspects and there are various aspects and issues related to it, which require intelligence of the highest form.

The Holy Quran and the Hadith describe the necessity and importance of *Fiqh*. Allah Ta'ala says in the Holy Quran:

.....party from within every group (or tribe) not go forth in order that they may acquire deeper knowledge (i.e. thorough understanding and insight) of Din (Religion). Surah Taubah (9:122)

He blesses with wisdom whom He wills. And he who is granted wisdom (i.e. Fiqh) receives tremendous good. And only those who are endowed with wisdom and insight receive direction and guidance. Surah Baqarah-(2:269)

There is a Hadith in Sahih Bukhari. Whosoever, Allah Ta'ala wants to bless, He grants him understanding of religion and it is naught except that I distribute and Allah Ta'ala grants. (Sahih Bukhari, Hadith No. 6896)

Shaykh Ul Islam Imam Muhammad Anwarullah Farooqui (May Allah shower His mercy on him) mentions a Hadith in *Haqiqatul Fiqh*, on the authority of Jame' Us Sagheer, that the Holy Prophet (Sallallahu alaihi wa sallam) said:

Every thing has its mainstay, and the mainstay of this religion is Fiqh (Jurisprudence) one Faqih (Jurisprudent) is harder on Satan than a 1000 worshippers (A'abid).

Following the rules, which have been formulated by the jurisprudents and the legislators (*Mujtahidin*) is to follow the Holy Quran and the Hadith itself. When anyone assumes these rules, he/she is said to be following these personalities (*Taqlid*). This *Taqlid* is to follow the Holy Quran and the Hadith and signifies that these personalities have extracted rules from the Holy Quran and the Hadith, even though we may not know the basis of such extraction. To know the basis of such extraction is not even necessary. Consequently, the stalwarts of every age have accepted any one of the 4 Imams as the greatest jurisprudents and have followed the rules extracted by them.

There are many verses in the Holy Quran and in the Hadith, which speak of *Taqlid*. The insinuations of the dissenters betray their own lack of understanding. Otherwise nobody assumes that the legislators have deduced the ruled out of their own personal preferences. They in fact have extracted and formulated rules from the Holy Quran and the Hadith. If before objecting, the ‘non-followers’ (Ghair Muqallidin- those who refuse to follow any of the Imams) consider this, then I think no objection will remain, but what to say of false assumptions.

O Believers! Avoid most conjectures. Indeed some conjectures are sins (liable to punishment in the Hereafter). Surah Hujuraat (49:12)

There are 2 kinds of Taqleed-

1. *Taqleed Mutlaq* i.e. Open-ended following.
2. *Taqleed Shakhsi* i.e. Particular following

Taqleed Mutlaq is to follow any of the Imams, as the need arises. *Taqleed Shakhsi* is to follow one particular Imam in all the affairs of life.

Evidence of Taqleed from the Holy Quran

First proof

Allah Ta'ala orders in Surah Nisa:

O Believers! Obey Allah and obey the Messenger (blessings and peace be upon him) and those (men of Truth) who hold command among you. Surah Nisa (4:59)

Here ‘men of truth’ means the Imams and the Fuqaha (Legislators), as has been said by Hadhrat Abdullah bin Abbas, Jabir bin Abdullah, Hasan Basri, ‘Ata bin Abi Rabah, ‘Ata bin Saib, Abul A’aliyya (May Allah be well pleased with them). This verse allows establishes the compulsory nature of Taqleed.

Hadhrat Abu Najeeh (May Allah shower His mercy on him)) narrates on the authority of the great Taba‘ee Imam Mujahid that ‘men of truth’ means the men of discernment (*Tafqa*), intellect and understanding i.e. Fuqaha.

The teacher of Imam Bukhari’s teachers, Imam Abdur Razzaq (May Allah shower His mercy on him) writes in his collection of Tafseer:

‘Men of truth’ means the jurisprudents (Fuqaha) and the scholars.

Imam Abu Jafar Tabari writes in Jame Ul Bayan Fi Tafseer Il Quran on the authority of Hadhrat Abdullah bin Abbas, Jabir bin Abdullah, Hasan Basri, Ata bin Saib, Abul A’aliyya (May Allah be well pleased with them) that ‘men of truth’ means the Fuqaha and the scholars.

The author of Tafseer Kabeer, Imam Fakhruddin Razi (May Allah shower His mercy on him) writes on the authority of Hadhrat Abdullah bin Abbas, Hadhrat Hasan Basri, Imam Mujahed and Imam Zahhak (May Allah be well pleased with them) that ‘men of truth’ means the scholars who teach the rules of Shariah and instruct the people in matters of religion.

He also says that there is no disagreement over this, that a group of the Companions (Companions) and the Taba‘een (Successors/students of the Companions) that ‘men of truth’ means scholars.

