

As for Abu Haneefah, he did not regard there being a prayer to ask for rain, but we hold that the Imaam prays two rak'ahs and then supplicates and holds out his wrapping garment ..."

8. What about the madhhabs of today?

For some people, the words of an Imaam are taken as "gospel" and followed exclusively as if it were revelation. Even if a verse from the Qur'an or a saying of the Messenger is brought as an argument against what their chosen Imaam said, they forsake what Allah or the Messenger sallallaahu 'alayhi wa sallam said and instead follow their Imaams.

Many have declared it obligatory to follow one of the four madhhabs and forbid taking the saying of anyone outside the madhhab. It is almost as if they have made their Imaam as a Prophet to be followed in everything he says.

There is not a single Imaam whose every single opinion conforms to the sharee'ah evidences. So just as there is a possibility of him being correct, there is also the possibility of him making a mistake. Taqi-ud-Deen Subki said: "For me, the best thing is to follow the h̄adeeth. A person should imagine himself in front of the Prophet just having heard it from him, would there be leeway for him to delay acting on it? No by Allah!"

More importantly, many of those who call to a madhhab, oppose their Imaams in issues of aqeedah. For example, Abu Haneefah was asked about someone who says: 'I do not know if my Lord is in the heavens or the earth?' So he said, **'He has disbelieved since Allah, the Most High says: "The Most Merciful ascended above the throne". And His Arsh is above the heavens"**. Yet many of the Hanafi scholars of today hold on to the belief that Allah is everywhere, despite the fact that Abu Haneefah considered it to be kufr.

We also find some Hanafi books encouraging the people to seek the intercession of Allah's Messenger sallallaahu 'alayhi wa sallam, for example: "After greeting the Prophet, pray to Allah through the name of the Messenger of Allah. Beg the intercession of Allah's Messenger"^{vi}.

Yet Abu Haneefah said: **"It is not right that anyone should supplicate to Allah except by Him, and I hate that anyone should say 'By the right of so and so' or 'by the right of Your Prophets and Messengers'^{vii}.**

9. What about the early generations of Muslims.

Imaam Shanqeeti stated that the laymen after the death of the Prophet, when faced with a new issue would ask a knowledgeable companion for a ruling without specifying anyone in particular. If a new situation arose, he would not necessarily go back to the original companion, but would ask whoever he wished from the knowledgeable companions. In other words, he would ask one mufti on one occasion and another mufti on a different occasion; the notion of just restricting oneself to one mufti did not exist in the first three generations.

The early generations of Muslims knew that it was not obligatory upon the Ummah to obey a specific person in all that he may command and prohibit, except the Messenger (sallallaahu 'alayhi wa sallam) since no single person was infallible in all that he may command or prohibit, except for Messenger (sallallaahu 'alayhi wa sallam).

i - Sahwatul-Islaamiyyah, no. 50

ii - Kitaabul-'Ilm p. 219-220

iii - Al-Fulaani in Eeqaaz al-Himam (p. 50).

iv - Ibn 'Abdul Barr in Jaami' Bayaan al-'Ilm (2/32

v - Al-Fiqh ul-Akbar p.19 of the Egyptian print

vi - Fazaail-e-Amal (Eng. Trans), Virtues of Hajj, Chapter 9, p152, no 32. New Edition 1982

vii - Al-Fatawa al-Hindiyyah (5/280)

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TAQLEED AND THE MADHABS



1. What is Taqleed?

Taqleed (blind following) means: Accepting the saying of a person without any proof or evidence. The person who performs taqleed is called a muqallid. Since taqleed is based upon ignorance, the blind follower is not a scholar. Such a person should not teach the knowledge he gains through blind following, he can only apply it to himself.

2. What is Ijtihad?

Ijtihad means: Expending efforts to arrive at a Sharee'ah ruling. A mujtahid is one who performs ijtihad. Only the scholar with detailed knowledge of the Qur'an and the hadeeth and its various sciences and who has the ability to derive rulings from the Sharee'ah evidences is allowed to perform ijtihad.

3. Is Taqleed Permissible?

Generally the ruling of taqleed is that it is forbidden. However there are exceptions to this rule and in some cases it is permissible, depending upon the individual, and the situation that he is in.

