

DARUL ULOOM ARABIA ISLAMIA N.Z- DARUL IFTA DEPARTMENT

A BRIEF TREATISE ON SALAFISM



Introduction

As we draw even closer to the end of times, the promised and predestined signs of the last day are continuously surfacing and transpiring. Mankind will be in a drunken stupor, their egos will be inflated and they will regard themselves as experts and masters in the sciences of Deen, which they will unfortunately be ignorant of. A manifestation of these forewarned signs is when the truth will be confined to human logic and man will entirely shun the emulation of the pious predecessors.

Nabi Sallallahu alai wa salam has said:

You will witness people fulfilling their greed, following their base desires, giving preference to Dunya over Deen and being satisfied with their own reasoning and understanding (Mishkaat pg. 437)

A person will be satisfied and pleased with his independent reasoning and understanding, and this is among the worst signs! (Mishkaat Pg. 434)

The latter of this Ummah will curse the former (Mishkaat. Pg. 470)

We are witnessing an era wherein a person who is bereft and devoid of deep and thorough knowledge of Arabic Syntax, Etymology, Rhetoric's, Principles of Tafseer, Hadeeth, Islamic Jurisprudence and so forth boldly and nonsensically deduce laws whereby they grotesquely contradict the understanding of the great and outstanding giants of the past! How unfortunate!, an expert in Google and *Shamela* regards oneself as a Mujtahid.¹

الكشف عن الحديث بإعانة أقراص الكمبيوتر...١. يظن بعض الناس ان الإحصاء بهذا الطريق يكون مستوعبا ومستقصيا، فلا يفوته شيء من المطلوب، وانه لأجل اعتماده على الحاسوب حصل له في ذهنهم - نوع من القداسة والعصمة، فهو إذا برئ من كل خلل!! وهذا ظن خاطئ خطا جليا ... ٢ - يظن بعض الناس انهم يستغنون باستعمال هذه الأقراص عن صحبة العلماء، والرجوع إليهم...وهذا ظن أبطل من الأول، فهذه الأقراص لا تغنيك عن الرجوع الى الكتب التي اشتملت على علومها، فضلا عن بقية الكتب التي لم تدخل في الأقراص، وهي لا تعد ولا تحصى، واذ لم تغنك عن الرجوع الى الكتب فكيف تغنيك عن الرجوع الى العلماء، وصحبتهم وليس في وسع الكتب فضلا عن الأقراص التعليم والتفقيه والتربية، فمن استخدم هذه الأقراص كبديل من صحبة العلماء وأصحاب القلوب فهو من الخاسرين خسرانا مبينا.

٣. واشد من ذلك وأخطر ان يشيع بعض الناس فكرة يسر الاجتهاد ويستدل عليه بوجود هذه الأقراص، ومن قبل كانوا يستدلون على يسر الاجتهاد بوفرة الكتب المطبوعة وتيسر الفهارس المتنوعة، ولئن صح استدلالهم هذا فالفقيه المجتهد اذاً تلك الكتب والفهارس وخزاناتها، وهذه الأقراص وآلاتها الحاسبة!! دون الذي يرجع اليها عند مسيس الحاجة ويقفلها فور ما استخرج المطلوب ... (بعد أسطر) والغريب ان كثيرا من هؤلاء او جلّهم ممن يذم تقليد الائمة واتباعهم في الفروع، او يستنكف عن الرجوع الى العلماء والمثول بين أيديهم، فابتلاهم الله تعالى بتقليد الأقراص والرجوع اليها، وساء ذلك بدلا، والله عزيز حكيم الخ (المدخل الى علوم الحديث الشريف-الشيخ محمد عبد المالك- ص٨٢)

Imam Shaafi'ee Rahimahullah stated:

"It is not permissible for anyone to pass a ruling (by means of his own reasoning) in Allah's Din, except a person who is well-versed in the book of Allah Ta'ala. This entails being aware of its Nasikh (abrogating) and Mansukh (abrogated) verses, its Muhkam (strengthened) and Mutashabih (obscure) verses, its Tawil and Tanzil, Makki and Madani verse; the detailed purport of the verses, and the background circumstances regarding their revelation. Similarly, he should be well-versed in the Hadith of Rasulullah Sallallahu alai wa sallam, its Nasikh (abrogating) and Mansukh (abrogated) ones; and he should be equally knowledgeable about the Hadith of Rasulullah Sallallahu alai wa sallam as he is with the Quran. Thereafter he should be well versed in the various sciences of the Arabic Language, Arabic poetry and all those sciences that are required for the study of Islamic knowledge and the Quran. At the same time, he should be equipped with impartiality and justice coupled with constraint speech. He should also be acquainted with the differences of the Fuqaha. Last but not least, he should be talented (in the art of extracting rulings from the sources of Shariah). After having fulfilled all the above requirements, then only may he voice his opinion and pass rulings pertaining to matters of permissibility or prohibition. If not, then he has no right to voice his opinion regarding religious knowledge, nor is he permitted to pass any ruling"²

Imam Abu Hanifah *rahimahullah* is reported to have said: "The person who makes a statement in any matter pertaining to `Ilm, and thinks that Allah is not going to question him about the basis for his verdict in Allah's Din, has truly given very little regard to himself and his Din".

Imam Malik *rahimahullah* says: "I never passed a ruling until seventy (scholars of Fiqh) testified that I am worthy of that (i.e. to pass verdicts)". Imam Malik *rahimahullah* also narrated: "A person once informed me that he came upon Rabi'ah Ibn Abdurrahman – the most well-known of those by whom Imam Malik had studied Fiqh – and found him crying. He was awe-struck by his crying. Upon enquiry about the reason why he was crying and the difficulty. Rab'iah replied. "No! But a man who has no knowledge was asked to pass a ruling (in a matter of Din). A very grave thing has happened in Islam. (This is causing me to cry)."

Undoubtedly, we are experiencing the signs of the end times, Nabi *Sallallahu Alayhi Wasallam* has stated that a time will come upon the people that nothing will remain of the Qur'an but its script, and nothing will remain of Islam except for its name, they will label (brand) things as Islamic, but they will be the furthest away from Islam.³

ظن الجهول بان مطلق عقله يهديه يوما للسبيل المستوى فاضله حتى الشريعة ردها بمجرد البهتان والسفه القوى

² (Refer to Atharul Hadeeth 178 and 72- Taken from Why is Tagleed Necessary?/Who are the blind followers?)

³ (Kanzul Ummaal-80/11, above quotations taken from Why is Taqleed necessary/who are the blind followers?)

يا رب سلمنا وسلم ديننا واهد العباد لمنهج الحق السوي (جواهر الفقه-ج 2-ص 215)

It is the Islamic duty of every individual to search for the truth. During this search one will come across different sects and groups all inviting him under the banner of Islam to adopt their way. What should a person do at such a time? How should he differentiate Haqq (truth) from Baatil (falsehood)? In this regard, Rasulullah agave the Ummah some guidelines to follow in order to understand whether a group is on the right path or not. Nabi declared that the group that holds on firmly to his way and the way of the Sahaabah, are the rightly guided ones. All other groups are deviated from the truth of Islam.

عن عبد الله بن عمرو قال قال رسول الله صلى الله عليه وسلم ليأتين على امتي ما اتى على بني إسرائيل حذو النعل بالنعل حتى ان كان منهم من اتى امه علانية لكان في امتي من يصنع ذلك وان كان بني إسرائيل تفرقت على ثنتين وسبعين ملة وتفترق امتي على ثلاث وسبعين ملة كلهم في النار الا ملة واحدة قالوا ومن هي يا رسول الله قال ما انا عليه وأصحابي4

It is reported from Abdullah bin Amr radiyallahu anhu that Rasulullah Sallallahu alai wa sallam: "My Ummah will be faced with conditions similar to which the Bani Israaeel experienced; like a pair of shoes, one foot is identical to the other, to such an extent that if there was a situation in the Bani Israaeel where a person openly committed incest with his mother, there will be someone in my Ummah who will perpetrate such a crime. The Bani Israaeel were divided into seventy two sects, and my Ummah will be divided into seventy three sects. Each of them will be destined for Jahannam except one The Sahaabah-e-Kiraam radiyallahu anhum asked: "Which group will be saved from the fire of Jahannam?" Nabi Sallallahu alai wa sallam: answered: "Those who tread upon my way and the way of my Sahaabah radiyallahu anhum -"

In this era, there are numerous groups and sects. Every group claims to be on the way of Rasulullah *Sallallahu alai wa sallam* and the Sahaabah *radiyallahu anhum* Thus one is faced with a dilemma as to who he should follow. What is the criteria to determine which group is treading upon the path of Rasulullah *Sallallahu alai wa sallam* and the Sahaabah *radiyallahu anhum*? Rasulullah *Sallallahu alai wa sallam* explained the basis on which one will judge who is on the correct path, as mentioned in the following Hadith:

عن ابي هريرة رضى الله عنه قال قال رسول الله صلى الله عليه وسلم انى قد خلفت فيكم ما لن تضلوا بعدهما ما اخذتم بحما او عملتم بحما كتاب الله وسنتي ولن تفرقا حتى يردا على الحوض

The Ahlus Sunnah Wal Jamaat School are those who conform to the following:

Taken from Why should we follow an Imam? Madrasah Ta'lemuddeen

ترمذی ۹۳/۲ 4

- 1) The Quraan
- 2) The Sunnah
- 3) Qiyaas (deduction by Shari analogy)
- 4) Ijmaa (consensus of opinion)⁵

The great Mujtahideen extracted their laws from the above four principles. Furthermore, the latter Ulama thoroughly examined and scrutinized the Mazahib of these four Imaams in the light of Qur'an and Hadith. For centuries thereafter these Mazahib were tried and tested by the luminaries of Islam, the likes of Imaam Daare-Qutni, Hafiz Baihaqi, Hafiz bin Hajar, Allamah Aini, Imaam Nawawi, Hafiz Zaila'ee, Imaam Tahaawi, Hafiz bin Abdil Bar, bin Arabi, Hafiz ibnul Jawzi *rahimahumullah* and many others.

Thus, the four Mazaahib received the acceptance of thousands of specialists. All these doctors of their field unanimously attested to the unmatched mastery of the four Imaams and admitted their inability to produce a masterpiece Mazhab like that of these Imaams. These Ulama further supported and corroborated the four Mazaahib, that all are firmly based on the Qur'aan and Sunnah.

Hence in this time and age, for one to intend to personally review the Shari'ah and formulate principles that govern the deduction of Masaail would be akin to re-inventing the wheel.

Nevertheless, the Ulama are in agreement that although the doors of Ijtihaad have not been closed, however, after the third century no one has met the criteria of being a mujtahid. Those people who claimed to be on the pedestal of Ijtihaad were tested by the Ulama of the time and after being proven academically incompetent, were disqualified and rejected. ⁶

Those who do not follow any one of the four Mazhabs or claim to follow all four Mazhabs but pick and choose from all four are called Ghair-Muqallids (i.e., those who do not follow any particular Mazhab) and are also known in the common day as Ahle-Hadith or Salafis.

Do not be duped by the flowery claims of the so called Salafis who claim that they are the only group that follow authentic Hadith and nobody else. Many people have innocently been trapped and caught in the snares of the Salafis. The common layman cannot understand the finer details of the principles of Deen. Anything presented to him will be gulped down readily. This is because he cannot analyze that which is in front of him with knowledge. This is how falsehood spreads amongst the Muslims. Before us, is the new path invented by "enlightened Mushrooms" of this belated age, while the other is the attested path of our pious predecessors which was laid down by men who were oceans of knowledge and mountains of piety. The Muqallideen are the true followers of the *Aslaaf* (pious

وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّى وَنُصْلِهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا Whosoever follows a way contrary to the way of the believers then his abode is the hell fire.

