

TAQLEED E-SHAKHSI

For a person who is not a mujtahid to accept the word of a mujtahid in a farie (subsidiary) masala without demanding a proof from him, having full confidence that the mujtahid has got proof of the masa'la.

WHY IS IT NECESSARY TO MAKE TAQLEED?

OF ONE OF THE FOUR IMAAMS:-

IMAAM ABU HANIFA (rahmatullah alay) born 80 A.H.

IMAAM MALIK (rahmatullah alay) born 95 A.H.

IMAAM SHAFIE (rahmatullah alay) born 150 A.H.

IMAAM AHMED BIN HAMBAL (rahmatullah alay) born 164 A.H.

AN ABSTRACT FROM THE FIRST VOLUME OF FATAWI MAHMOODIYA
OF FAQEEHUL-ASR HAZRAT MOULANA MUFTI MAHMOOD HASAN
SAHIB GANGOHI [MAY ALLAH TA'ALA GRANT HIM A LONGER LIFE].

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FOREWARD

We are living in a age in which fitna and corruption is so prevalent that before one problem is over another one arises. The latter problem is usually more serious than the former one. This in reality is amongst the signs of Qiyaamat. On the one hand we have the problem of the ishara asharie (twelver) sect of the Shias. The concept of Imaamat according to this sect openly contradicts the aqeeda and belief of the finality of the Nubuwwat of Rasulullah (Sallallahu Alayhi Wasallam). Whereas, on this belief rests the foundation of our deen. One who does not belief unconditionally in Rasulullah (Sallallahu Alayhi Wasallam) being the final Nabl in all senses cannot be a believer. On the other we have the problem of the Mirzaa'is – Qadianis (Ahmadis). Then, there is the problem of the modernist who suffer from an inferiority complex from the west. This group has made taqleed of the western orientalis and in adopting an apologetic attitude to the west has misinterpreted many fundamental aspects of deen. By doing this they too have crossed the borders of Islam.

In the above groups and all the groups that have gone astray two things are found to be common:

1. They have not recognised the lofty position of the Sahaaba Kiraam (Radiallahu Anhum).
2. They do not make taqleed of one of the four Imams.

One can safely say, without any exception, that all those who are the founders of those groups who have deviated from the Sunnat, were not muqallids of one of the four Imams.

Making Taqleed of one of the four Imams is in reality a shield with which one protects one's Imaan.

It is for this very reason that the great Ulema of the Ummat like Imam Ghazaali, Imaam Razi, Abdullah bin Mubarak, Ibn Taymiyya, Sheikh Abdul Qadir Jilani, Hazrat Junaid Baghdadi, Sheikh Mo'inuddin Ajmeri, Shah Waliullah, Sheikh Saadi, Allama Rumi and many others rahmatullah e alayhim were all muqallids of one of the four Imams.

In this booklet which is a translation of a fatwa of Faqeehul Asr Hazrat Moulana Mufti Mahmood Sahib (may Allah Ta'aala grant him long life), the meaning of taqleed has been explained. It has also been shown why it is necessary to make taqleed of one of the four Imams only and in which type of masaa'il is taqleed made. It should be borne in mind that the Fiqh (Jurisprudence) of every Imaam is based on the Quraan and Hadith. The A'iemma have different opinions in juzie (subsidiary) masaa'il only and every Imaam has proof from the Quraan and Hadith for the view he holds. We have to accept their views as we are completely unqualified to form an opinion. We do not even possess one qualification amongst the many that are necessary requisites for Ijtihad.

The type of difference that exists amongst the four Imams is a mercy for the Ummat and through this every sunnat of Rasulullah (sallallahu alayhi wasallam) is practiced upon. Mujaddid Alfe Thani (rahmatullah alay) writes: "Not making Taqleed of one of the four Imams is the bridge to Iihad and irreligiousness."

May Allah Ta'aala grant us the Taufeeq to follow that path which pleases Him and His Rasool and protect us from following our nafs, desires and going astray.