Imam Ibn Katheer, whose opinion is considered by the ‘non-followers’ (Gair Muqallideen) as the final word, writes in Tafseer Katheer:

Hadhrat Ali bin Abu Talha narrates on the authority of Hadhrat Abdullah Bin Abbas (May Allah be well pleased with them) that the 'men of truth' meant here are the jurisprudents (Fuqaha) and this is also the opinion of Imam Mujahid, Imam ‘Ata, Hadhrat Hasan Basri, Hadhrat Abu Ya’ala (May Allah shower His mercy on them) that 'men of truth' mean the scholars and the Fuqaha. (Tafseer Ibn Kathir, Vol. 2, Pg. No. 345, Surah Nisa)

Second proof

So if you yourselves do not know (anything), then ask the People of Remembrance. Surah Nahl (16:43)

Third proof

Had they referred it to the Messenger (blessing and peace be upon him) or those of them who are in command (instead of making it public), then those among them who can draw conclusion from some matter would have found it (i.e. the truth of the news). Surah Nisa (4:83)

In Ahkaam Ul Quran, Imam Abu Bakr Jassas (May Allah shower His mercy on him) has deduced the command of Taqleed from this verse. (Surah Nisa: 83)

Imam Razi writes in Tafseer Kabeer:

Translation: It is Wajib on laypeople to follow the scholars in the issues that they face. (Tafseer Kabeer, Surah Nisa-83)

Fourth proof

.....party from within every group (or tribe) not go forth in order that they may acquire deeper knowledge (i.e. thorough understanding and insight) of Din (Religion). Surah Taubah (9:122)

Fifth proof

.....follow someone who adopts the path of turning to Me in repentance and submitting to My injunctions. Surah Luqman (31:15)

Sixth proof

.....and those who follow them in the grade of spiritual excellence — Allah is well pleased with them (all) and they (all) are well pleased with Him. Surah Tawbah (9:100)

Proof of Taqleed from the Hadith

There are many Hadith which establish the compulsory nature of Taqleed. A few among them are being presented here.

There is a Hadith in Sahih Bukhari:

Translation of Hadith: You follow me and the later ones will follow you. (Sahih Bukhari, Vol. 1, Pg. No. 99)

Hafidh Ibn Hajar ‘Asqalani writes in the interpretation of this Hadith:

Translation: You learn the rules of the Shariah from me, so that those who come after you can learn from you and in the same way those who come after them and so on until the end of the world.

Proof of Taqleed from the Traditions of the Companions

There is a Hadith in Sahih Bukhari on the authority of Hadhrat 'Akramah (May Allah be well pleased with him), that the people of Madinah asked Hadhrat Abdullah bin Abbas (May Allah be well pleased with him) about the woman who started menstruating after the Tawaf Afadha. Hadhrat Abdullah bin Abbas (May Allah be well pleased with him) said that she can go without the Tawaf Wada'a. The people of Madinah said: We will not abandon the opinion of Hadhrat Zaid bin Thabit to follow your opinion.

This shows that the people of Madinah used to follow Hadhrat Zaid particularly (Taqleed Shakhsi). Hadhrat Ibn Abbas (May Allah be well pleased with him) did not chastise them that you have committed a mistake by taking Hadhrat Zaid as your Imam. (Sahih Bukhari, Kitab Ul Haj)

There is a lengthy Hadith in Sahih Bukhari, Kitab Ul Faraaidh, the summary of which is that Hadhrat Abu Moosa Ash'ari (May Allah be well pleased with him) was asked something. He replied and said: Ask Abdullah Bin Mas'ud (May Allah be well pleased with him) also. After asking Hadhrat Abdullah bin Mas'ud people conveyed his reply to Hadhrat Abu Moosa Ash'ari (May Allah be well pleased with him). He said: Do not ask me anything as long as you have this erudite scholar among you. This shows that he instructed the people to follow Hadhrat Abdullah bin Mas'ud (May Allah be well pleased with him) in everything. This is what is called Taqleed Shakhsi.

There is a Hadith in Jame' Tirmidhi, Ibn Majah that the Holy Prophet (Sallallahu alaihi wa sallam) said: After me, follow the 2, i.e. Abu Bakr and 'Umar (May Allah be well pleased with them). Here it is not said that you ask the evidence of every ruling. This is what is Taqleed Shakhsi.

Also, the Holy Prophet (Sallallahu alaihi wa sallam) appointed and sent the Companions as teachers to many places. Is this not Taqleed Shakhsi? Therefore there are many examples of Taqleed Mutlaq and Taqleed Shakhsi in the eras of the Holy Prophet (Sallallahu alaihi wa sallam) and the Companions and in the Best Era (*Khair Ul Quroon*) both the methods were used. Then because of separation from the Prophet (Sallallahu alaihi wa sallam), when the fear of Allah Ta'ala and His Prophet (Sallallahu alaihi wa sallam) and the regard for the rules of the Shariah waned and selfishness took hold, then the scholars, jurists, the men of Allah diagnosed this condition and entered Taqleed Shakhsi among the Wajib (compulsory).