(Surah Nisaa- Ayat 115)

Sayidina Abdullah bin Masood Radiyallaahu anhu relates that whatever the Muslims regard as good then Allah Ta'ala also regards that to be good. (Ahmad)

⁵ Allah Ta'ala says:

⁶ Why should we follow an Imam? Madrasah Ta'lemuddeen

predecessors). The Ghair-Muqallideen are on a path of their own. They have opposed the *Aslaaf* at every turn. Go and have a look in the Islamic libraries! The Imaams, their Ustaads and their students have authored all the major Kitaabs of Hadith. Let the so-called Salafis present any reputable work on Hadith. These people came along so much later and added their criticism on the great works of the Ulama.

Let us ask ourselves a simple question: Why did great Muhadditheen like Imaam Tahawi, Allamah Nawawi, Allamah Suyuti, Hafiz Ibn Hajr (*Rahimahumullah*) and many others choose to follow a Mazhab despite possessing intense knowledge in Hadith? **Did they also leave the Authentic Ahaadith for the views and opinions of scholars?** It is quite strange that people can be duped by the claims of Salafis, the falsehood of which is apparent. A man once asked Imaam Ahmed (*rahimahullâh*), "If a person memorizes one hundred thousand Ahaadith, does he qualify as a Faqeeh (Jurist)?" The Imaam replied in the negative. The person asked, "What about two hundred thousand?" The Imaam replied once again in the negative. Again, the man asked, "What about three hundred thousand?" the Imaam replied in the negative once more. The man said "What about four hundred thousand?" This time he shook his palm, meaning that- then probably he may begin to consider himself a "Faqeeh" and fit enough to pass Fatwa on his own accord! Where will we find a person in these times who has memorised four hundred thousand Ahadeeth together with the chain of narrators?

It can be said without a shadow of doubt that in this day and age, the safety of one's Imaan and A'maal lies in following one of the four Imams, viz Imam Abu Hanifah, Imam Maalik, Imam Shafi' and Imam Ahmad bin Hambal *rahimahumullah*. As we become more and more distant from the blessed era of Rasulullah *sallallahu alaihi wa sallam*, our understanding of Deen has decreased, and we lack adequate knowledge pertaining to the laws of Shariat. It is quite surprising that today one can interpret the Noble Quran and Blessed Ahadith with insignificant knowledge and thereafter proclaim loud and clear that we are not obliged to follow anyone! Yet when experiencing sickness or difficulty one doesn't think that I am not obliged to follow anyone, so let me diagnose my sickness and treat myself! This attitude is rather disturbing. In matters of Dunya we consult the professionals and those who specialize in their respected fields, but when it comes to Deen, one feels he is qualified to extract Masaail from the Noble Quran and Blessed Ahadith as if his opinion holds any weight in the Shariat!

This attitude further leads to criticizing the A'imah and depicting faults about them, which is the ultimate outcome of abandoning Tagleed of the four Imams.

Rasulullah *sallallahu alaihi wa sallam* is reported to have said, when my followers commit fifteen actions, calamities will befall them, and at that time they should expect heavy winds, disfiguration of the people and the earth swallowing them. (Amongst these actions is that) the latter part of the Ummat will curse the former part of it. *(Tirmizi vol 2 pg. 44)*

⁷ Note: After mentioning this incident, Imam Ibn Taimiyyah *rahimahullah*, and Imam Ibnul-Qayyim *rahimahullah* recorded a quotation of Ibn Shaaqla *rahimahullah* an illustrious scholar of the Hambali Mazhab who said: "When I was assigned the post of Fatwa in Jami Al Mansur, I mentioned this particular incident (that occurred with Imam Ahmad *rahimahullah*) to which a man exclaimed: "So here you are, you haven't memorized that amount of Ahadith to qualify to issue Fatwas!" So I said to him: "May Allah protect you (- an exclamation of rebuke)! If I have not memorized the required amount of Ahadith, then certainly here I am, passing fatwa in accordance with the (madhhab) of Imam Ahmad *rahimahullah* who had memorized that number of Ahadith and even more." Ibn Taimiya comments: "When a Mufti passes a ruling in accordance to the opinion of his Imam, then indeed he has based it on (sound) knowledge. In reality, he is only conveying the ruling passed by his Imam, therefore he has not digressed from knowledge." (Why is Tagleed necessary/who are the blind followers?)

Statements of the pious predecessors

Hadrat Abdullah ibn Wahb Rahimahullah said: "Every scholar of Hadeeth that does not have an Imaam in Islamic jurisprudence (to guide him) will be lost. If Allah had not rescued me by giving me the company of Imaam Maalik and Imaam Layth Rahimahumullaah, I would have been misguided.

Hadrat Abdullah bin Wahb *rahimahullaah* was a very high ranking Muhaddith; a scholar who had memorised thousands of Ahaadeeth. However, he states that if it were not for the guidance of the Fuqaha then he would have been lost.

The Ahaadeeth will lead one to be lost, except for the Fuqaha.8

And eat and drink until the white thread of dawn appears to you distinct from its black thread. (Surah Bagarah 2/187)

Hadhrat Adi bin Hatim At-Tai *radiyallahu anhu* tried to apply his own intellect in understanding the intended meaning of the verse and hence reached an erroneous conclusion. Subsequently he expressed what he understood before Rasulullah **36.** Rasulullah **36.** Corrected him and explained the correct meaning of the verse.

This entire incident is reported by Imaam Ahmad bin Hambal rahihamullah

وقال الامام احمد حدثنا هشيم أخبرنا حصين عن الشعبي أخبرني عدي بن حاتم قال لما نزلت هذه الآية (وكلوا واشربوا حتى يتبين لكم الخيط الأبيض من الخيط الأسود) عمدت الى عقالين أحدهما اسود والآخر ابيض قال فجعلتهما تحت وسادتي قال فجعلت انظر اليهما فلا تبين لي الأسود من الأبيض من الأسود، فلما أصبحت غدوت على رسول الله صلى الله عليه وسلم فأخبرته بالذي صنعت فقال ان وسادك إذا لعريض انما ذلك بياض النهار وسواد الليل

Imaam Sha'bi rahimahullah reports that Hadhrat Adi bin Hatim radiyallahu anhu related to me that when the above verse of the Qur'aan was revealed, I took two pieces of thread (one thread was black and the other white). I then placed both the threads beneath my pillow. I stared at the threads for a long time expecting to see the white thread becoming more clear and visible from the black thread so that I may then abstain from eating. However, the entire night passed and in the morning I came to Nabi and I had expressed what I had understood from the verse and what I had done during the night. Nabi smiled and remarked: "If the meaning of the verse is as you have understood, then your pillow is indeed very wide. For indeed the white and black threads implied in the verse refer to the brightness of the day and the darkness of the night."

Tafsir Ibn Kathir- Surah Baqarah (1/237). Abu Dawood Pg.321

 $^{^{\}rm 8}$ With regards to the following verse of the Holy Qur'aan:

The above words are the words of the famous Imaam Sufyaan bin Uyaynaa *Rahimahullaah*. An Imaam who was born many years before Imaam Bukhari *Rahimahullah*

In medicine and health, we turn to the doctors, in law we turn to the lawyers, then why is that with regards to the most important issue i.e. the issue of Deen, we do not surrender ourselves to the understanding of the Fuqaha?

To surrender (oneself) to the Fugaha is to safeguard ones Deen

"Imam Sufyaan Thawri Rahimahullah: We follow what we know, and hand over what we do not know to those who do know. We will even question our understanding in favor of theirs"

"Imaam Maalik Rahimahullah would say: Hand oneself to the Imaams and do not argue with them, if we were to accept every single man who could argue better then I fear that we will end up negating what Jibraeel alaehisalaam had brought"

Imaam A'mash Rahimahullah had said that the Fuqaha are doctors and we (Muhadithoon) are the pharmacists.

Imaam Tirmidhi rahimahullah has said that the Fuqaha are more knowledgeable with regards to the Ahaadeeth

Some of the salient features of the Salafiyya

- Their delving into allegorical texts of the Quraan and the names and attributes of Allah Ta'ala, thereby branding the majority of the Ummah, Arab and non-Arab alike with terms such as Kaafir, Mushrik, Faasiq and Mub'tadi etc.
- It is also their habit of expanding the definition of the word Bid'at to include all that does not suit their purpose.

- They are bent on attacking Fiqh and Tasawwuf which erupted in them being totally bereft of the fruit of these.
- They make it Haraam for the people to follow the Imams of the Mazaahib and make it compulsory to follow them (i.e., the Salafis).
- They give false calls of unifying the Ummah under the banner of following Quraan and Hadith, whereas each of their callers to this call have differences amongst themselves in interpreting even one Hadeeth⁹ (which was the exact reason for the formation of the Mazaahib).

Taqleed

The Salafis strongly oppose the Taqleed of the four Imaams. They claim it is against unity. So if we leave Taqleed of the four Imaams and follow the present day Salafi Sheikhs then this will lead to another thousand small Imaams (due to the vast difference of opinion that exist amongst the Salafis themselves).

Great stress has been laid on the importance of making Taqleed in the Quran and Hadith, and we have been cautioned to abstain from following our base desires and carnal self.

Allah Ta'ala says in the Quran:

O you who have Imaan! Obey Allah and His Rasool and those in command amongst you. (Nisaa verse: 59)

Those in command amongst you refers to the rulers and governors as well as the *A'imah e Mujtahideen*. Imam Razi, Abu Bakr Jassaas, Allama Aaloosi *rahimahumullah* commentate that "*ulil amr*" in this verse refers to the Ulama and the Fuqaha of the Ummah. Hence, the compulsion of Taqleed is established from this verse.

Similarly, surah Taubah verse: 122, surah Ambiyaa verse: 7, all lay emphasis on the importance of Tagleed and its compulsion.

Rasulullah sallallahu alaihi wa sallam states: Follow Abu Bakr and Umar radhiallahu anhuma after me. (Tirmizi vol 2 pg 207)

Allamah Ibn Khaldun (d. 808 A.H.) writes the following about the Zhahiriyyah in his famous Muqaddimah: "Presently, the Madh-hab of the Ahluz-Zhahir has come to an end due to the extinction of its followers." 10

Naasiruddin Albani says that three Talaaqs are not regarded as three whilst Ibn Hazam says that they *are* three.

Ibn Qayyim *rahimahullah* says that it is not permissible to join two Salaahs when on journey and Naasiruddin Albani says that it is permissible.

Hafidh Ibn Taymiyyah *rahimahullah* says that it is mustahab to make wudhu after touching the private parts whilst Naasiruddin Albani says it is Wâjib. (*Madrasah Azaadville Archives*)

⁹ Ibn Hazam *rahimahullah* who is regularly quoted by the Salafies says that musical instruments are permissible whilst Naasiruddin Albani who is also a Ghair Muqallid says they are Haraam.

¹⁰ Why is Tagleed necessary/who are the blind followers?