Aameen
Shabier Ahmed Saloojee
14th Ramzaan 1405
4th June 1985

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
نُحْمَدُهُ وَنُصَلِّي وَنُسَلِّمُ عَلَى رَسُولِهِ الْكَرِيمِ وَعَلَى آلِهِ وَأَصْحَابِهِ الْحَمَامَةِ لِلدِّينِ الْقَوِيمِ

HADITH SHAREEF EXPLAINS THE MEANING OF THE QURAAN-E-KAREEM

The fountain of Hedaayat is the Quraane Kareem. Allah Ta'alaah says اِهْدِنَا لِّلنَّاسِ is a guidance for mankind (Sura Baqara A'yaat 2). Generally in the Quraan-e-Kareem the fundamental principles (usools) have been stated.

Rasulullah (sallallahu alayhi wasallam) has explained these fundamental principles. Allah Ta'alaah says لِّيُبَيِّنَ لِّلنَّاسِ مَا نَزَّلَ الْبَيِّنَاتِ so that you may explain to the people that which has been sent to them.

e.g. 1. In the Quraan-e-Kareem Allah Ta'alaah says اِقِمُوا الصَّلَاةَ . Establish Namaaz. Rasulullah (sallallahu alayhi wasallam) has explained in detail how many rakaats should be read; when they should be read; after which rakaats qalada (sitting position) should be made; in which rakaats only A-hamd must be read; in which rakaats a sura should be joined; in which salaah qiraah should be read loudly; in which it should be read softly. It is difficult to understand these details directly from the Quraan-e-Kareem.

e.g. 2. Allah Ta'alaah says وَاَتُوا زَكَاةً Give Zakaat. The Qur'aan-e-Kareem does not explain in detail the nisaab of Zakaat in gold, silver, animals (camels, cows, goats and sheep) and the amount that should be given. All this has been stated in the Ahaadith.

e.g. 3. اِنَّ لِلَّهِ عَلَى النَّاسِ حِجَّتَ الْبَيْتِ . It is obligatory upon man to make Hajj at Allah Ta'alaah's house.

Rasulullah (sallallahu alayhi wasallam) has explained the method of tawaaf; how many rounds there are in Tawaaf; go-

ing to Arafaat, Mina; Muzdalifah; pelting of the Jamarats and all the masaa'il pertaining to it.

These are just three basic examples that are given. It is not possible to understand the Quraan-e-Kareem without the Hadith. The Ummat has been commanded to take guidance from the Quraan-e-Kareem as taught by Rasulallah (sallallahu alayhi wasallam). To obey Rasulallah (sallallahu alayhi wasallam) is to obey Allah Ta'aalaa.

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ

Anyone who obeys the Rasool has indeed obeyed Allah Ta'aalaa.

That is why it is related in the Hadith:

صَلُّوا كَمَا رَأَيْتُمُونِي أُصَلِّي

Read Salaat as you have seen me reading salaat.

(Bukhari Vol. 1 Page 1076).

Rasulallah (sallallahu alayhi wasallam) did not say read Namaaz according to your understanding from the Quraan-e-Kareem.

Types of Ahaadith

- What came out from the very mouth of Rasulallah (sallallahu alayhi wasallam) is known as حديث قولي verbal Hadith.
- What Rasulallah (sallallahu alayhi wasallam) showed by action is known as حديث فعلي (Practically done by Rasulallah (sallallahu alayhi wasallam))
- What was done by someone else in the presence of Rasulallah (sallallahu alayhi wasallam) or was done in Rasulallah (sallallahu alayhi wasallam)'s absence and was brought to the notice of Rasulallah (sallallahu alayhi wasallam) and he did not criticise or refute it but kept

quiet, is known as **تقرير** (authenticated by Rasulallah sallallahu alayhi wasallam). All these three types of Ahaadith are a source of Hedaayat and guidance for the Ummat.

Qiyas (قياس) (analogical reasoning).

At times people asked Rasulallah (sallallahu alayhi wasallam) a certain Mas'ala. Rasulallah (sallallahu alayhi wasallam) replied, and then asked the questioner a ma'sala, the answer of which was obviously known, when he answered the question. Rasulallah (sallallahu alayhi wasallam) said the answer to your question is similar to this.

e.g. Someone asked: Haj is obligatory upon my mother. If I have to make the Haj on her behalf (with her permission) will she be discharged of her obligation? Rasulallah (sallallahu alayhi wasallam) replied yes and then asked if she had a debt and you pay the debt, will the debt be paid: She replied yes. Rasulallah (sallallahu alayhi wasallam) replied it is more appropriate for the debt of Allah to be paid. (Bukhari Vol. 2 Page 1088)

This in Shariat is known as **قياس qiyaas**, **اجتهاد ijtihaad**, **استنباط istimbaat**.

