

Sheikh Al-Albaanee versus al-Bootee

TAKEN FROM 'BID'AH TA'SSUB AL-MADH-HABIYYAH' [pp. 338-343]

Translated by Abu Rumaysah

First some of the history behind this debate.

Soon after Sa'eed Ramadaan al-Bootee had written his 'Fiqh as-Seerah' in which he accused Ahlus Sunnah, the Salafees, of that which they are free of, Shaykh Naasir [al-Albaanee] asked to open a discussion with al-Bootee. The topic was to be these accusations and some more specific ones levelled at Shaykh Naasir himself.

However, for various reasons this discussion never occurred. Then when al-Bootee wrote his book 'laa madh-habiyyah' in which he launched even more attacks against Ahlus Sunnah, Shaykh Naasir renewed his efforts to open a discussion with al-Bootee, writing a letter to him which commenced with *Surah al-Asr*.

This meeting did take place and took more than three hours. The following is a summarised transcript of this meeting reproduced in the book 'Bid'atut Ta'ssub al-Madh-habee' of Shaykh Eed al-Abbaasee, may Allaah preserve him, who states that he would soon, insha' Allaah, produce a separate booklet with the transcript to the whole discussion. He states, "this is [the discussion] O brother reader, I have quoted it truthfully and sincerely, highlighting its important points. If you wish to ascertain this for yourself then listen to the tapes which [you will find] in the possession of either party."

The First Issue:

Shaykh Naasir mentioned what occurred in some of the Mosques wherein a number of congregational prayers were held for the same prayer and the blind-followers of one *madh-hab* preventing them from praying behind a blind-follower of another *madh-hab*. This led him to declare the point to be incorrect that al-Bootee made [in his 'Laa Madh-habiyyah'] that there was a consensus that the prayer of a blind-follower of one School behind a blind-follower of another School was valid. The reality is that there is a great deal of difference over this issue and in fact the weightiest opinion in the Hanafee and Shaafi'ee Schools is that it is disliked to pray behind an adherent to another *madh-hab*. He asked al-Bootee to prove the correctness of his quote and assertion.

Al-Bootee objected to the words of Shaykh Naasir by saying, 'the dislike of a thing does not negate its validity.'

Shaykh Naasir refuted this by saying that it was established in the Books of Shaafi'ee Fiqh that if a Shaafi'ee follower comes to know that his Hanafee Imaam has touched an *ajnaabee* woman and that Hanafee led the prayer without performing *wudu'* then the prayer of the [Shaafi'ee] follower is invalid. Al-Bootee replied by saying that this was not what he intended by his words. What he meant was that the prayer was valid behind an Imaam with the condition that the Imaam being followed had not done something that invalidated the *wudu'* or prayer according to the *madh-hab* of the follower.

Shaykh Naasir objected to this by saying [that this could not be understood from his words in his book] because his words were general and hence would remain upon their generality until some [text] occurred that restricted their meaning.

At this juncture there arose a discussion concerning Usul in which the meaning of general and restricted was discussed wherein al-Bootee fruitlessly tried to avoid the point that Shaykh Naasir made. His father [who was also present] aided him in this even though he admitted that the words of Shaykh Naasir spoke the truth and his son had no idea how to respond!

The discussion concluded with it being agreed that it would have been upon Dr. al-Bootee to bring some form of restriction to his words by saying: The scholars have agreed that the prayer of a Shaafi'ee behind a Hanafee and vice-versa is valid with the condition that the follower not know of anything the Imaam may have done that invalidated the *wudu'* or prayer according to the *madh-hab* of the follower.

The Second Issue:

Shaykh Naasir asked Dr. Bootee to furnish him with the evidence that would justify the correctness of the title of his book that the *Laa Madh-habiyyah* [Anti-*Madh-habees*] were the most dangerous innovation destroying the Islaamic *Sharee`ah*.

Al-Bootee replied by saying that the evidence lay in his book in that the Sahaabah used to stick to the *madh-habs* of their scholars. Likewise those who followed them, then those who followed them until this day of ours.

This astonished Shaykh Naasir who said: It becomes clear to me that you [he refers to al-Bootee in the plural] intend by the word *madh-habiyyah* a meaning other than what commonly crosses ones mind. For the understood meaning of it is that the Muslim sticks to one specific Imaam for the entirety of his life in all of the matters related to his religion. This was never present amongst the Companions, for they were never divided into different groups wherein each group followed its specific *Mujtahid* from amongst the *Mujtahid* Companions.

Dr. Bootee replied by saying: Amongst the Sahaabah were the *muqallid* and the *mujtahid*. The *Muqallid* Sahaabah used to follow one of the *Mujtahid* Sahaabah whose ruling he felt comfortable with.