Allamah TajuddÎn As-Subki (d. 777 A.H.) writes: "And these four Madhahib have, by the grace of Allah Ta'ala reached a consensus in their beliefs. Besides a few amongst (its followers) who joined the (deviant) sects of I'tizal or Tajassum (anthropomorphism), the vast majority of their followers are on the truth, and confess to the beliefs of Imam Abu Ja'far Tahawi , to which the 'Ulama of the past and present had given complete attestation ..." ¹¹

All those who feel that you shouldn't **follow** a Madhab follow their own scholars. Who should we follow? Who is correct? What is said of the Salafis is true: that they make *following* the four Imams **haraam** and make it **compulsory** for the people to follow **them**. Do they want us to leave the following of luminaries like Imâm Abu Hanifah, Malik, Shaf'î, and Ahmad *rahmatullâhi alaihim* and follow them? They say that following the four Imams is disuniting the Ummah, so they discard true *Taqleed* (considering such *Taqleed* as Haraam) yet they follow so many refuters of *Taqleed* that they make every Tom, Dick and Harry an Imâm, resulting in following thousands of Imams instead of only four!

Those who viciously preach against Taqleed sometimes pose this question to gullible and simple-minded Muslims viz: - Are you a Muhammadi or a Hanafi? The listener is completely confused and perplexed failing to realize that the question itself is wrong. If someone has to ask, is it Monday or January? Is this question valid? One is rather supposed to ask, is it Friday or Monday? (This day or that day – Not this day in comparison to a month). Thus, the sensible question is supposed to be, 'Are you Hanafi, Shafi, Mâliki or Hambali'? Be cautious about this deception!

Q: There is one Qur'an and one Nabi (that we follow)? Hence what is the need for different Mathabib?

A: The answer to this question lies within the following two dialogues which have been recorded by Shaikh Muhamamd`Awwamah *rahimahullah* in his book: The first is a dialogue that took place between the Shaikh and one of his students approximately a decade ago while delivering a lecture on 'The History of Islamic Jurisprudence'. The Shaikh relates:

"He (the student) posed the question to me: What is the ruling about uniting the madhahib, by bringing the people onto one madh-hab? I first answered briefly (saying): Such a struggle contradicts the will of Allah Ta`ala with regards to His Shariah. It opposes Rasullullah *sallallahu alai wa sallam*, his Sahabah (companions), and the illustrious predecessors that followed. It does not conform to logic either. I then elaborated: Was Allah not aware since time immemorial that the Arabs shall utilize the word "Qur" ambiguously for: 1. the period of menstruation; and 2. the period of purity between two menstruations? He said: Certainly. I said: Was Allah not aware since time immemorial that there was going to come a Sahabi by the name of Zaid Ibn Thabit *radiyallahu anhu*, and another by the name of `Abdullah Ibn Mas'ud *radiyallahu anhu*, and that Zaid would opine "Qur" to mean the period of purity, and Ibn Mas'ud *radiyallahu anhu* would say that it refers to menstruation. He said: Obviously.

I said to him: Then why did Allah not reveal the ayah: Thalatha Quroo in a manner to avoid the difference of opinion between Ibn Mas'ud and Zaid Ibn Thabit? Why did He rather not say: Thalatha At'haar or Thalatha Hiyadh?

(i.e. by clearly mentioning either the period of menses or the period of purity), thereby leaving no scope for contention? And the same would apply to every other Qur'anic text that has many possible meanings.

-

¹¹ Ibid

I continued: Similar will be the condition of the Noble AhadÎth. We believe that it is revelation and/or inspiration from Allah the Almighty. Therefore, why did Allah, who is All-Knowledgeable and All-Aware, not reveal/inspire His Rasul *Sallallahu alai wa sallam* to express the AhadÎth using phrases that leave no scope for people to differ. In fact, why did He not inspire Rasullah *Sallallahu alai wa sallam* to clearly state to the Sahaba *radiyallahu anhum* the day he instructed them to hurry to Banu Quraizah and that they should not perform Asr on the way? Instead he said: "Every one of you should perform `Asr at Banu Quraizah only.

Consequently, amongst the Sahabah were those who adhered to the literal meaning, while others practiced upon its purport! I asked him: Did the Sahabah and those who followed them differ? He replied: They certainly did. I further asked him: And do intellects also differ? He said: Yes. I then said: Doesn't this difference originate from the diversity of their lifestyles and environments? He answered: It does. I finally deduced: Thus the struggle to unite the madhahib and bring all the people onto one madhhab is lunacy and deviance". (Why is Taqleed necessary/Who are the blind followers?)

Q: Different Madhabs is not contrary to unity, the predecessors did not agree with uniting everyone on one Madhab:

Imam Ibn Abdil Barr *Rahimahullah* relates: "Umar Ibn `Abdul `AzÎz and Qasim Ibn Muhammad rahimahullah were once discussing Hadith. Whenever `Umar disagreed with Qasim *rahimahullah*, Qasim's dislike would become apparent. Umar (Ibn `Abdul `Aziz) *rahimahullah* said to him: "Don't do that! I am not prepared to receive red camels in exchange for their (i.e. the Sahabah's) differences."

In 'Sunan ad-Darami' it is reported that Humaid At-Tawil said to `Umar Ibn Abdul Aziz *rahimahullah*: "It will be a commendable deed for you to unite the people on one thing!" He replied: "I would not be pleased by them not having differed." After that, he wrote to (the governors) of the different regions: "Each community should pass judgement in accordance with the unanimous rulings of its Fuqaha." Still more astonishing than that is the fact that Imam Malik was granted the opportunity by the Khalifah to unite the ummah upon his madh-hab, but he refused. He himself relates:

"(The Caliph) Abu Ja`far Al-Mansur said to me:

I intend to create uniformity in this knowledge (by doing away with differences). I thus desire to write to the various commanders of the armies, and to the judges to practice upon it only. Whoever opposes it will be beheaded." I said to him: "O leader of the believers! Verily Rasullah sallallahu alai wa sallam used to be amongst his followers, when he would dispatch detachments, and at times he would go out himself as well. During his era, not many lands were conquered. Then Abu Bakr radiyallahu anhu succeeded him, and the condition was very similar during his period. Thereafter `Umar radiyallahu anhu took the reigns, and Allah subjugated many lands on his hands. He found no alternative but to delegate the companions of Rasullullah sallallahu alai wa sallam(to various regions) as teachers. People continued to learn from them, and pass their knowledge over to their descendants up to this day. If you attempt to shift them from the knowledge that they possess to what they don't know, they will consider it as kufr (disbelief). Rather, re-inforce every region with its own knowledge, and take this knowledge for yourself." Mansur remarked "That's far-fetched! Record it for (my son) Muhammad". (Why is Taqleed necessary/Who are the blind followers?)

Q: Can all four schools of jurisprudence be correct concurrently?

A: Whether each opinion of every madh-hab may be the correct one which was ordained by Alah Ta'ala at one and the same time, has been a point of contention amongst the scholars. However, they are unanimous that all four madhahib are simultaneously acceptable as far as the Shairah is concerned. To illustrate this, an example is given of five people who are travelling on a cloudy day. One of the companions happens to be blind. At the approach of the time of a certain Salaah, they find themselves in a jungle. Four of them begin to discuss the direction of the qiblah, and each one arrives at a totally different conclusion and performs his Salaah accordingly. The blind man however, is unable to take part in the discussion, but since he considers one of the four more knowledgeable and experienced in this regard, he follows him. Whilst only one is right, the Salaah of each of the five is in perfect order. It will not be necessary for the rest of them to repeat it later when the clouds have cleared and they were able to distinguish whose direction was the correct one. The example of the four people is like that of the four Imams. The fifth person who is blind is like the follower (Muqallid) who does not possess the qualifications to perform Ijtihaad, and therefore follows one of the four imams.

This explanation is deduced from the following Ahadith:

Hadeeth no. 1 "When a ruler/judge passes a judgement on the basis of Ijtihad and he arrives at the correct answer, he receives a double reward, (one for performing Ijtihad and the other for extracting a correct ruling of Shariah). If on the other hand he erred, then he receives one reward only (for his Ijtihad, and he will be excused for his error)." Bukhari, Muslim, Tirmidhi and others.

Hadeeth no. 2 "Any person who forms an opinion regarding any verse of the Qur'an, of his own accord (i.e. without being qualified to do so) has indeed erred even though his opinion may actually conform to the truth". Tirmidhi, Abu Dawood.

Hafidh Ibn Hajar *rahimahullah* states in the commentary of this Hadeeth "...he has deviated from the straight path due to delving into the book of Allah with conjecture and assumption without possessing the qualifications to do so. In doing so, he becomes a sinner anyway, and no regard is given to the fact that his opinion has coincided with the truth, as this has occurred unintentionally, and in the incorrect manner. On the other hand, the person who possesses the tools (qualifications) for Tafsir, which are fifteen sciences as follows: ..., then such a person is rewarded for delving into the book of Allah, even if he errs, as he has transgressed no limits. Therefore, he will receive two rewards according to one narration, and ten according to another, if his statement conforms to the truth, and just one reward if he errs, just like a Mujtahid (who performs Ijtihaad) in the Ahkaam(rulings of Shariah) ..." (Mirqatul Mafatih-1/292) (Why is Tagleed necessary/Who are the blind followers?)

Q: Some people are heard saying: I am a Muhammadi not a Hanafi/Shafi'i . Is this correct or not? -Why?

(Amongst the Muhaddithin, one such scholar who was known to call himself a Muhammadi whenever the names of the Imams were mentioned before him, was Umar ibn Hafs, better known as Ibn Shahin rahimahullah. About him, Allama Thahabi rahimahullah quotes in his outstanding work on the biographies of the great scholars of Islam Siyar A'lamun Nubala from Khatib Baghdadi rahimahullah who quotes Muhammad ibn Umar Ad-Dawudi rahimahullah "He (i.e. Ibn Shahin) did not have any acquaintance with Figh, neither more, nor less.

A: When a person claims to be a Hanafi or Shafi'i, all that he intends to say is that he follows the Sunnah of Muhammad *Sallallahu alai wa sallam* in accordance with the understanding that Imam Abu Hanifah (or Imam Shafi'i.) had of the Sunnah. He asserts that he does so only because he does not possess the

qualifications to extract rulings from the sources of Shari`ah, hence he follows one of those Imams who are unanimously recognized and qualified to perform Ijtihad.

Consider the following dialogue between `Urwah ibnuz-Zubair and `Abdullah Ibn `Abbas radiyallahu anhuma . Imam Ahmad Ibn Hambal and Imam Tahawi rahimahumallah narrate that once `Urwah radiyallahu anhu objected to a mas'alah (ruling) pertaining to Hajj that was being taught by Ibn `Abbas radiyallahu anhuma . His objection was that the ruling being taught by Ibn `Abbas was contradicting the practice of Abu Bakr and `Umar radiyallahu anhuma. Ibn `Abbas exclaimed: "You are going astray in this way! I quote to you the practice of Rasullullah sallallahu alai wa sallam and you tell me about Abu Bakr and `Umar radiyallahu anhuma. `Urwah radiyallahu anhu replied: "Verily Abu Bakr and `Umar radiyallahu anhuma were more knowledgeable about the practice of Rasullullah sallallahu alai wa sallam than you." In the book of Tabarani, the reply made by `Urwah radiyallahu anhu was in the following manner: "They were more knowledgeable about the book of Allah and the Sunnah of Rasullullah sallallahu alai wa sallam than you and I."