This too has been taught by Rasulallah (sallallahu alayhi wasallam).

It's conditions and details are present in the kitaabs of Usool.

It becomes necessary when any mas'ala is not clearly understood from the Quraan and Hadith.

Rasulallah (sallallahu alayhi wasallam) appointed Hazrat Ma'aaz bin Jabal (Radiallahu Anhu) as the Qadhi of Yemen. He gave him extensive advice and saw him off till he was a distance away. Rasulallah (sallallahu alayhi

wasallam) asked him. On what basis will you pass judgment? Hazrat Ma'aaz (Radiallahu Anhu) replied with the Quraan-e-Kareem. Rasulullah (sallallahu alayhi wasallam) asked: "If you do not find it in the Kitaab of Allah (Quraan-e-Kareem)? He replied with the Sunnat (Hadith) of Rasulullah (sallallahu alayhi wasallam). Rasulullah (sallallahu alayhi wasallam) asked. If you do not find it in the Sunnat of Rasulullah (sallallahu alayhi wasallam) nor in the Kitaab of Allah? He replied. "I will make ijtihaad." Rasulullah (sallallahu alayhi wasallam) commended him and became pleased with his reply. Rasulullah (sallallahu alayhi wasallam) said:

الحمد لله الذى وفق رسول رسول الله صلى الله عليه وسلم لما يرضى
رسول الله

All praise be to Allah Who has guided the messenger (Hazrat Ma'aaz R.A.) of Rasulullah (sallallahu alayhi wasallam) with that which pleases the Rasool of Allah.

Abu Dawood. Vol. 2 P. 149.

إِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا أَرَادَ أَنْ يَبْعَثَ مَعَاذًا إِلَى الْيَمَنِ قَالَ
كَيْفَ تَقْضَى إِذَا عَرَضَ لَكَ قَضَاءٌ قَالَ أَقْضَى بِكِتَابِ اللَّهِ قَالَ فَإِنْ لَمْ تَجِدْ
فِي كِتَابِ اللَّهِ قَالَ بِسُنَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فَإِنْ لَمْ تَجِدْ
فِي سُنَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَلَا فِي كِتَابِ اللَّهِ قَالَ اجْتَهِدْ
بِرَأْيِي وَلَا الْوَفْضِرْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَدْرَهُ فَقَالَ الْحَمْدُ
لِلَّهِ الَّذِي وَفَّقَ رَسُولَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِمَا يَرْضَى رَسُولَ اللَّهِ

DEFINITION OF QIYAAS AND IJTIHAAD

When any mas'ala is not clearly understood from the Quraan and Hadith then to ponder deeply into ^{دلائل} (proofs in Shariat on which an argument is based) and other similar masa'il (plural of mas'ala) is known as ijtihaad. This is known as Qiyaas too as understood from the above example.

IJMA

When there is consensus of opinion on a mas'ala derived by ijtihaad and qiyaas then it is known as ijma. ^{اجماع}

That is why the Ulema of Usool have written that Qiyaas ^{قياس} does not enact any mas'ala or order it only reveals it. That order and decree was present in the Quraan and Hadith but it was concealed. Generally people are unable to understand it from the Quraan and the Hadith, a Mujtahid analyses it on similar masaa'il and makes istimbat (deduces) ^{استنباط} through (Iqtidhaun Nass) ^{اقتضاء النص} (Ishaaratun Nass) ^{اشارة النص} (Dalalatun Nass) ^{دلالة النص} and then reveals that mas'ala.

Imam Bukhari rahmatullah alay has brought a separate heading in proof of this in his kitab Sahih Bukhari.

Taqleed

It is necessary for one who does not have the ability to make ijtihaad to accept the version of a mujtahid. This is known as ^{تقليد} Taqleed.