Shaykh Naasir replied: The *Muqallid* Sahaabah used to adhere to the opinion of every *Mujtahid* amongst them and did not restrict themselves to just one (i.e. they asked any *Mujtahid* they found easy to go to at the time they needed a ruling). So sometimes if they found it easy to go to Abu Bakr they would take to his legal verdict without then clinging to him [in all matters of the religion]. Similarly if they found it easy to go to Umar they would take to his legal verdict and so on. There was never this clinging to one Imaam present amongst them, however you claim there is so I ask you to furnish me with evidence. At this juncture al-Bootee tried to escape the strong point that Shaykh Naasir made and rejected that he had ever made such a statement, and then gave a whole new definition to *al-Madhhabiyah*.

He said: *al-Madh-habiyyah* is that one person who has not reached the level of *ijtihaad* follow an Imaam from amongst the Imaams, regardless of whether this Imaam changes or the number [of Imaams asked] be more than one or he does not change and there not be a number of [Imaams being asked]. As for the *Laa Madh-habee* then he does not go to a single Imaam for a legal verdict and neither does he go to a number of Imaams (i.e. neither does he not stick to just one). Hence such a person is from the most dangerous of innovators.

At this Shaykh Naasir expressed his utter astonishment and said: upon this definition you will not find a Muslim on the face of this earth except that he is a *madh-habee*! So who are you refuting in your book? And why did you not make clear what you meant by *al-Madh-habiyyah* so that the people could understand?

The Discussion Now Digressed into talking about al-Ma`soomee's book [translated into English as 'The Blind Following of *Madh-habs*' – this book was the initial reason behind al-Bootee authoring 'Laa Madh-habiyyah']

Al-Bootee understood from this book that the author took it upon every Muslim to perform *Ijtihaad* and to take [directly] from the Book and Sunnah.

Shaykh Naasir asked him to furnish evidence from the book that would justify his understanding. So al-Bootee quoted some sentences that mentioned that the Prophet (SAW) was sinless (*ma`soom*), that the *Madh-habs* were an innovated matter, that Imaams were not sinless, that the *Madh-habs* consisted of the opinions of some of the *Mujtahids* in some issues, and that neither Allaah or His Messenger (SAW) had obligated following them.

Shaykh Naasir stated that these statements were restricted [and to be understood in the light of] other statements that [al-Ma`soomee] made in his book, such statements that al-Bootee had overlooked and had not indicated to in the slightest way.

Al-Bootee asked Shaykh Naasir to quotes some of these.

Shaykh Naasir mentioned some of them, for example on page 29 where al-Ma`soomee said, "know that taking to the opinions of the Scholars and their analogies is like performing *tayammum*. One only does it when one cannot find water. In the case that a text from the Book, Sunnah or statements of the Sahaabah are found then taking to them is obligatory and one should not then turn to the opinions of the Scholars."

[The meaning of the words of al-Ma`soomee can be found articulated by ash-Shaafi`ee in his Risaalah (pg. 599 – *tahqeeq* Ahmad Shaakir). It is strange that al-Bootee, who claims to be a follower of ash-Shaafi`ee refutes these words [of al-Ma`soomee] understanding them in this strange way that they necessitate that everyone must perform *ijtihaad*. For sure if these words were to have been quoted to

him as the words of ash-Shaafi`ee then he would have directed them towards their correct meaning (with no problem)!

Shaykh Naasir asked al-Bootee: Do these words not restrict the generality of his words [that you quote]? Al-Bootee replied that al-Ma`soomee had mixed truth with falsehood. For if these words of his are compared to what he states on page 40 that 'understanding the Book and Sunnah is easy and does not require more than the Six Books of Hadeeth' then his words are contradictory.

Shaykh Naasir remarked that al-Bootee had not fully quoted the words of al-Ma`soomee and asked him to read from beginning of al-Ma`soomee's words that said, "O Muslim! When you delve and excel in knowledge and your strength of resolve increases through *taqwaa* then strive in understanding the clear [texts] of the Book and the clear Sunnah and the actions/understanding of the majority of the People of Knowledge..."

So Shaykh Naasir asked al-Bootee: So did al-Ma`soomee require every Muslim to understand the Book and Sunnah or did he restrict it to a specific group of Muslims?

Again al-Bootee tried to avoid Shaykh Naasir's point and claimed that al-Ma`soomee [began by] addressing all the Muslims with those words.

Shaykh Naasir then said: however he has set two conditions "when you delve and excel in knowledge and your strength of resolve increases through *taqwaa*" so is he addressing those who have no knowledge or those who have no *taqwaa*?

Al-Bootee did not reply, instead he quoted again from Ma`soomee claiming that his words required every Muslim, including the ignorant, to perform *ijtihaad*. He quoted from page 5 where al-Ma`soomee quotes some ahaadeeth proving the ease of Islaam and the ease of understanding it such as the hadeeth of Jibreel and the hadeeth of ibn Umar concerning the five pillars.