Shaikh Muhammad Awwamah comments: "This is our answer to those people who invite us to abandon the Figh of the Imams: Abu Hanifa, Malik, Ash-Shafi'i, and Ahmad and instead to follow what they call "Fig-hus-Sunnah wal Kitab" (the Fig-h of the Sunnah and the Qur'an) or "Fig-hus-Sunnah" (the Fig-h of the Sunnah), amongst other similar slogans . We say to them: "We are not pleased to have you as a substitute to them, as they were "more knowledgeable" about Rasulullah Sallallahu alai wa sallam than you. In fact, we do not mean to draw a comparison when we say "more knowledgeable", because there exists absolutely no comparison between you and them in knowledge. And it is our intense desire to cling onto the way of Rasulullah Sallallahu alai wa sallam that drives us to follow their understanding of the pure Sunnah... "...and the gist of your statement is that these Imams were not upon the path and guidance of Rasulullah Sallallahu alai wa sallam. It is for this reason that you desire to follow Rasulullah Sallallahu alai wa sallam in a way other than they did. Thus, it seems that you understand them to be Rabbis and Monks who declare Halal and Haram for the people, without any evidence from the Book of Allah and the Sunnah of Rasulullah Sallallahu alai wa sallam; where-as in actual fact they were more adherent to the Sunnah of Rasulullah Sallallahu alai wa sallam than what their lovers could even fathom. They were merely conveying to the people the command and prohibition of Rasulullah Sallallahu alai wa sallam, just like the Mu'adh-dhÎ(during Salah in a large congregation) conveys the Takbirs of the Imam to the rows that follow".

It is for the same reason that the illustrious Muhaddith and Mujahid of Islam, Abdullah ibnul Mubarak *rahimahullah* used to say: "Do not say: (This is) the view of Abu Hanifa *rahimahullah*, but rather say: It is the explanation of Hadith.

Ibn Taimiyyah *rahimahullah* writes in Raf ul Malam: "Verily, the Imams who came before the period of the compilation of the Books of Hadith were declared far more knowledgeable about the Sunah than those who followed, because a large amount of (Ahadith) that reached them and were declared authentic by them, only reached us later via anonymous narrators, or with broken chains, or did not reach us at all

Importance of following only one Mazhab.

Whether each opinion of every Mazhab may be the correct one which was ordained by Allah Ta'ala at one and the same time, has been a point of contention amongst the scholars. However, they are unanimous that all four Mazahib are simultaneously acceptable as far as the Shariah is concerned. As far as the differences of opinion are concerned amongst the Mazaahib, some are considered to be a difference of a preferred method or not, while others are permissible or impermissible. The example of Witr Salaah is such that

according to the Hanafi Mazhab it is not permissible to perform Salaah that consists of only one rakaat (the third Rak'aat of Witr is performed independently by the Shaafi'ees). On the other hand, according to the Shafee Mazhab the Witr Salaah should be performed in that way (with the third Rak'aat being performed separately). Due to such a major difference, it is not permissible for a Hanafi to follow a Shafee in Witr. The mugallid is bound to follow his Imaam who has extracted the law from the detailed sources because he does not have the ability to extract the laws himself. He will need a proof to leave the Mazhab of his Imaam and practise on something that opposes his Mazhab, and it is apparent that he is not in a position to do so. Further if he picks and chooses as he wishes from the Mazaahib then he will land up following his personal desires. He should follow the Imaam of his Mazhab with the firm conviction that he is following the correct Shariah ruling, and perchance if the Imaam has erred in his ruling, then the Imaam and the follower are both excused as can be understood by the Hadith wherein Nabi (sallallahu alaihi wasallam) explains that when a Mujtahid/Judge passes a judgement on the basis of Ijtihad, if he arrives at the correct answer, he receives a two-fold reward (one for performing litihad and the other for having extracted the correct Shariah ruling). If on the other hand he erred, then he receives one reward only. (One for his Ijtihad and he will be excused for his mistake) Nabi (sallallahu alaihi wasallam) did not mention that he will be punished or be sinning for making a mistake.

عن عكرمة ان اهل المدينة سألوا ابن عباس رضي الله عنهما عن امرأة طافت ثم حاضت قال لهم تنفر قالوا لا نأخذ بقولك وندع قول زيد12

Ikrimah radiyallahu anhu reports that the people of Madinah Munawwarah inquired from ibn Abbaas radiyallahu anhuma regarding the law of a woman who experienced haidh after her fardh tawaaf should she wait until she becomes pure in order to perform the tawaaf-e-widaa or will it fall off? He replied that it will fall off and she may leave. Upon this the people of Madinah said: "We will not practise on your opinion leaving out the view of Zaid bin Thaabit."

Hafiz ibn Hajar, reporting from Thaqafi, narrates this statement of the inhabitants of Madinah Munawwarah in Fathul Baari in the following manner: "Whether you express your view or not, we will hold onto the view of Zaid *radiyallahu anhu*"

Hence, Taqleed is not something which has cropped up in the fourteenth century. It has been the decree of Allah Ta'ala ever since the practice of the Sahaba *radhiallahu anhum*. In aspects of this world we turn to the experts i.e. doctors, architects and builders, thus to a greater extent we should turn to the experts in matters relating to our Deen.

One must restrict oneself to making Taqleed of one of the four Imams due to the reason that the Fiqh of the other A'imah were not recorded and preserved in written form. Hence, it won't be possible to pass a Fatwa or judgment according to any madhab other then the madhab of the four Imams. *(The legal status of following a madhab pg 79)*

Many great Ulama of the past have clearly affirmed that Taqleed has become confined to only one of the four mazhabs. In this regard Allamah Abdur Rahman bin Muhammad Al-Maghribi (808 A.H) writes: "... Taqleed became confined to these four Imaams in all the cities of the Muslim world. All the followers of

ا کار*ي - ۲۳۷/۱*

other Imaams gradually became extinct. Thus, when the terminologies of the various sciences became wide-spread in the earth, the scholars closed the doors of differences (and confined Taqleed to one of the four Imaams) as they feared that someone unworthy would begin claiming Ijtihaad. Hence they (the scholars) stated: "The ability to reach the rank of a mujtahid has become virtually impossible." Thereupon they directed the people towards making Taqleed of one of the four Imaams and warned them against changing Mazhabs for convenience, as this will amount to playing fools with the Deen of Allah. Thus anyone who claims to have acquired the level of Ijtihaad in this age will be rejected and will not be followed. The entire Muslim world now has consensus regarding the Taqleed of these four Imaams." ¹³

Allamah Shihab Ar-Ramli *rahimahullah* (957 A.H.) states: "The person who has a true understanding of what Ijtihaad actually means would feel ashamed before Allah from attributing it to anyone of this day and age. In fact, ibnus-Salaah *rahimahullah* (643 A.H.) and his followers stated that it had become extinct three hundred years ago. ibnus-Salaah *rahimahullah* himself passed away three hundred years ago, hence, it had become extinct about six hundred years ago."

Allamah Munawi *rahimahullah* (1031 A.H.) says: The Aalim of the Syrian region, Imaam ibn Abid-Dam *rahimahullah* (642 A.H.) writes after mentioning all the conditions of Ijtihaad: "It is hardly possible to find these conditions in any scholar of our age. Instead, there is no Mujtahid-e-mutlaq on the surface of the earth today."

During the tenth century of Islam, Imaam Suyooti *rahimahullah* (911 A.H.) claimed to have reached the level of Ijtihaad. Allamah Shihab ibn Hajar Haitami *rahimahullah* (974 A.H.) says: "When Imaam Jalalud Deen Suyooti *rahimahullah* claimed Ijtihaad, all his contemporaries confronted him. They presented a questionnaire to him about some issues. Therein, they stated two possible answers to each question, and said: "If you have even reached the lowest degree of Ijtihaad, which is Ijtihaad in Fatwa, then you should stipulate the preferred view, substantiated with proof, in conformance with the maxims laid down by the Mujtahideen.

However, he returned their questionnaire without any answer, excusing himself that he was too busy, and was therefore unable to look into those questions."¹⁴

The harms of not making Taqleed are innumerable. Shah Waliullah Muhaddith Dehlawi *rahmatullahi* alaih writes that the benefits of making Taqleed are apparent, especially in this day and age where aspirations have exhausted, and the ego has been saturated with desires and everyone marvels at his own opinion. (Maqalaat A'zamiyah pg 72)

Moulana Hussain Batalwi *rahimahullah* says, after twenty-five years, we have come to the conclusion that those who become so called *Mujtahid- e- Mutlaq* and abandon Taqleed end up leaving Islam. Amongst

ووقف التقليد في الامصار عند هؤلاء الأربعة، ودرس المقلدون لمن سواهم، وسد الناس باب الخلاف وطرفه لما كثر تشعب الاصطلاحات في العلوم ولما عاق عن الوصول الى رتبة الاجتهاد، ولما خشي من اسناد ذلك الى غير اهله، ومن لا يوثق برأيه ولا بدينه، فصرحوا بالعجز والاعواز، و ردوا الناس الى تقليد هؤلاء، كل من اختص به من المقلدين، و حظروا ان يتداول تقليدهم لما فيه من التلاعب، و لم يبق الا نقل مذاهبهم، و عمل كل مقلد بمذهب من قلده منهم بعد تصحيح الأصول و اتصال سندها بالرواية، لا محصول اليوم للفقه غير هذا

⁽مقدمة ابن خلدون-علم الفقه)

مقدمة فيض القدير ص٦٦ 14

them some become Christians and others become atheists, (and they are) no longer restricted to any religion. This is the elementary outcome of not adhering to a madhab. (Maqalaat A'zamiyah pg 72)

Harms of not restricting oneself to a Mazhab

- 1) Discrediting the scholars that passed from the time of the Tabieen until the present age.
- **2)** The spread of the study of Hadith without the guidance of a qualified teacher (*this will lead to incorrect meanings of the Ahadeeth spreading like wild fire*)
- 3) Going against rulings that were unanimously practiced by the entire Ummah for many centuries.
- **4)** Encouraging the masses to refer directly to the Quran and Hadith without the need of any further reference or explanation from the experts of the respective fields. *(Who are the blind followers pg 87-95)*

Shah Waliullah *rahmatullahi* alaihi writes, Had the restriction of following only one Imam not existed, every person would pick and choose those rulings that conformed to his likings and Deen would become a toy (in the hands of the masses). Thus, there was only one solution to self interest. That was to restrict the Nafs (carnal self) to following one expert of the Shariah only. This is exactly what *Taqleed e Shqakhsi* (following of one Imam only) is all about. *(Who are the blind followers pg 67)*

Allama Yusuf Ludhyanwi *rahimahullah* mentions: "And the person who has not attained the degree of Ijtihad remains a layman no matter how many books he may have read, and he has no alternative but to refer to the view of a Mujtahid. Hence, if he follows the practices and rulings of one stipulated Imam, then he is absolved of his Shar'i responsibility. However, if he picks and chooses from the rulings of any Imam, without subscribing to the view of any one Imam in particular, then the question asked is: "What is his basis of preference between the rulings of the various Imams?" If the answer is that the Quran and Hadith are his yardstick, and he gives preference to those rulings which, according to his understanding, conform to the Qur'an and Hadith, then in reality, he has made his own understanding (of the Qur'an and Hadith) his basis and yardstick.

"We then say: If he truly is an expert in the Qur'an and Hadith, and his understanding thereof is evidential, then he is not required to make Taqlid, but he is in reality a Mujtahid Mutlaq. And if he is not an expert in the Qur'an and Hadith, and yet he places his trust on his own intellect and understanding, then he is prey to self-conceit, which is destructive for his DÎn."