Hazrat Ma'az (Radiallahu Anhu) was sent by Rasulullah (sallallahu alayhi wasallam) so that the masaail and orders given by him be acted upon and the source of his orders were three.

1. The Quraan-e-Kareem;
2. The Hadith Shareef;
3. Ijtihaad.

To accept the three is to obey Rasulullah (sallallahu alayhi wasallam).

Rasulullah (sallallahu alayhi wasallam) says: "Whoever obeys me obeys Allah, and whoever disobeys me disobeys Allah. Whoever obeys the ameer obeys me and whoever disobeys the ameer disobeys me."

(Mishkat Page 310).

IN WHICH TYPES OF MASA'AIL QIYA'S IS PRACTISED AND TAQLEED MADE

Types of Masa'a'il.

There are two types of masaa'il.

1. Mention of it is present in the Quraan-ē-Kareem and Hadith Shareef.
2. Mention of it is not present in the Quraan-ē-Kareem and Ahaadith.

The first type (mention of which is made in the Quraan or Hadith) is of two types.

- a. There is only one type of Nass نص. It is absolutely clear that the command is in the positive only or the negative only.
- b. There are two types of Nass (Quraan-e-Kareem and Hadith). From some Nusoos it seems that an act should be done and from other Nusoos it seems that that act should be abstained from. (The degrees of doing it and abstaining from it also differs, that is why Fardh, Waajib, Sunnat and Mustahab are derived on the acts to be done and Haraam, Makrooh Tahrimi and Makroohe Tanzihi are derived on the acts to be abstained from). e.g. To say Aameen loudly or softly after Surah Fateha in Salaat. There are two types of Nass regarding it. From some it seems that it should be said loudly and from some it seems that it should be said softly. From some Nusoos (plural of Nass -

meaning Quraan-e-Kareem and Hadith) it seems that a person should raise his hands when he goes into ruku, gets up from ruku, gets up from sajda and from some it seems that the hands should not be raised. Then there are two kinds in this type of masaa'il (in which there are two nass which seems contradictory to each other.)

- i. Through historical facts or other means it is known which Nass (Quraan and Hadith) is the former one and which one is the latter one.
- ii. It is not known which nass is the former one and which nass is the latter one.

In all there are four types of Nusoos **and** ijtihaad is practised in two types only.

1. Masaa'il in which there is only one type of Nass. In this type, qiyaas and ijtihaad is not made. Taqleed too is not made of any one. The nass is acted upon directly.
2. There are two types of Nusoos but the latter is known from the former. Generally the former is regarded as Mansookh (abrogated) and the latter is practiced upon.
3. There are two types of Nusoos but it is not known which one is the latter one.
4. Masaa'il in which there is no Nass.

In the third and fourth type of masaa'il, either a person makes amal (acts) or does not act at all. It is not permissible not to act and remain free; Allah Ta'aalaa says:

أَيَحْسَبُ الْإِنْسَانُ أَنْ يُتْرَكَ سُدًى

Does man think that he would be left free?

Sura Qiyaama Aayat 36

At another place Allah Ta'aalaa says:

أَفَحَسِبْتُمْ أَنَّمَا خَلَقْنَاكُمْ عَبَثًا

Do you think that we have created you **without any purpose?**
(Surah Noor Aayat 115.)

It is not so, but at every instance you will have to obey our orders.

In the third type of masaa'il which nass should be acted upon? If one nass is acted upon then automatically the other nass will be left. We do not have the knowledge to give preference to one nass over the other, nor is it known which is the former and which is the latter that the former be regarded as abrogated.

In the fourth type of masaa'il there is no nass نص
Without knowledge how can one act and make amal?

Allah Ta'aala says:

وَلَا تَقِفْ مَا لَيْسَ لَكَ بِهِ عِلْمٌ

The meaning of which is that without knowledge do not do anything. (Sura Bani Is'raiel Aayat 36.) Therefore ijtihaad is necessary in these two types of masaa'il.

In the third type ijtihaad is necessary to ascertain as to which nass to act upon.

In the fourth type, ijtehad is necessary to know as to what the command is. It is more than obvious that everyone has'nt the ability to make ijtehaad.

