



Taqleed

(Following the ruling from a qualified scholar without knowing the proofs)

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What Do Scholars Say About Taqleed

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Taqleed means following the ruling from a qualified scholar without knowing the proofs. It is of two major forms. One is prohibited and the other is permissible or even obligatory.

That which is prohibited is in matters of fundamentals of Islam, whereby the evidence is so clear cut and definitive that every Muslim is required to know it by necessity. For example, associating partners with Allah is disbelief, prophet Muhammad sallallaahu 'alayhi wasallam is the last messenger of Allah, Muslims must pray five times a day, usury, drinking wine and gambling are prohibited, honouring parents is incumbent upon children, paying charity on wealth (zakah) is obligatory etc. In these and similar matters, it is haram (prohibited) to follow anyone besides Allah and His messenger sallallaahu 'alayhi wasallam.

In issues pertaining to the details of these fundamental principles, or current incidents not directly covered by Shari'ah, one is allowed to follow a qualified scholar to understand the intent of Allah's commandments whether in Qur'an or hadeeth. In such situations, non-scholars (laymen) are not required to investigate the detailed proofs as it would be beyond their comprehension and understanding. Hence taqleed is legislated or even at times obligatory (wajib) upon them.

Since some people have raised concerns about this principle, let us have a look at what the scholars of the past say about taqleed.

Abdullah ibn Mas'ood RA

"Whoever wishes to follow should follow the footsteps of those who have passed away. This is because living people are not immune from corruption [and change for the worse].

They [those who are worthy of following] are the Companions of the Prophet SAW .

They were the best of this community...So acknowledge their merit: follow their footsteps and hold fast - as much as possible - to their guidance and character for they were upon guidance".

[Mishkaat-al- Masaabeeh]

Imam Abu Yusuf RA

"The lay person must follow the jurists since he is not capable of understanding the Hadith independently".

[Hidayah]

Imam Ahmad ibn Hanbal RA

Imam RA said,

"Instruct the lay person to ask Ishaq, Abu 'Ubaid, Abu Thawr and Abu Mus'ab.

However, to the scholars among his students like Abu Dawood, Uthman ibn Sa'eed, Ibrahim al-Harbi, Abu Bakr al-Athrum, Abu Zar'ah, Abu Hatim and Muslim (among others) he would say,

You must follow the sources of the Qur'an and Sunnah".

[Fatawa ibn Taymiyyah]

Imam Abu Bakr al-Jassas RA (d.370 AH)

In the contemporary issues, following (taqleed) a qualified scholar is incumbent upon laymen.

[ahkam al-Quran vol. 3, p. 183]

Al-Khatib al-Baghdadi RA (d. 463 AH)

“As far as the Islamic injunctions are concerned, they are of two categories. The first are those known by necessity to be part of the Prophet’s religion, peace be upon him, such as the five daily prayers, the wealth-tax (*zakat*), pilgrimage; and also [knowing] the prohibition of adultery and intoxicants, etc. In such matters *taqlid* is not lawful, since these are issues every person is required to know about. The second are those rulings arrived at via juristic inference, like the details of the devotional acts (*‘ibadat*) or social transactions (*mu‘amalat*). It is in these matters that *taqlid* is permitted.”

[Al-Faqih wa'l-Mutafaqqih 2:67]

Imam Ibn 'Abd al-Barr RA (d. 463 AH)

“The laymen must practice *taqleed* of their scholars in those situations which require it, since they are not able to understand proofs ... Scholars concur that the laymen must practice *taqleed* of their scholars, who are the ones intended in the words of Allāh, Majestic is He: *Ask the people of knowledge if you do not know*. They agree that a blind man must accept the judgement of one whom he considers trustworthy, so as to determine the direction of prayer, if it is difficult to do so himself. In a similar vein, someone unable to acquire knowledge of the intent of what he has been ordered to submit to is likewise required to accept the verdict of a scholar.

[Jami‘ Bayan al-'Ilm wa Fadlihi 2:115]

Al-Khatib al-Baghdadi RA (d. 463 AH)

“It has been said by some of the Mu‘tazilites: “It is unlawful for a layman to act on the opinion of a scholar until he knows the reason behind the ruling. So whenever he asks a scholar, he must ask such that he knows how the ruling came about. When he comprehends this, he should then act upon it.” This, however, is utterly wrong! For there is no way for a layman to have true comprehension, except by studying for many years, participating in scholarly discussions, and developing a thorough grasp of *qiyas*, or analogical inference.”

[Al-Faqih wa'l-Mutafaqqih, 2:68]

Hafidh Abu al-Waleed Baji RA (d.494 AH)

Taqleed of a scholar is permissible for laymen according to Imam Maalik RA...and we know of no disagreement in this regard.

[al-Isharah fi Usul al-Fiqh p. 174]

Imam Ghazali RA (d. 505 AH)

Asking the scholar and obeying his fatwa is obligatory upon laity.

[al-Mustasfa vol. 2, p. 389]

Imam Ibn Qudamah RA (d. 620 AH)

“As far as *taqleed* in the details of the Sacred Law (*furu'*) is concerned, it is allowed by consensus.”

[Al-Rawdatu'l-Nazir wa Jannat al-Manazir 3:1015]

Imam Ibn Qudamah RA (d. 620 AH)

“It is the stance of a faction of Qadarites that the laymen are required to investigate proofs, even in *furu'* issues. This, however, is futile by consensus of the Companions.”