In fact, the Fuqaha have even gone to the extent of restricting the Muqallid when there are two or more opinions within his own madh-hab. He is not at liberty to practice upon the ruling that conforms to his desire or understanding, as personal desire and understanding have no basis in Shariah. This point has been clearly illustrated by the famous Syrian Faqîh of the thirteenth century of Islam, Ibnul Abidin rahimahullah . He states: "It is surely incumbent upon anyone desiring to practice himself, or pass a ruling for others (as in the case a Mufti) that he follows the view which the `Ulama' of his madh-hab have rendered preponderate (i.e. the most correct); and it is not permissible for him to practice or issue a Fatwa in accordance with an opinion that has not been rendered preponderate, except under certain circumstances..."

Moulana Ashraf `Ali Thanwi *rahimahullah* says: "Our Din is systemized through Taqlid, and in abandoning it, we will be de-systemizing our Din. If we choose to discard Taqlid with the intention of practicing upon the most prudent rulings of the four Imams, then we will be putting ourselves to unnecessary difficulty. And if our objective is ease (by looking for concessions), then we will fall into the traps of self-interest. Therefore, in the Taqlid (of one Imam only), lies ease and orderliness, together with protection from the

desires of our nafs (carnal self). "Further, while this is the wisdom behind the following of one Imam only, this is also the wisdom in understanding the need to specify only one learned Alim amongst the contemporary `Ulama' to follow (in contemporary issues), because self-interests are predominant, and `Ulama' of the same madh-hab may differ in some rulings. If a person does not stipulate one `Alim to follow, then the same fear exists: that he may fall into the trap of his own desires, in the sense that he adopts whatever suits him of the opinions of any Alim, and leaves out what does not suit him."

Shah Waliyyulluh Ad-Dihlawi writes: "Had the restriction of following only one Imam not existed, every person would pick and choose those rulings that conformed to his likings, and Din would become a toy (in the hands of the masses). Thus, there was only one solution to such self-interest. That was to restrict the nafs (carnal self) to following one expert of Shariah only. This is exactly what "Taqlid-Shakhsi(following of one Imam only) is all about."

Following of Concessions When people do not restrict themselves to one madh-hab, then gradually an environment of following the concessions of the Imams will come in existence. In Fiq-h, this is termed "Tatabbu`ur Rukhas. The scholars have rendered severe warnings about this. Imam Baihaqi quotes Imam Al-Awza'i as saying: "The person who adopts all the rarities of the `Ulama' leaves (the precincts of) Islam."

Imam `Ali Ibn Al-Ja`d *rahimahullah* attributes the following statement to the great Sulaiman At-Taimi rahimahullah: "If you practice upon the concessions of every `Alim, then every evil will be gathered in you."

Hafiz ibn Abdil Barr comments on this statement: "There is consensus on this. I am not aware of any opposing view to it."

It is reported from two great scholars of Hadith, Imam Yahya Al-Qarttan and Imam Ahmad ibn Hambal *rahimahumallah* that such a person is a fasiq (transgressor). May Allah Ta`ala protect us.

(Why is Tagleed Necessary/ Who are the blind followers?)

In brief, the harms of not restricting one's self to one of the four madhabs are self-evident and there is no need for further elaboration.

What is wrong if one refers to the Qur'an and Hadith directly?

In the book "Why should we follow an Imaam?" the above question has been posed and ten problems have been mentioned. *Inshallah* we will mention some of the issues briefly, those who require more detail on each of the problems can refer directly to the Kitab.

1) One will arrive at their own incorrect conclusions due to their self-research. Nabi # foretold the coming of such crucial times where people will confine the truth to their own logic and they will entirely shun emulation of the pious predecessors. Hence, he is reported to have said that from amongst the signs of Qiyamah:

إذا رأيت شحا مطاعا وهوى متبعا ودنيا مؤثرة واعجاب كل ذي رأي برأيه

You will witness people fulfilling their greed, following their hose desires, giving preference to dunya over Deen and being satisfied with their own reasoning and understanding. (Mishkaat Pg. 43)

A person will be satisfied and pleased with his independent reasoning and understanding, and this is among the worst signs. (Mishkaat Pg. 434)

Consider the following incident which reveals the outcome of the one who is not a Mujtahid, but refers directly to the Qur'aan and Hadith. The following incident is narrated by Allamah Kowthari <u>rahimahullah</u> He says: A person was accustomed to performing Salaat-ul-Witr after making Istinja (cleaning himself after urinating). When asked about it, he quoted the Hadith:

من استجمر فليوتر

He who uses mud pebbles for Istinja should "perform Witr" (Mishkaat Pg. 42)

The word فليوتر literally means 'to do something in an odd number' and it could also mean 'perform witr salaah.' Hence, this person misunderstood this Hadith to be referring to Witr Salaah. The correct meaning of this Hadith is that, he who uses mud pebbles for istinja, should use an odd number.

2) Another problem is that some people will come across certain Ahaadith which have been unanimously abrogated (i.e. according to the consensus of the Sahaabah and the entire Ummah), however due to lack of sufficient knowledge regarding the historical background of the law, they will begin practising upon it.

Consider the law of joining two Salaahs under normal circumstances (i.e. without any Shar'i excuse and whilst one is residing in his home town). The Sahaabah *radiyallahu ahhum* as well as the entire Ummah for many centuries of Islam were unanimous that it is impermissible for one under normal circumstances to join Salaahs. The Hadith of Rasulullah recorded in Tirmizi is explicit in this regard:

Ibnu Abbaas radiyallahu anhuma reports that Nabi said: "Whoever combines two Salaahs without a valid reason has indeed committed a major sin."

However, we notice that there is another Hadith recorded by Imaam Tirmizi *rahimahullah* under the chapter: "Chapter regarding the combining of two Salaahs" which states:

عن ابن عباس قال: جمع رسول الله صلى الله عليه وسلم بين الظهر والعصر وبين المغرب والعشاء بالمدينة من غير خوف ولا مطر قال فقيل لابن عباس ما أراد بذلك قال أراد ان لا يحرج امته

Ibnu Abbaas radiyallahu anhuma stated: "Nabi © combined the Zuhr Salaah with the Asr Salaah and the Maghrib Salaah with the Esha Salaah in Madinah Munawwarah without any excuse neither the excuse of fear nor rain." Ibnu Abbaas radiyallahu anhuma was then questioned: "Why did Nabi © do that?" He replied: "He did this so as not to inconvenience his Ummah."

Imaam Tirmizi *rahimahullah* commentating upon this Hadith declares: "This Hadith (the apparent meaning of this Hadith i.e. performing two Salaahs in one time whilst residing in one's home town) is not practised by anybody." Hence, we understand that the entire Ummah has agreed upon the fact that it is impermissible for one to practise upon the apparent meaning of this Hadith. Yet we find in this present age and time, a group of people who practise upon this abrogated Hadith. So if someone wishes to follow whatever he comes across in the vast treasure of Hadith without examining its true position in Deen, he will certainly end up following abrogated Ahaadith. Such a person will consider himself as having done a great service to Deen. He will regard himself to be a reviver of a 'dead Sunnah' which nobody practised upon. However, the sad reality is that such a person has strayed from the straight path by following what the entire Ummah, from the time of the Sahaabah *radiyallahu anhum* has regarded as abrogated. He has rejected the path followed unanimously by the entire Ummah.

Allah Ta'ala declares in the Holy Qur'aan:

Whoever opposes the Rasul #after the guidance was manifest to him and he follows a path other than that of the believers then We shall leave him in the path he has chosen and We will enter him into Jahannum. What an evil abode! (Surah Nisa 4:115)

At this juncture, it is extremely important that we understand that a discontinued practice no longer remains a Sunnah or part of Deen. Especially in the case where one is aware of the fact that the common practice of the Sahaabah *radiyallahu anhum* as well as the entire Ummah opposes it. What then gives one the authority to practise upon it? Furthermore, the Hadith of Rasulullah sufficiently elucidates this point.

Whoever adopts an independent path will also be alone in Jahannum.

3) Another problem which the author of *Why should we follow an Imaam?* mentions is that if the masses are allowed to follow at random whatever they believe to be correct or whoever they feel is on the correct opinion, it will eventually result in many people following their own whims and desires. Most people when faced with a problematic situation opt to follow the opinion of those Muftis and Aalims through whom their benefits and interests will be secured. In that predicament most people are totally unconcerned about studying the proofs and weighing the arguments. Rather, their main concern is how they can save their image in society or secure their commercial gain.

For the sake of convenience, they are prepared to hop over to any mazhab in order to achieve this objective. One should honestly ponder and contemplate over this crucial situation. Is such a person

following Deen or following his nafs? Will such a person's actions be in conformity to the verse of the Qur'aan:

(Do not follow your desires.) [26:38]

Or is his action opposing this law of the Qur'aan? There are many glaring examples found in today's times which highlight this problem.

Hereunder an example is cited:

A person is caught for exceeding the speed limit. He is given a R2000 fine by the police. He decides to look around to see whether any Aalim permits the paying of speeding fines with interest money. He is informed that a certain Aalim allows the paying of speeding fines with interest money. So this person feels quite satisfied that he has found some sort of justification for his actions (through the Fatwa of that specific Aalim). But at the same time, he is told that you are presently eating prawns. According to the Fatwa of that very Aalim, prawns have been declared makrooh-e-tahrimi. Hence you should also adhere to the ruling of that Aalim in relation to the issue of prawns.

He responds, "There isn't only one Aalim in the whole world. Don't you know that so and so Aalim (in whose opinion it is impermissible to pay speeding fines with interest money) declared prawns as totally permissible? So, I follow that Aalim in that issue." One should consider this situation and honestly answer the following question: Will the one adopting such an approach in these matters, as well as all other Deeni issues be regarded as a sincere and steadfast Believer, or will he be considered a "Fatwa Shopper" and one following his whims and desires? Hence, we conclude from this situation that the one who opts to remain unrestricted, by following what he feels appropriate and correct eventually opposes two verses of the Holy Qur'aan:

انّا أنزلنا اليك الكتاب بالحق فاعبد لله مخلصا له الدين Worship Allah Ta'ala with sincerity. [39:2]

ولا تتبع الهوى فيضلّك عن سبيل الله

Do not follow your desires. [26:38]

Allamah ibnul Aabidin *rahimahullah* narrated an incident that transpired in the time of Shaikh Abu Bakr Al-Jowzajani. A Hanafi Aalim proposed to marry the daughter of a person who was from the Ahle-Hadith. The father refused to accept the proposal unless he agrees to abandon his present mazhab and begin practising 'Qiraat khalfal-Imaam' (reading qiraat whilst following an Imaam in Salaah) and 'Raf ul-Yadain' (i.e. lift his hands before and after ruku) etc. The Aalim submitted to those conditions and the nikaah took place. When Shaikh Abu Bakr was asked regarding this situation he lowered his head and remarked: "I fear that the Imaan of this man may leave him at the time of his death, due to the fact that he abandoned a practice

which he regarded as Sunnah, and substituted it with a contradictory deed without any Shar'i reason, but for the sake of securing a woman in nikaah." 15

- **4)** Another problem is that at times due to not confining oneself to one mazhab, a person will commit the serious crime of contradicting the consensus of the Sahaabah *radiyallahu anhum* and the entire Ummah of Rasulullah **3.** The Qur'aanic injunctions, as well as the Ahaadith are explicit with regards to the severity of such an act.
- 5) People will be confused in many Masaa'il which are not in the Qur'an and Ahadeeth. For example, if we consider the mas'alah of shaving the hair, there is mention in the Ahaadith regarding the impermissibility of shaving the beard, however there is no explicit mention in the Qur'aan as well as the Ahaadith of Rasulullah regarding the mas'alah of shaving the hair on the cheek (i.e. above the beard) or the hair on the chest or on the calves. Similarly, there is mention in the Ahaadith regarding the mas'alah of a fly falling into milk, however there is no explicit mention in the Qur'aan as well as the Ahaadith of Rasulullah regarding the mas'alah of a mosquito, flea, bee or wasp falling into milk. These masaa'il have been derived through the Ijtihaad of the Mujtahideen. Hence, what will be the viewpoint of such individuals (who reject Ijtihaad) regarding these types of masaa'il?