Taqlid is to be praised and deserves reward - Opinion of Shaykh Ibn Taimiya

Shaykh Ibn Taimiya, whom the non-followers consider as their Imam has ruled going against Taqleed Shakhsi as incorrect in his Fatawa. He writes:

As per their desires, people follow somebody who declares the Nikah as invalid and sometimes follow someone who declared Nikah as valid. This is not permissible.

He again writes in his Fatawa, Vol. 2, Pg. No. 24:

The person who cannot know the rules of the Shariah and follows a particular scholar, without knowing that there is another opinion

more preferable than this, that person is to be praised. He will be rewarded. Neither will he be condemned, nor will he be punished.

His famous student Ibn Qayyim Al Jawzi, writes in *A'alaam Ul Mauqae'een*:

Unless the qualifications of Ijtihad (legislation) are not seen in a person, it is not permissible for him to extract rules from the Holy Quran and the Hadith.

These lines establish the compulsory nature of Taqleed. Now, the question is that there have been many Legislators (mujtahidin), so, why follow the 4 Imams only?

The detailed manner in which the rules extracted by the 4 Imams are available to us, chapter wise, right from *Kitab Ut Taharah* to *Kitab Ul Faraaidh* and in extreme detail. The rules extracted by the other Imams are not available in the same manner. The universal acceptance of these 4 Imams has not been given to others. That's why these 4 Imams are followed.

Except the 4 Imams, all other true schools of Jurisprudence have ceased to exist. For this reason, it is the consensus of the whole Ummah that to follow any of the 4 Imams is to follow the Sawaad-e-A'adham i.e to follow the Ahle Sunnah. To abandon them is to abandon the Sawaad-e-A'adham, as Hadhrat Shah Waliullah (May Allah shower His mercy on him) as written in *Uqd Al Jayyid Fil Ahkaam Il Ijtihad Wa Taqleed*.

Allama Ibn Nujaim Misri (May Allah shower His mercy on him) has written in *Al Ashba Wan Nadhaair*:

Translation: Those who turn away from the 4 Imams are against the consensus of the Ummah.

These are a few lines about the nature of *Taqlid* and clarifications about it. *Taqlid* is the consensus of the Ummah and those who go against are going against the consensus of the whole Ummah. For this reason, all the great scholars and saints have been followers of any one of these 4 Imams. This is the path of truth and the path of guidance.

Imam Azam – The expert in Hadith

The Holy Quran and the Hadith are the base and the primary sources of Islamic law. They contain the answers to all questions that human beings may face in their whole life up until the end of the world. Even though, the Holy Quran is simple, it contains many things which cannot be understood; not only by common people but even by experts of language. Mere expertise over language does not give one mastery over law and legal implications and nuances. Life is ever-changing and as such the rules governing it also change with the times. There are many things which are not explicitly mentioned in the Holy Quran and Hadith, but which are necessary today, for e.g. share business, fixed deposits, Islamic rules about insurance and other such rules. In these and such issues, we have to use the guidelines laid down by the Mujtahidin (the jurists). Those guidelines have been laid down in the light of what the Holy Quran and Hadith say and what they demand.

Nowadays, the enemies of Islam are raising many objections about Islam. It is our duty to combine all our forces and answer to them and not that we fight among themselves.

Imam A'adham is a great Muhaddith (Hadith-Expert). The narrations of his students are present in Sihah Sittah (The 6 most authentic books in Hadith) like Sahih Bukhari, Sahih Muslim, Jame' Tirmidhi and others.

When the beginning verses of Surah Juma'a was revealed:

It is He Who has sent amongst the Unlettered a messenger from among themselves, to rehearse to them His Signs, to sanctify them, and to instruct them in Scripture and Wisdom— although they had been, before, in manifest error— (2) As well as (to confer all these benefits upon) others of them, who have not already joined them: and He is Exalted in Might, Wise. Surah Juma'a (62:2,3)

Hadhrat Abu Hurairah (May Allah be well pleased with him) asked the Holy Prophet (Sallallahu alaihi wa sallam): O Prophet of Allah (Sallallahu alaihi wa sallam)! Who are the ones who will come after and you will recite the verses of the Holy Quran to them and purify them? The Holy Prophet (Sallallahu alaihi wa sallam) did not answer and held His peace. The question was repeated thrice. Hadhrat Abu Hurairah (May Allah be well pleased with him) says: At that time, Hadhrat Salman Farsi (May Allah be well pleased with him) was present with us. The Holy Prophet (Sallallahu alaihi wa sallam) kept His hand on Hadhrat Salman Farsi (May Allah be well pleased with him) and said: If Iman is as fat as the planet Venus, then some people among them (i.e. the people of Hadhrat Salman Farsi), why some, only one person will get it from even there.