The following aayat also throws light on this

وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَى أُولِي الْأَمْرِ مِنْهُمْ لَعَبِمَهُ الَّذِينَ يَسْتَنْبِطُونَهُ مِنْهُمْ

If they referred it to the Rasool and those in charge among them then, verily those who practice Istimbat (qiyaas) among them would have known it.

(Sura Nisaa Aayat 83).

DIFFERENCE BETWEEN MUJTAHID AND MUQALLID

Everyone can claim to form an opinion immaterial whether it is correct or not. But that person whose opinion is acceptable and relied upon in Shariat is known as a mujtahid (one who practices ijtehad) and a mustambit ^{مستنبط} (one who has the ability to derive masaa'il from the nusoos).

One whose opinion is not acceptable and relied upon in Shariat is known as a muqallid (one who accepts the interpretation of a mujtahid in these masaa'il).

In both these type of masaa'il (the third and fourth) it is necessary for a mujtahid to practise ijtehad and for a muqallid to make taqleed.

- Refer conditions of making ijtehad at the end.

If a mujtahid has to err then too he will be rewarded. If his ijtehad is correct then he will get double the reward as stated in Bukhari Shareef. Vol. 2 Page 1092.

Why should Taqleed be made of one of the four Imams only.

One question arises here that there were many Mujtahids among the Sahaaba (one who saw Rasulullah (sallallahu alayhi wasallam) with Iman and then died with Iman), Tabēien (one who saw a Sahaabi in the state of Iman and then died with Iman) and Tabē Tabēien (one who saw a Tabēie with Imaan and died with Imaan) then why should we make Taqleed of one of the four Imams only namely: Imam Abu Hanifa (rahmatullah alay) (born 80 - AH) Imam

Malik (rahmatullah alay) (born 95 - AH) Imam Shafi (rahmatullah alay) (born 150 AH.) and Imam Ahmed bin Hambal (rahmatullah alay) (born 164 AH.) What is wrong if we make Taqleed of one of the Sahaabe (Radiallahu Anhum) as many virtues of the Sahaaba (Radiallahu Anhum) have been related in the Ahaadith.

The reply to this question is that the Sahaaba (Radiallahu Anhum) are definitely far more superior to the four Imams. Taqleed is made of the four Imams, not because they are superior to the Sahaaba (Radiallahu Anhum) but because it is necessary for us to have knowledge of those masaa'il in which Taqleed is made. And today the detail with which the masaa'il of the matha'hib of the four Imams have been formulated in a regulated and compiled form, the math'hab of any Sahaabi, Taabêie or Tabê Tabêie is not found. Masaail from Kitabut Ṭahaarat till Kitaabul Faraaiz (laws of inheritance) have been collected in the matha'hib of the four Imams covering all the aspects of life in principle and in detail whether it be beliefs, Ibaadaat, dealings or community life.

In short every mas'ala regarding all the aspects of life has been registered. Answers to all questions could be obtained either in a specific form or in a deduced form based on principles, thereby obliterating the need to refer to an external source. This, all-embracing quality by an act of Allah Ta'aala is found existing in only the four Matha-hib.

How can we then leave making Taqleed of one of the four Imams and make taqleed of someone else?

Allah Ta'aalaa had given in detail the knowledge of the Quraan-e-Kareem and Ahaadith to the four Imams. They were also given the necessary qualifications and ability to make ijtehaad.

They had knowledge of all the Ahaadith of Rasulullah (sallallahu alayhi wasallam) that spread throughout the world through the Sahaaba Kiraam.

It is possible that one Imam may not have knowledge of a certain Hadith and another Imam has knowledge of it, but it is not possible that none of the four Imaams had knowledge of a particular Hadith. Shah Waliullah Muhaddith Dehalwi (rahmatullah alay) writes on page six in his commentary on Muwaata Imaam Malik: "The four Imams are such that their knowlege has encompassed the whole world. And they are Imam Abu Hanifa (rahmatullah alay), Imam Malik (rahmatullah alay), Imam Shafi (rahmatullah alay), and Imam Ahmed bin Hambal (rahmatullah alay).