Consider the Hadith of Rasulullah # reported in Bukhaari which explains that Rasulullah # if raised his hands when going into ruku' as well as when coming up from ruku'.

كان يرفع يديه حذو منكبيه إذا افتتح الصلاة وإذا كبر للركوع وإذا رفع رأسه من الركوع
16

Nabi would raise his hands up to his shoulders when commencing Salaah, when saying the takbeer for ruku ' and when rising from ruku

Opposed to this is the report of Nasaai Shareef which states that Nabi sonly raised his hands at the time of takbeer-e-tahreemah (i.e. at the commencement of the Salaah) and he did not raise his hands at any other time during the Salaah.

He only raised his hands once.

Similarly, the Hadith of Tirmizi and Abu Dawood Shareef proves that Nabi #t also raised his hands after rising up from sajdah.

رد المحتار: ٤٠٠/٤ لما في التاترخانية حكى ان رجلا من أصحاب ابي حنيفة خطب الى رجل من أصحاب الحديث ابنته في عهد ابي بكر المجوزجاني فأبى الا ان يترك مذهبه فيقرأ خلف الامام ويرفع يديه عند الانحطاط ونحو ذلك فأجابه فزوجه فقال الشيخ بعد ما سئل هن هذه واطرق رأسه النكاح جائز ولكن أخاف عليه ان يذهب ايمانه وقت النزع لأنه استخف بمذهبه الذي هو حق عنده وتركه لأجل جيفة منتنة بخاري ١٠٢/١ 16

He raised his hands when getting up from Sajdah.

One will be surprised to find that all these Ahaadith are authentic.

Another example is those narrations which explain that Aameen should be said softly after Surah Faatiha:

كان رسول الله صلى الله عليه وسلم إذا قرأ ولا الضالين قال آمين وخفض بما صوته
19

Rasulullah #would say Aameen after reading ولا الضالين and he would lower his voice.

Other Ahaadith explain that the Aameen be said aloud.

كان رسول الله صلى الله عليه وسلم إذا قرأ ولا الضالين قال آمين ورفع بها صوته
20

Rasulullah would say Aameen and he would raise his voice.

Similarly, some Ahaadith explain that it is necessary under all circumstances to recite Surah Faatiha in Salaah. Otherwise, the Salaah will be invalid.

There is no Salaah for he who does not recite Surah Faatiha.

However, other Ahaadith explain that it is necessary for the one behind the Imaam to remain silent. He is not allowed to recite anything in an audible and inaudible Salaah.

When the Imaam recites then remain silent.

Who has an Imaam, the recitation of his Imaam will be sufficient for him. (Hence there is no need for him to recite anything behind the Imaam.)

أبو داود 1.0/1، ترمذي 1.0/1 18 ترمذي 0.0/1 19 0.00 أبو داود 1.00/1 20 1.00/1 21 1.00/1 مسلم 1.00/1

قال محمد: أخبرنا إسرائيل حدثني موسى بن ابي عائشة عن عبد الله بن شداد بن الهاد قال: ام رسول الله صلى الله عليه وسلم في العصر قال: فقرأ رجل خلفه فغمزه الذي يليه فلما ان صلى قال: لم غمزتني؟ قال: كان رسول الله صلى الله عليه وسلم قدامك فكرهت ان تقرأ خلفه فسمعه النبي صلى الله عليه وسلم قال: من كان له امام فان قراءة 24

Abdullah bin Shaddaad reports that Nabi ed the Asr Salaah. During the Salaah someone recited some Qiraat whilst following. Hence, a musallee besides him nudged him. After the Salaah, he asked the person, "Why did you nudge me?" He replied, "Nabi was standing in front of you and I did not like that you recite any qiraat whilst following him." Nabi heard this and said: "Whoever follows an Imaam, his (the Imaam's) qiraat will suffice for him."

It is also noteworthy that all these above mentioned Ahaadith have been authentically reported by the Muhadditheen. Hence, on what basis will one who is not a Mujtahid give preference to one Hadith over the other, more so when it cannot be chronologically proven in many cases which of the laws are the former and which are the latter? What will be the basis of the judgement of such a person who is not acquainted with the various sciences of Shari'ah, viz. Qur'aan, Hadith, Fiqh, the practices of the Sahaabah, Ijmaa', etc., and he also does not have a set of rules governing his authenticating or disauthenticating the Ahaadith, nor does he understand the factors which credit or discredit the narrator or the reasons for preferring one to the other? It is obvious that he will eventually choose one narration either on the basis of personal interests or what his heart is inclined towards or what he sees people doing in a certain Arab country. This is definitely no grounds in Shari'ah for giving preference.

6) Another problem is that since there exists no fifth mazhab in the world at present, those who wish to adopt a new mazhab (by directly referring to the Qur'aan and Hadith), will have to do either one of two things in order to reach the correct conclusion. They will either employ their personal reasoning when they come across any apparent contradiction in the Ahaadith or alternatively, depend upon the verdict of a scholar of recent times. By acting upon either one of the two, what assurity do they have that the conclusion they reach is correct. Furthermore, since they personally do not possess the required level of Deeni knowledge nor the potential to verify the exact position of the information they come across, trying to solve complex problems which relate to the chain of narrators of the Ahaadith or analysing complicated situations which have already been worked out by the four Imaams and their followers will be nothing but a mockery of the Deen of Allah Ta'ala. Apart from that, the major fear that remains is that if any mistake occurs, then one will be guilty of the sin of adulterating the Deen of Allah Ta'ala as the warning has been sounded in the Hadith of Rasulullah ::

عن ابي هريرة رضي الله عنه قال قال رسول الله صلى الله عليه وسلم: من افتى بغير علم كان اثمه على من افتاه. رواه أبو داود $\frac{25}{}$

الموطأ للإمام محمد ١٠١ ع

Hadhrat Ahu Hurairah reports that Rasulullah #said: If a person incapable of issuing verdicts in Deen issued a verdict, he will bear the sin (consequence) of the incorrect verdict he issued.

عن جابر قال خرجنا في سفر فأصاب رجلا منا حجر فشجه في رأسه فاحتلم فسأل أصحابه هل تجدون لي رخصة في التيمم قالوا ما نجد لك رخصة وانت تقدر على الماء فاغتسل فمات فلما قدمنا على النبي صلى الله عليه وسلم أخبر بذلك قال قتلوه قتلهم الله الا سألوا إذا لم يعلموا فإنما شفاء العي السوال انما كان يكفيه ان يتيمم ويعصب على جرحه خرقة ثم يمسح عليها ويغسل سائر جسده

Hadhrat Jaabir radiyallahu anhu reports that they were once on a journey when a person amongst them was struck by a rock and suffered severe head injuries. He then experienced a wet-dream (thus requiring ghusl). So he asked some of his companions if there was any concession for performing tayammum. They replied: "There is no concession for you since water is available." Thus, this Sahaabi took a bath and passed away (as a result of making ghusl). When they returned and Nabi was informed of this, he said: "They killed him, may Allah kill them. Why couldn't they enquire from those who were knowledgeable when they did not know? The cure of an ailing person (an ignorant person) is to ask. It was sufficient for him to only perform tayammum and bandage his wound. He could have then rubbed his moist hand over it and wash the rest of his body."

On one occasion a person came to Hadhrat Umar *radiyallahu anhu* for some work. During the conversation, Hadhrat Umar *radiyallahu anhu* asked him regarding the condition of the people in the land he had come from. The person replied: "O Ameerul Mu'mineen, there is a great awakening among the people and people are learning the Qur'aan and referring to the Qur'aan directly in Deeni matters (i.e. without the guidance of the Ulama)." Hadhrat ibn Abbaas *radiyallahu anhuma* was present in this gathering and upon hearing the statement of this person, he said: "I take an oath on Allah Ta'ala, I do not like that people begin learning and studying the Qur'aan by themselves." Upon this, Hadhrat Umar *radiyallahu anhu* immediately reprimanded him and disapproved of the objection he raised against the approach of the people.

After being reprimanded by Hadhrat Umar *radiyallahu anhu* Hadhrat ibn Abbaas *radiyallahu anhu* says: "I then went home extremely grieved and worried and said to myself: 'It seems that on account of my statement, I have fallen from the sight of Hadhrat Umar *radiyallahu anhu* and lost the lofty position I was enjoying." He further says: "After returning home, I rested on my bed, until the womenfolk of the house became concerned of my condition. It was not due to any ailment that I had fallen ill, rather over what had occurred during the conversation with Hadhrat Umar *radiyallahu anhu*. While I was in that condition, a person came to me and said: 'The Ameerul Mu'mineen has sent me to call you.' I then came out of my home and Hadhrat Umar *radiyallahu anhu* was there waiting for me. He took hold of my hand until we were in seclusion. He then asked: 'What was it that you disapproved regarding the statement made by that man earlier?' I replied: 'O Ameerul Mu'mineen, if I have erred, then I seek the forgiveness of Allah Ta'ala and repent, and I am prepared to correct my stance according to what you advise me.' Hadhrat Umar *radiyallahu anhu* said: 'No, rather tell me the reason for your disapproval?' I replied: 'O Ameerul Mu'mineen, the reason for me disapproving people referring to the Qur'aan directly is that they will begin

أبو داود ص ١٥٥ ²⁵ أبو داود ص ٤٩ ²⁶

to reach their own conclusions and formulate their own opinions in Deen. When this will happen, then the outcome of this is that each person will have his own version of Deen and confine the truth to what he feels. This will then lead to differences and dissension coming about in the ranks of the Muslims (based on ignorance). The dissension will then lead to arguments and disputes and ultimately Muslims will be fighting with Muslims." Hadhrat Umar was greatly pleased with what Hadhrat ibn Abbaas *radiyallahu anhuma* said and told him that he also felt the same though he hadn't expressed this to anyone till the time you mentioned it.

Imam Abu Haneefah rahimahullah.

There are numerous Kitabs written on Hadrat Imam Abu Haneefah *rahimahullah*, Allama Zafar Ahmad Uthmani *rahimahullah* has gathered many pearls in his Kitab *Al-Qawaaid-Fee Uloomel Hadeeth*, one may refer to it for more detail.

Those people who have abandoned Tagleed of the pious rightly guided Imaams who were from that era which Nabi (sallallahu alaihi wasallam) called the best of eras, have taken it upon themselves to criticize the Hanafi Mazhab. After great luminaries praised Imaam Abu Hanifah (rahimahullâh) throughout all eras, the criticism of such lowly people would not hold any weight. All the criticism cannot alter the great status that Imam Abu Hanifah (rahimahullâh) enjoys in the Court of Allah Ta'ala. There is an appropriate saying in the Arabic language that translates thus: "The waters of the ocean cannot be soiled by a fly falling therein and it cannot be rendered impure by a dog sipping therefrom!" Allamah Suyuti, Allamah Ibn Abdil Barr (rahimahumallâh) and other Muhadditheen have compiled separate books on the virtues of Imaam Saheb (rahimahullâh). The people who criticized Imaam Saheb are either contemporaries of Imaam Saheb or not. If they are not contemporaries, then it will be considered that the narrators have accepted the writings of Imaam Saheb's enemies and have narrated accordingly. They are not giving an eye-witness account of things. Hence the allegations made against him will not be acceptable. Even if the narrator of criticism is a contemporary and he wishes to surpass Imaam Saheb in his knowledge and virtues then too, his narration will be unacceptable because the struggle for rank and fame is a leading cause for jealousy. Allamah Ibn Abdil Barr (rahimahullâh) writes, "Amongst his contemporaries those people were jealous of Imaam Abu Hanifah (rahimahullâh) who vied with him and considered back biting about him to be permissible. Imaam Abu Hanifah (rahimahullâh) was proficient in all the different branches of knowledge."