Shaykh Naasir replied by saying: It is necessary to understand these hadeeth in their correct context for the author did not intend by quoting these two hadeeth what al-Bootee understood from them. This is because al-Ma`soomee mentions in his introduction the reason why he wrote this book. This being that some Japanese Muslims had written a letter to him mentioning that some Japanese desired to enter Islaam in the year 1357H. This was presented to the Jam`iyah of Muslims in Tokyo and some of these Muslims asked these Japanese to become Hanafee and others asked them to become Shaafi`ee. This confused the Japanese and became the cause for them not to enter into Islaam! So the people who wrote al-Ma`soomee the letter asked him to clarify his views on this issue. So al-Ma`soomee wrote them this book explaining that entering into Islaam was easy, by articulating the Shahaadah and establishing the remaining four pillars and that it was not necessary to follow a specific *madh-hab*.

Al-Bootee objected to this by quoting al-Ma`soomee on page 6 as saying, "as for the *madh-habs* then they consist of the opinions and the understanding of the People of Knowledge in some issues and neither Allaah or His Messenger have obligated anyone to follow them."

Shaykh Naasir explained that al-Ma`soomee had restricted the meaning of his words when he said, "in some issues" and it is known that there are some opinions that are purely *ijtihaadi* [not having any text to support them] and it is these that al-Ma`soomee intended.

At this point al-Bootee accused al-Ma`soomee of having a bad convention in writing.

Shaykh Naasir replied by saying that al-Ma`soomee was to be excused for this because he was a non-Arab, a Turk, and that the important point was to take note of the meaning of his words and not the sentence construction. Indeed that which was to be understood from the book of al-Ma`soomee was the opposite to what al-Bootee understood.

The Discussion now digressed to Ijtihaad

At this point the father of al-Bootee interjected saying that the analogy that al-Ma`soomee made to water and *tayammum* was correct. However this was for the *Mujtahid* scholar who fulfilled the well-known and many conditions. He stated that the Hanafee, Shaafi`ee and Maalikee *madh-habs* are agreed that the door to *ijtihaad* closed after the fifth century to the extent that they considered an-Nawawee and ar-Raafi`ee to scholars who merely decided what the strongest opinion [of already existing opinions] was.

Dr. Bootee, realising that this was a point of difference between himself and his father tried to change the subject. However Shaykh Naasir mentioned that Dr. Bootee differed with him on this issue and that he endorsed the fact that the door to *ijtihaad* remained open. The father thought this was to be very strange. Dr. Bootee again interjected trying to return the discussion back to the book of al-Ma`soomee claiming that the analogy of water and *tayammum* meant that al-Ma`soomee required everyone to perform *ijtihaad* because it required everyone to leave the words of the scholars except in those issues for which there was no text.

Shaykh Naasir refuted him by saying that this was an erroneous understanding and he mentioned other texts from the book endorsing this in which al-Ma`soomee explained the obligation of *taqleed* upon the ignorant.

Then al-Bootee found no further room for arguing except through claiming that the words of al-Ma`soomee were self-contradictory.

The Discussion now Digressed to Whether one could call the religion of Muhammad (SAW) a *madh-hab*.

Both al-Bootee and his father rejected this. Shaykh Naasir stated that from a linguistic point of view there was nothing preventing this however he agreed to their stance.

The Discussion then Digressed to whether an incorrect *ijtihaad* could be called (or taken as) *deen* Shaykh Naasir was of the opinion that to do so was erroneous, however al-Bootee and his father were of the opinion that to do so was correct. After some discussion they conceded to Shaykh Naasir's stance.

The Discussion digressed to the issue of *Ittibaa`* (following) and whether or not it was an independent level that a person could reach

Shaykh Naasir was of the opinion that it was an independent station falling between the station of *taqleed* and *ijtihaad* because its [state] differs from the [state] of the other two. Dr. Bootee was of the opinion that it falls within *taqleed*. A number of those present agreed with Shaykh Naasir because he quoted a number of the People of Knowledge in their affirming the station of *ittibaa`*. The discussion on this went on for a long time ending with both sticking to their opinion. However there was a weakening in al-Bootee's stance for he stated that this was an issue over which there was a difference of opinion.

The Discussion ended with a Vile word from al-Bootee

Finally Shaykh Naasir asked al-Bootee for another sitting but he refused and so Shaykh Naasir asked permission to leave. He stood and moved towards the door. Al-Bootee realising that he had been defeated [in a number of his stances] then called out, "**By Allaah! Shaykh Naasir you state what is not in your heart.**"

Shaykh Naasir rejected this vile accusation, as did those who were present and then the discussion was over.