WHY IS IT NECESSARY TO MAKE TAQLEED OF ONE IMAM ONLY (TAQLEED-E-SHAKHSI)

The question arises why is it necessary to follow one Imam only? What is wrong if one masala is taken from one Imam and another from another Imam, as was done in the times of the Sahaaba (Radiallahu Anhum) and Tabe'ien (Radiallahu Anhum). In those times the whole Math'hab was not confined to one person. The answer is that in those times **good** was prevalant. Generally the lowly desires did not have any influence in matters of deen. Whoever used to refer to any of his elders regarding any masala, used to do so sincerely and he also use to to act upon the verdict given to him whether it be to his benifit and desires or not. Later sincerety to that degree and piety did not remain amongst the people. Such urge was present in people to ask one aalim a masala, if it did not suit them, then they referred that masala to another aalim until they found a verdict that suited their desires. Gradually, for every masala they had the urge to look for a suitable reply. It is obvious that such people are not seeking the truth. Sometimes the consequence of this is

very serious. e.g. A person in the state of wudhu touches his wife. A person following the Shafie mazhab tells him that your wudhu is broken, therefore remake your wudhu. He replies No! I am a Muqallid of Imam Abu Hanifa (rahmatullah alay). According to him this does not cause the wudhu to break. I can read salaah with this wudhu. Then this person vomits a mouth full. A person following the Hanafi Math'hab advises him to make wudhu as his wudhu has broken according to Imam Abu Hanifa (rahmatullah alay). This person replies that I am making taqleed of Imam Shafie (rahmatullah alay) (in this masala) and according to Imam Shafeie (rahmatullah alay) vomiting does not cause the wudhu to break. A person can read namaaz with such a wudhu. If this person reads his namaaz with this wudhu then his salaah will not be valid according to Imam Shafie (rahmatullah alay) and nor according to Imam Abu Hanifa (rahmatullah alay). This is called **Talfeeq** and there is ijma and consensus of opinion that Talfeeq is baatil and impermissible. In reality by doing this a person does not make taqleed of either Imam Shafie (rahmatullah alay) or Imam Abu Hanifa (rahmatullah alay) but he is following his desires, and Shariat has prohibited us from following our desires. It results in going astray from the path of Allah Ta'aalaa.

Allah Ta'aalaa says in Surah Hud Ayat 26:

وَلَا تَتَّبِعْ أَهْوَىٰ مُضِلَّكَ عَنْ سَبِيلِ اللَّهِ

And do not follow your desires (in future too) for it will lead you astray from the path of Allah.

Therefore it is necessary to make taqleed of one Imam only. It is for this reason that the Quraane Kareem has connected adherence with turning towards Allah (repentently). Allah Ta'aalaa says:

And follow the way of that person who turns towards me.

Generally someone feels according to his strong presumption that Imam Abu Hanifa (rahmatullah alay) is most probably correct and munib (has the quality of in-aa-bat) that is his ijtihaad conforms more with the Quraan and Hadith. That is why he has opted to make taqleed of Imam Abu Hanifa (rahmatullah alay). Another person has this strong feeling that Imam Malik (rahmatullah alay's) ijtihaad conforms more with the Quran and Hadith, therefore he make taqleed of Imam Malik (rahmatullah alay). Someone has this feeling regarding Imam Shafeie (rahmatullah alay's) ijtihaad thats why he makes Imam Shafei's (rahmatullah alay) taqleed and someone for this very reason makes taqleed of Imam Ahmed bin Hambal (rahmatullah alay).

TALFEEQ AND CHANGING MAZHABS IS NOT PERMISSIBLE.

It is not permissible to leave making taqleed of one Imam and follow another Imam when one wishes. When this is done without permission from the Shariat it leads to Talfeeq, it also causes one to follow one's desires resulting in going far away from the truth and being lead astray.

Moulana Mohammed Hussain Sahib who opposed making taqleed for many years and then finally being affected by the bitter consequences of not making taqleed writes in his Risaalah, Ishaadatus Sunnah Vol. 11 No. 2 Page 53.