Firstly: If a Muslim is faced with a difficult situation, he can make taqleed of a scholar who he believes will give him a verdict based upon the Quran and Sunnah, irrespective of the madhhab of the scholar.

Thus taqleed is permissible in this situation; however it is not obligatory upon every individual, nor is it obligatory in every situation. An individual is not bound by every ruling that a particular scholar makes, nor is it obligatory to blindly follow a madhhab in all that it necessitates. Rather, every person's saying is taken or left, except that of Allah's Messenger sallallahu 'alayhi wa sallam.

Secondly: The mujtahid is allowed to perform taqleed when he encounters a new situation for which an immediate solution is required, but it is not possible for him to research into the matter.

4. The Forbidden Type of Taqleed

This is of three types:

1. Turning away from what Allaah has revealed, and instead being satisfied with the taqleed of your forefathers.
2. Doing taqleed of someone whose religious credentials are unknown.
3. Doing taqleed after the proofs have been made clear and it becomes obvious that the evidence contradicts the view of the one to whom taqleed is done.

5. Should we follow a Madhhab?

Shaykh Muhammad ibn Saalih al-'Uthaymeen rahimahullaah responded:

"If what is intended by sticking to a madhhab is that a person sticks to that madhhab and turns away from everything else; whether the correct view lies in his madhhab or another madhhab - then this is not permissible and is from the blameworthy and bigoted partisanship. But if a person ascribes to a particular madhhab in order to benefit from its principles and guidelines, but he refers it back to the Book and the Sunnah; such that if it becomes clear to him that the preferred view lies in another madhhab, he then adopts that view - then there is no problem with this ⁱ."

He also said: "what is not allowed is the taqleed whereby one sticks to a particular madhhab; taking hold of it in every circumstance; believing this to be the path to Allah, the Mighty and Majestic; and clinging to it even if it opposes the proof ⁱⁱ."

6. What are the Conditions for following a Madhhab?

Firstly: To believe that infallibility belongs only to the Prophet sallallahu 'alayhi wa sallam; **all** other people after him are fallible and make mistakes. "It is not obligatory upon this Ummah to obey anyone in particular in all that he commands and prohibits, except the Messenger sallallahu 'alayhi wa sallam.

Secondly: That the intended goal should be to follow the Book and the Sunnah, and not to merely follow the opinions of the scholars of the madhhab. Therefore in

any issue, if it becomes clear that the preferred view, along with its proofs, lies in other than his madhhab, he must follow the proof and not reject it.

Thirdly: Forming allegiance or enmity based upon following a particular madhhab is forbidden. You should not love someone more just because he has adopted the same madhhab as you.

Fourthly: Deliberate following of the easiest rulings from each madhhab. Such a person is a follower of his desires.

7. What did the four great Imaams say about Taqleed?

The four Imaams forbade the people from blindly following them in all that they may say.

Imaam Abu Haneefah said: "When I say something contradicting the Book of Allaah the Exalted, or what is narrated from the Messenger sallallahu 'alayhi wa sallam, then ignore my saying." ⁱⁱⁱ

Imaam Maalik said: "Truly I am only a mortal, I make mistakes (sometimes) and I am correct (sometimes). Therefore, look into my opinions; all that agrees with the Book and the Sunnah, accept it, and all that does not agree with the Book and the Sunnah, ignore it." ^{iv}

Imaam Shaafi'i said: "If you find in my writings something different to the Sunnah of the Messenger of Allah sallallahu 'alayhi wa sallam then speak on the basis of the Sunnah of the Messenger of Allah, and leave what I have said."

Imaam Ahmed ibn Hanbal said: "Do not follow my opinion; neither follow the opinion of Maalik, nor Shaafi'i, nor Awzaa'i, nor Thawri, but take from where they took." [i.e. from the Sunnah].

The students of these great Imaams would ignore their fatawaa, if it contradicted the Sunnah. of Abu Haneefah's two main students; Muhammad ibn al-Hasan and Abu Yoosuf differed from him in about a third of the Madhhab. For example, Imaam Muhammad ibn al-Hasan says in his Muwatta' (p. 158)."