[Al-Rawdatu'l-Nazir, 3:1019]

Allama Saifuddin Aamdi RA (d. 631 AH)

Taqleed is must upon laymen and those not fully qualified for *ijtihad* (independent reasoning) even if they have acquired some of the knowledge. Masters of sciences have concurred this. It is evident by the definitive proofs, the consensus of scholars and the intellect.

[al-ahkam fi usul al-ahkam vol 3, p 450]

Imam Qurtubi RA (d. 671 AH)

“No difference exists among the scholars that the laymen are to perform *taqleed* of their scholars.

[Al-Jami‘ li Ahkam al-Qur’an 11:181]

Imam Ibn Taymiyyah RA (d. 728 AH)

“The majority position of the *ummah* is that, in general, both *ijtihad* and *taqleed* are lawful. *Ijtihād* is neither mandatory on everyone while *taqleed* forbidden to them, nor is *taqleed* mandatory upon one and all and *ijtihad* forbidden them. Rather, *ijtihad* is obliged on those who have the required qualifications, whereas *taqleed* is obligated whenever there is an inability to perform *ijtihad*.”

[Majmu‘ al-Fatawa, 35:123]

Imam Ibn Badran RA (d. 747 AH)

“*Taqlid* is forbidden in [matters like] knowing Allah, Exalted is He; Divine Unity (*tawhid*); and Prophet hood, according to Imam Ahmad and his colleagues - which is the truth. It is also forbidden in [knowing the obligatory nature of] the Five Pillars of Islam and those other issues that are decisive and well-known. In fact a consensus is recorded to this effect. As for *taqlid* in the details of the Sacred Law (*furu‘*) it is allowed for other than the *mujtahid* by consensus.”

[al-Madkhal ila Madhhab Ahmad bin Hanbal 205]

Imam al-Shanqiti HA (d. 1393 AH)

“The prescribed *taqleed*, which none of the Muslims contest, is the layman’s performing *taqleed* of a scholar qualified to issue legal *responsa* on various matters. This type of *taqleed* was in vogue during the time of the Prophet, peace be upon him, and there was no ontention about it. The layman asked whosoever he wished from the Companions of

the Prophet, may Allah be pleased with them, about the ruling for a given case. Whenever a fatwa was given, he simply complied with it.”

[Adwa’ al-Bayan, 7:318]

Shaykh Ibn Baaz RA (d. 1419 AH)

“For anyone incapable in the matter, making *taqleed* of a person known for their learning, virtue and firmness upon the creed is allowed by necessity. This was clarified by the learned scholar, Ibn al-Qayyim, may Allah have mercy upon him, in his book, *I’laam al-Muwaqqi’in*.”

[Majmu’ al-Fatawa wa Maqalat Mutanawwi’ah 3:52]

Shaykh al-Albani RA (d. 1419 AH)

Shaykh Albani penned a slim monograph on this topic which includes the following section, entitled:

“*Taqleed* is permitted to someone incapable of arriving at the proof for themselves.”

[Hadith Hujjatun bi Nafsihi fi’l-‘Aqeedah wa’l-Ahkam 84]

Shaykh al-Albani RA (d. 1419 AH)

“So you see a layman who has no [juristic] understanding, yet when he asks a scholar for a ruling on an issue, even if the answer is a prohibition, he quickly adds: ‘What is the proof?’ But sometimes it is not possible for a scholar to provide proofs, especially if it is arrived at by way of juristic derivation - not being stipulated in the Qur’an or Sunnah such that it may be quoted. In such a case the questioner should not try to delve into the issue by asking, ‘What is the proof?’ Instead, he should examine his own state: Is he of those who understands proofs or not? Does he know the concept of general (‘*amm*) and specific (*khass*); unqualified (*mutlaq*) and qualified (*muqayyad*); abrogating (*nasikh*) and abrogated (*mansukh*)? No, he understands nothing of this at all. Hence will his asking, ‘What is the proof?’, ‘What is the basis?’ be of any use to him? ... So it is not always the case that a question will have a proof which will be understood by every Muslim, be he a layman or a student of knowledge. Thus Allah says: *So ask the people of knowledge if you do not know.*

“From the immoderate behaviour that I have alluded to, and because of which the most ignorant of people refuse the proofs, is that many of those who ascribe to following the Book and Sunnah give the false impression that whenever a scholar is asked about an issue, he must include as part of his reply: ‘Allah said ...’, or ‘The Prophet said ...’ This, however, is not a condition, and this is one of the benefits of being attached to the path of

the Pious Predecessors, may Allah be pleased with them all. Indeed their legal *responsa* are a living testimony to what I have just said.³⁴ Mentioning the proof becomes obligatory when the situation demands it. But it is not required of a scholar, whenever a question is asked of him, to reply: ‘The Prophet, peace be upon him, said such and such’ - especially if the question is a complicated juristic issue concerning which there is a difference of opinion over.”

[Al-Asalah, no.8, 76-8, 1414H]

Shaykh al-‘Uthaymin RA (d. 1421 AH)

“*Taqleed* is legislated in two places: Firstly, if the *muqallid* is a layman who is unable to uncover the ruling by himself. In this case *taqleed* is incumbent on him, as per Allah’s words: *So ask the people of knowledge if you do not know*. He is to perform *taqleed* of one whom [he deems] is learned and pious. If two scholars are of equal rank in his view, he chooses any of them. Secondly, if the *mujtahid* is faced with a new situation which requires an immediate response, but he is unable to investigate the matter. In such a case, he is allowed to perform *taqleed* [of another *mujtahid*]”.

[Al-Usul min ‘Ilm al-usul, 100]