After twenty five years of experience we have come to know that those who leave making mutlaq taqleed or leave making taqleed of a Mujtahid-e-Mutlaq out of ignorance, finally leaves the fold of Islam. Some of these

people become Christians and some remain without any math'hab, who do not adhere to any faith or religion. Violating the commands of Shariat, transgression and ir-religiousness are the least effects of this freedom.

The summary of the above is:

1. There are some Nusoos the meaning of which is clear cut, Taqleed is not made in these masaa'il.
2. There are some nusooos the meaning of which is not clear (ambiguous) or there are nusooos which seem contradictory and it is not known which one is the latter and which one is the former.
3. Man is not free to act as he wishes. He is at all times bound to act according to Shariat.
4. In the second type of Nusoos we do not have the knowledge to understand as to what is required from us nor do we have the knowledge to remove the outward contradiction, therefore it is obligatory upon us to make taqleed of an Imam, who can explain the Nass to us and guide us as to what is required from us.
4. Taqleed has to be made of one of the four Imams only, as the math'hab of not a single Sahaabi or Ta'be'ie has been formulated and arranged in detail as the matha'hib of the four Imams.
5. Taqleed should be made of one Imam only. Jumping from one math'hab to another leads a person to follow his desires. It also leads to Talfeeq. And we have been prohibited from this:

Did you know that Imam Bukhari (rahmatullah alay) studied under Imam Ahmed bin Hambal (rahmatullah alay) and Imam Ahmed bin Hambal (rahmatullah alay) studied under Imam Shafeie (rahmatullah alay). Imam Shafeie (rahmatullah alay) studied under Imam Muhammed (rahmatullah alay). Imam Muhammed (rahmatullah alay) was a student of Imam Abu Hanifa (rahmatullah alay).



The highest form of Hadith (from the point of view of the chain of narrators) in Bukhari Sharief are the Thula'thi'yaat (in which there are only three narrators between Imam Bukhari rahmatullah alay and Rasulullah sallallahu alayhi wasallam) Imam Bukhari (rahmatullah alay) narrates these Thula'thi'yaat from his ustaadh Makki bin Ibrahim (rahmatullah alay). And Makki bin Ibrahim studied for ten years under Imam Abu Hanifa (rahmatullah alay).



Did you know that Hafez Zahabi (rahmatullah alay) has counted Imam Abu Hanifa (rahmatullah alay) from the Hufaaze Hadith (Huffaz is the plural of Hafiz) in his kitaab Tadhkeratul Huffaz. A Hafiz of Hadith is a person who memorises one hundred thousand Ahaadith or more with the names of the narrators and the context of the Hadith.

Hafez Zahabi Shafeie (rahmatullah alay) is that great Imam of Hadith regarding whom Hafez ibn Hajar Asqalani (rahmatullah alay) (the commentator of Bukhari Sharief who was a great Muhaddith of his time) made dua at the Zam Zam, O Allah! give me a memory like the memory of Hafez-e-Zahabi.

Did you know that Mirza Ghulam Ahmed Qadiaani (who claimed prophethood), Parvez (The Negator of Ahaadith), Hakeen Nurul Din (Successor of Mirza Ghulam Ahmed Qadiaani) and a long list of people who went astray were all Ghair Muqallidin (people who did not follow any Imam.)



Khatib relates that Imam Abu Hanifa (rahmatullah alay) used to make Tila'wat of the Quraan, perform Salaat and cry throughout the night (out of fear of Allah Ta'aala), so much that his neighbours used to pity him. He completed the Quraan seventy thousand times in the place in which he passed away. For forty years he read Fajr Salaat with the Wuzu of Esha.

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Did you know that Fiqhe Hanafi was compiled by a Shura of forty great Ulema of that time. Khatib Bagdadi writes: Someone said to Imam Waki (rahmatullah alay) (Ustaad of Imam Shafei (rahmatullah alay) "Imam Abu Hanifa (rahmatullah alay) has made a mistake in this masala." Imam Waki (rahmatullah alay) replied: How can Imam Abu Hanifa (rahmatullah alay) make a mistake when he has with him expertise in Qiyaas like Imam Abu Yusuf (rahmatullah alay) and Imam Zufar (rahmatullah alay); Huffaz of Hadith like Yahya bin Abi Za'eda, Hafs bin Giyath, Habban and Mundil (rahmatullah alayhim). (Yahyah (rahmatullah alay) and Hafs (rahmatullah alay) are Ustaads of Imam Bukhari (rahmatullah alay); an expert in the Arabic language and literature like Qasim bin Ma'an and Zaahid (one who abstains from the worldly things too) and Muttaqis (one who is extremely careful regarding the commandments of Allah Ta'aala) like Dawoodé Taie (rahmatullah alay) and Fudhail bin Eyaaz (rahmatullah alay) "Will these people not correct him if he makes a mistake?"