Hadhrat Abu Hurairah (radhiallahu anhû) narrates that Nabi (sallallahu alaihi wasallam) said:

Allamah Jalaalud Din Suyuti (*rahimahullâh*) commenting on this Hadith says that herein indication is made towards Imaam Abu Hanifah (*rahimahullâh*). A student of Allamah Suyuti (*rahimahullâh*) mentions:

Further it is famous and accepted that Imaam Saheb (rahimahullâh) is a Tabe'ee. Great Muhadditheen, the likes of Yahya Ibn Ma'een, Yahya Ibn Saeed Qattaan, Abdullah Ibn Mubarak, Imaam A'mash

(Rahimahumullah) have all praised Imaam Abu Hanifah(rahimahullâh). Imaam Abu Hanifah (rahimahullâh) acquired the knowledge of Hadith from four thousand Scholars.

The fact that so many great personalities, Muhadditheen, Fuqaha etc throughout all eras have not only praised Imaam Saheb (*rahimahullâh*), but chose to follow his Mazhab is enough proof to show that the Mazhab is correct.

Allamah Zahabi (*rahimahullâh*) has listed Imaam Abu Hanifah (*rahimahullâh*) amongst the Huffaz of Hadith. Imaam Abu Hanifah (*rahimahullâh*) had very strict conditions for accepting any narration. He would only accept a narration from a Muhaddith who was a Hafiz of Hadith. Imaam Abu Yusuf (*rahimahullâh*) narrates that Imaam Abu Hanifah (*rahimahullâh*) said, "To narrate Ahadith is not permissible for all and sundry. Yes, only a person who clearly remembers the Hadith from the day he heard it right up to the present day is allowed to narrate the Hadith."

Qari Abdullah Saymari narrates that Imaam Abu Yusuf (*rahimahullâh*) said: "Whenever I differed with Imaam Abu Hanifah (*rahimahullâh*) on any issue and I reflected over it afterwards, I realized that his opinion is the safest. At times I would be inclined towards the apparent meaning of the Ahadith whereas he knew much more Authentic Ahadith than I did."

Abu Muhammed Hârithi narrates that Imaam Abu Yusuf (rahimahullâh) said: "We used to have academic discussions with Imaam Abu Hanifah (rahimahullâh) over religious issues. Whenever he confirmed his opinion and his students agreed with him, I would proceed to the people of Hadith in Kufa to search for a Hadith or Athar (the speech of a companion), etc. which corroborate the opinion of Imaam Saheb. Sometimes I used to come across two or three Ahâdîth in support of his opinion. I used to present these Ahâdîth to him. Although most of these Ahâdîth substantiated his views, he would accept some of them and reject the others saying that this Hadith is not Authentic or Mash-hur. When asked how he knew, Imaam Saheb would reply, "I am well aware of the knowledge of the people of Kufa."

Imam Abu Haneefah *rahimahullah* was the only Imam from the four A'imah who was a Taa'bie. Allama Zahabi *rahimahullah* (d.778 A.H) states: " He (Imaam Abu Hanifah) met Anas *radiyallahu anhu* on a number of occasions when he visited them in Kufa.²⁷

Ibn Ishaaq Samarqandi says that Imaam Abu Yusuf *rahimahullah*, in said: "Imaam Abu Hanifah used to complete a khatam of the Qur'aan every night in one Rakaat." ²⁸

Mis'ar bin Kidaam says: "One night I went into the musjid where I saw a man performing salaah. I was taken aback by his melodious recitation of the Holy Qur'aan. When he reached the seventh juz of the Qur'aan, I thought he may go into ruku any moment but he didn't until he recited one third of the Qur'aan. I thought he may go into Ruku at the termination of half the Qur'aan, but he continued until he recited the entire Qur'aan in one Rakaat. Upon closer inspection, I realised it was Imaam Abu Hanifah *rahimahullah*²⁹

Abu Muayyid Khawaarizmi *rahimahullah* narrates that Abdullah bin Mubaarak *rahimahullah* said: "On one occasion a few goats were stolen in Kufa. On hearing of this, Imaam Abu Hanifah *rahimahullah* , enquired about the average maximum age of a goat. When he was informed that goats normally live for up to seven years, he abstained from eating goat meat for seven years." ³⁰

²⁷ Who are the blind followers? Pg. 31

²⁸ Siyar 535/6

²⁹ Uqoodul Jumaan pg. 176

³⁰ Ibid pg. 207

Imaam Abu Hanifah was once asked: "How did you acquire this high position in Deen and the great treasures of 'ilm?" Imaam Abu Hanifah replied: "I never acted miserly with the knowledge that Allah Ta'ala had blessed me with. Instead I always shared it with the people, and I never regard it to be below my dignity to seek knowledge from the Ulama.³¹

Saheeh Ahaadeeth

The Salafies mention to the masses that only Saheeh Ahadeeth should be utilised, Dhaeef Ahadeeth should be avoided at all costs. This statement of theirs is a building block of theirs, which creates doubts in the minds of the people. Those influenced by such statements begin to have ill thoughts regarding the authors which compiled books which contain Dha'eef Ahadeeth, such as Fadaa'il A'maal of Hadrat Shaikhul Hadeeth Moulana Muhammad Zakariya Sahib *rahimahullah*. ³²

³² The experts in the field of Ahadeeth have permitted the usage of weak Ahadeeth with certain conditions. Muhaqqiq Ibnul Hummaam mentions: "As long as a Hadeeth is not fabricated, we can prove Istihbaab". (Qawaaid pg: 67)

Allama Nawawi mentioned in Al Azkaar: "The Ulama, the scholars of Hadeeth and fiqh, likewise many others have said that it is permissible and is preferable to act upon a Dhaeef Hadeeth with regard to Fadhaail, Targheeb and Tarheeb as long as it is not fabricated."

Imaam Baihaqi mentions in Dalaailun Nubuwwah: "When we narrate about reward, punishment and reward of actions, we adopt forbearance with regard to the chain and we overlook the man narrating."

Allama Abdul Hay Laknawi says: "From those who accept Dhaeef Hadeeth with regard to Fadhaail are: Imaam Ahmad Ibn Hambal and a big group of Muhadditheen. Ibn Sayyidin Naas, Mulla Ali Al Qari, Allama Suyooti, Allama Shawkaani, Allama Iraaqi, Allama Nawawi, Shaikhul Islaam Zakariyyah, Haafiz Ibn Hajar and Ibnul Hummam have also declared so."

Allama Nawawi has quoted consensus of opinion that Dhaeef Hadeeth is accepted with regard to Fadhaail. (Irshaadu Usoolil Hadeeth 124)

It is mentioned in Durrul Mukhtaar that the conditions to act upon a weak Dhaeef Hadeeth are: The weakness should not be very severe, it is included under a general rule of Shariah and it should not be regarded as Sunnah. **(Oawaaid pg: 58)**

And we have to consider that Dhaeef Hadeeth according to the scholars of Hadeeth does not mean refuted/invalid/unauthentic. Muhaqqiq Ibnul Hummam states: "The meaning of Dhaeef is not Baatil – invalid, rather it means that it is not according to the conditions that the Muhadditheen stipulated to regard a Hadeeth as sahih, with the possibility of it being sahih in reality. (Qawaaid fi Uloomil Hadeeth 39)

The example of this is a class of students. Student A is a good student and has a brilliant memory. If he relates anything from the teacher, everyone will rely on him and will accept the information; whether it is regarding a certain command or an offer of marks by doing a certain work.

Student B is also a good student, but does not have so brilliant a memory like student A. If he relates anything from the teacher, the colleagues will not have the same status of reliance as they had with student A, but because he is a good student as well, they will also accept it, because there is nothing to lose. If they do the work and the information was really true, they will get the extra marks and if there was a mistake in what he related, they will still benefit from the research and the information that they got. Student C is a mischief maker and a liar. If he relates something, everyone will know that it is a lie.

The example of student A is like the one the Muhadeetheen regard as a sahih narrator. The example of student B is of a Dhaeef narrator. And the example of student C is of a Kazzhab, because of which they regard the Hadeeth as very weak or Maudhoo'. Allama Haskafi mentions in Ad Durrul Mukhtaar: "Dhaeef Hadeeth can be acted upon with regard to Fadhaail".

Allama Shaami mentions: "That is to acquire the virtue that is based on the actions." Hafiz Ibn Hajar mentioned in the commentary of Arbaeen that this is because if the Hadeeth is correct, then it has been given its right with regard to action...." (Qawaaid fi Uloomil Hadeeth pg: 57)

Allama Suyooti has also mentioned that: "Even with regard to (Ahkaam) commands, when precaution demands, we will also act upon a Dhaeef Hadeeth. (Qawaaid fi Uloomil Hadeeth 58)

It is also mentioned that when a scholar of Hadeeth or fiqh acts upon a certain Dhaeef Hadeeth, that in itself shows that the *Hadeeth according to him is sahih, therefore makes it reliable.*

For example, The Fuqaha have regarded as Mustahab to call the Azan slowly and the Iqaamat faster, and up till today it is acted upon in every Mazhab and every place, whereas this is proven from a Hadeeth with a weak chain of narrators narrated by Tirmizi:

³¹ Ma'aalimul Irshaadiya pg. 217 (Above incidents taken from *Why should we follow an Imam? Madrasah Ta'lemuddeen*)

Hazrat Jaabir *radiyallahu anhu* narrates that Rasulullah stold Bilal *radiyallahu anhu* "O Bilal, when you call the Azan call slowly and when you call the Iqaamat do it faster." (Tirmizi, Hadeeth 195)

Imaam Tirmizi said that the chain of narrators is unkown. It is mentioned in Zafrul Amaani that Imaam Dar Qutni as well as another group of scholars have considered it as weak. But still, the Ahnaaf, Shawaafie, and another Mazhab have regarded this as Mustahab. The author of Zafrul Amaani concludes: Because a Dhaeef Hadeeth is sufficient with regard to Fadhaail, together with the fact that the Sahabah and those after them acted upon it, they gave the rule of Istihbaab. (Irshaadu Usoolil Hadeeth 128)

Another example is the Hadeeth of Salatut Tasbih, the chain of narrators is weak, but because of the practice of the Ummah, it has been given a higher status. Imaam Tirmizi after quoting the Hadeeth said: "Ibnul Mubaarak and many other scholars were of this opinion and they narrated it's virtue."

Imaam Baihaqi said: "Abdullah Ibnul Mubaarak used to read it and the Saalihoon used to learn it from one another, that strengthens the Marfoo' Hadeeth."

Another example is the Hadeeth: "There is no testament/bequest for an heir." (Imaam Bukhari has also stipulated a chapter with this same name) The Muhadditheen are unanimous that the chain of narrators is weak, but Imaam Tirmizi has regarded it as Hasan Sahih and that is because the Ummah has accepted it and acted upon it.