A woman once came to buy silk from Imam Abu Hanifa (rahmatullah alay). She requested Imam Sahib (rahmatullah alay) to sell the roll of silk to her at cost. Imam Sahib (rahmatullah alay) quoted her four dirham (± four rands). She said Oh Imam do not joke with me. Imam Sahib (rahmatullah alay) replied; "I bought two rolls of silk together and have sold the one with a profit which lands me this roll at four dirhams." She paid the four dirhams and took the roll.

Imam Abu Hanifa (rahmatullah alay) once advised his servant. "When you sell this article then do not forget to bring to the notice of the buyer the defect in it." The servant forgot to mention the fault at the time of selling that article. When this was brought to Imam Sahib (rahmatullah alay's) notice he said: "I have nothing to do with this." He then gave that whole sum of a few thousand dinaars in sadaqa as the buyer could not be traced.

Once a goat was stolen, Imam Abu Hanifa (rahmatullah alay) inquired as to the maximum period that a goat lives. He did not eat mutton for that period out of fear that Haraam will enter his stomach.

Imam Malik (rahmatullah alay) once while teaching Hadith was bit several times by a scorpion. he did not move out of respect of the words of Rasulullah (Sallallahu Alayhi Wasallam) until he had completed the lesson, even though his colour had gone pale by then.

Imam Ahmed bin Hambal (rahmatullah alay) gave to the poor whatever he received in inheritance. He used to cut wood for his living. Throughout the night he used to cry in sajda making dua. Oh Allah if a ransom is accepted on behalf of the sinners of the Ummat of Muhammad (Sallallahu Alayhi Wasallam) then accept me as a ransom.

Imam Shafele (rahmatullah alay) memorised the Quraan-e-Kareem of the age of seven, memorised the muwatta of Imam Malik (rahmatullah alay) at the age of ten and began to give fataawa at the age of fifteen. He used to complete sixty khatams in the month of Ramadhaan. He was a Sayyed by birth.

Some Of The Conditions Of Ijtihad

It is essential that the Mujtahid possess full comprehension of:

1. The Quraan and Sunnat and sciences pertaining to it.
2. He must have proficiency; in the Khas (particular meaning) A'am (General meaning); Mujmal; Haqiqat (compound); Maja'z (figurative); Muhkam Mubayyan (un-ambiguous); Muta'shabi (ambiguous); Mutlaq (unconditional); Muqayyat (conditional); Za'hir (distinct meaning); Nass; Mufassar; Muhkam; etc.
3. All the three types of Sunnat: 1. Verbal تقریری
2. Practical فعلی 3. Authenticated قولی
4. All the narrators of Ahaadith, their strength and weakness.
5. In distinguishing the Sahih from the weak.
6. Of Naasikh and Mansookh (abrogated).
7. Of Statements amongst the Sahaaba Kiram (Radiallahu Anhum) and those after them, their differences etc.
8. All the Masaa'il in which ijma and consensus has been reached.
9. Of Qiyaas and all its classifications;
10. Knowledge of the Arabic language and its grammer before the influence of Non Arabs to the Arabic language.
11. Of عِلَلُ الْأَحْكَامِ (elalul ahkam) and manner of istim-baat, so that he is able to make a proper qiyaas in that masala, in which there is no nass, on a masala in which there is a nass.
12. Taqwa and uprightedness are also requisites for ijtihad. These are just some of the conditions of ijtihad.

From the ummat not many have reached the stage of ijtihad. In our times only an insane person can claim to be a mujtahid. Masaails can occur which did not exist before but these can be solved by those who have a sound understanding of Fiqh and Usoole Fiqh (Principles of Fiqh).