Shaikh Abdul Fattah Abu Ghuddah mentions: "Imaam Tirmizi has regarded some of it as sahih and some as Hasan because of its acceptance and consensus, otherwise, as you got to know from the text of Hafiz ibn Hajar, there is no chain that is devoid of critics. (Irshaadu Usoolil Hadeeth 129) *Taken from Madrasah Azaadville Archives.*

فائهم استثنوا الضعيف الشديد من الضعيف الذي يجوز التساهل فيه، في باب الترغيب، وأمور الزهد والآداب ونحوها، وقالوا ان الضعيف الشديد او الضعيف جدا لا يجوز التساهل فيه، كما تجد التصريح بذلك في آخر باب المقلوب من ((فتح المغيث)) و ((تدريب الراوي)) وفي خاتمة ((القول البديع في الصلوة والسلام على الحبيب الشفيع صلى الله عليه وسلم)) للحافظ السخاوي. ولا ريب ان المطروح والواهي اشد ضعفا وانحطاطا من الضعيف الشديد الضعف، فلا معنى للتساهل فيهما، وان ذهب طائفة الى قبول بعض اقسام الضعف جدا عما لم ينته الى ان يقال فيه متروك او مطروح، او واه، لخلو سنده عن الكذابين، والمتهمين، ولسلامة متنه من النكارة الفاحشة القاضية ببطلانه لكنهم مع ذلك متفقون على عدم جواز رواية المتروك والمولوح والواهي في باب الفضائل أيضا. وقال الحافظ الذهبي في كتابه الصغير الحجم والغزير العلم: ((الموقظة)) ص ٦٧: ((ويحرم رواية المطروح، الا ان يبيّنه للناس ليحذروه)). (الحاشية في المدخل الى علوم الحديث الشريف –الشيخ محمد عبد المالك حفظه رواية المعروع، ورواية المطروح، الا ان يبيّنه للناس ليحذروه)). (الحاشية في المدخل الى علوم الحديث الشريف –الشيخ محمد عبد المالك حفظه

فصل حكم العمل بالحديث الضعيف.... زاد النووي رحمه الله تعالى: ويجوز العمل بما فيما سوى صفات الله تعالى، واحكام الشريعة، من الحلال والحرام وغيرهما، وذلك كالمواعظ، والقصص، وفضائل الاعمال، وسائر فنون الترغيب والترهيب، وسائر ما لا تعلق له بالأحكام والعقائد. وممن روينا عنه التنصيص على التساهل في نحو ذلك: عبد الرحمن بن مهدي، واحمد بن حنبل رضي الله عنهما. اه

وقال الامام احمد بن حنبل رحمه الله تعالى: إذا روينا عن رسول الله صلى الله عليه وسلم في الحلال والحرام والسنن والاحكام تشددنا في الاسانيد، وإذا روينا عن النبي صلى الله عليه وآله وسلم في فضائل الاعمال، وما لا يضع حكما ولا يرفعه، تساهلنا في الاسانيد. اه (انظر: مجموع الفتاوى لابن تيمية ١٨٠: ٥٥-٨٦- خطورة مساواة الحديث الضعيف بالموضوع -ص ٥٦)

وقال الامام النووي رحمه الله تعالى -في مقدمة الاذكار - قال العلماء من الفقهاء والمحدّثين وغيرهم: يجوز ويستحب العمل في الفضائل والترغيب والترهيب بالحديث الضعيف، ما لم يكن موضوعا (انظر: خطورة مساواة الحديث الضعيف بالموضوع -ص ٥٨)

لما كنت اشرح ابوابا من سنن الترمذي -قسم العبادات- لفت نظري قول الامام ترمذي رحمه الله تعالى على عدد كثير من الأحاديث: وعليه العمل عند اهل العلم، او عند بعض اهل العلم، مع حكمه على تلك الأحاديث بالضعيف، سواء بالاضطراب، او بالانقطاع السند، او لعدم صحة السند، او لضعف الراوي.... او نحو ذلك. (انظر: خطورة مساواة الحديث الضعيف بالموضوع -ص ٧١)

One needs to remember that the present day Salafis are a group that emerged after approximately thirteen hundred years. Will this mean that the group on the truth, *the Ahlus Sunnah Wal Jamaa'ah*, did not exist for the last thirteen hundred years and the Ummah were collectively astray all this time? The present day Salafis possess a very limited understanding of Hadith. Were the Authentic Ahadith that they claim to follow hidden from all the Imaams throughout the eras?

Firstly, the A'imah of the Mazahib lived in this world many hundred years before these so-called modern-day scholars. Therefore, many Ahâdîth, when presented to the A'imah of the Mazahib were deemed by them to be authentic and worthy of basing Masa'il on them. However, when these same Ahâdîth were presented to scholars later on, a "weak" narrator suddenly came into the chain of narration. Furthermore, many books of Ahadeeth have been lost during the centuries, just because we cannot locate a certain Hadeeth in the books which are at our disposal does not mean that the Hadeeth was not found in previous Kutub.³³ Thus, these

اما الامام البخاري رحمه الله تعالى فيرده فعله في كتابه (الادب المفرد) حيث فيه حديث ضعيف وان كان قليلا وكذا غيره من الكتب، انما شرط ذلك في الصحيح لا غير، ولو كان لا يجوز الاحتجاج بالضعيف عنده فلم ذكره في الادب المفرد وغيره؟ وهل كان يصعب عليه اختيار الصحيح وهو الذي يحفظ مائة ألف حديث صحيح؟ وانظر الأرقام التالية في الادب المفرد (٢٠١،٥٣،٥٩،٦٣،٥٩،٥٩،٦٣٥) فصل ما المراد بالضعيف عند الامام احمد بن حنبل رحمه الله تعالى

لقد ذهب بعض اهل العلم الى ان مراد الامام احمد رحمه الله تعالى بالضعيف هو الحسن. وهو ما قاله العلامة ابن تيمية ونقله ابن القيم رحمهما الله تعالى.... وهذا قول لا تسعفه النصوص، وقد توسع الشيخ عبد الحي اللكنوي رحمه الله تعالى بعرض الاقوال في الحديث الضعيف في كتابه ((الأجوبة الفاضلة)).. والجواب على هذا القول من وجوه: (بعد أسطر) الثاني: ما ادخله ابن الجوزي رحمه الله تعالى من أحاديث المسند في كتابه الموضوعات. و كذا الحافظ العراقي رحمه الله تعالى حيث ذكر تسعة احاديث فهو و ان لم يسلم لهما بانما موضوعة لكن منها ما لا يرتفع الى درجة الحسن او الصحيح بل هي في درجة الضعيف، و منها الضعيف جدا، و قد أوضح ذلك الائمة ابن حجر و السيوطي و ابن عراق و العلامة عمد المدارسي رحمهم الله تعالى (انظر: القول المسدد، و ذيله، والنكت على كتاب ابن الصلاح (٥٠٤:١ و ما بعد) و تدريب الراوي (١: عمد المدارسي رحمهم الله تعالى (ابناز : القول المسدد، و ذيله، والنكت على كتاب ابن الصلاح (٢٠١٠) ...قال ابن تيمية رحمه الله تعالى فيما حكاه النجم الطوفي -: اعتبرت مسند احمد فوجدته موافقا لشرط ابي داود (النكت على كتاب ابن الصلاح (٢٨١٤:١) ، فتح المغيث (١٠٨٠) ...و قد ذكر أبو داود رحمه الله تعالى في رسالته لأهل مكة اقسام الاحاديث في سننه، و بين وجود الضعيف و المنكر و ما فيه و هن شديد،...ا لخ

فقد بلغني ان الحافظ ابن حجر سئل عن هذه الأحاديث التي يوردها ائمتنا والائمة الحنفية في الفقه محتجبين بها، ولا تعرف في كتب الحديث؟ قطحاب: بان كثيرا من كتب الحديث او الأكثر منها عُدم في بلاد الشرق من الفتن، فلعل تلك الأحاديث مخرّجة فيها ولم تصل الينا. و لفظ التوربشتي في ((الميسّر شرح المصابيح) ١: ٣٠ ((و هذا علم قد تغيرت بهجته،...و قد كان معظم غمرته بالعراق و خراسان، فلما اكتنفنها الفتن...لم يبق من رجال هذا العلم في تلك الديار ديّار، و ذهب بذهابهم المسموعات، و اضمحلّت بخرابها المؤلفات) و توفي التوربشتي سنة ١٦٦ بعد فتنة التتار بخمس سنوات تقريبا. (المدخل الى علوم الحديث الشريف — ص ٩٣)

scholars considered such Ahâdîth to be unauthentic. Frankly, in the aforementioned situation, common sense demands that we follow the A'imah of the Mazahib.

Secondly, the determining of the authenticity of Ahâdîth is such a subject in which there is vast difference of opinion amongst the scholars. Hence, if one scholar declares a Hadîth to be authentic and for some reason another scholar declares the same Hadîth to be weak and both scholars based their view in light of evidence available to them or according to principals formulated by each of them then, they will not be obliged to change their views. Consequently, the A'imah of the Mazahib selected those Ahâdîth which they deemed worthy of basing their Masa'il upon. Therefore, these so-called modern-day scholars have no right whatsoever to object on the A'imah of the Mazahib

Thirdly, a Hadîth merely being authentic does not necessitate that it *has* to be practiced upon. There are many Ahâdîth that are authentic, but despite that, none of the Ulamâ' (not even the modern-day scholars) have adopted it as their practice. An example of that is that there is a Hadîth in Bukhârî Shareef in which it is mentioned that Nabi *Sallallahu Alaihi wasallam* made Raf'ul-yadain (lifting of the hands) between the two sajdahs. However, none of the Ulamâ' are of the opinion that a person should lift his hands between the two sajdahs. Hence, what we understand from this is that we are not obliged to *always* follow that which is authentic or follow *all* that which we assume to be authentic; instead, the A'imah of the Mazahib observed all types of narrations with regards to a certain issue and then formulated their opinion in such a unique manner that they created harmony amongst all the various narration on that subject.

If a Hadeeth is Saheeh, it is my Mazhab

These stereotypes always say, "I am more of a Hanafi or Shaf'ee than you, because all the four Imams are reported to have said: *If a Hadeeth is Saheeh, it is my Mazhab.*" They use these types of statements to lead the commonfolk astray. They quote this statement, then they show you a Hadith from Bukhari apparently against the Mazhab, they compel the people to follow it and leave their Mazhab. Let us look at the practical value of this statement in the light of the understanding to those people of this Ummah who were regarded as authorities of their time.

- 1. What is the meaning of **Saheeh (authentic) Hadeeth?** because it is common knowledge (to even students of Deen) that all the Imaams differed in their conditions of authenticating Hadeeth? A Hadeeth could be Saheeh according to one Imam and weak according to another. A Muhaddith's (scholar of Hadeeth) decision on a particular Hadeeth cannot be forced down an Imam's throat. Saheeh means that is correct according to Fiqh, this does not mean the term Saheeh according to the Muhadethoon.³⁴
- 2. Some of the Imams do not even require the Hadeeth to be of the Saheeh category for it to be used to extract laws. Sometimes they even find support for an apparently weak Hadeeth from an Aayah of the Our'an which would never even cross our minds.
- 3. You will have to prove that the Imam did not know of this Hadeeth, because in all probability he knew this Hadeeth but he had other stronger proofs which compelled him to leave the Hadeeth.
- 4. To imply that the Imam did not know a specific Hadeeth, you will have to read all his works and the works of his students, this is not an easy task, even for high-ranking scholars, never mind the ignorant ones.

- 5. After accepting the authenticity of the Hadeeth, it is necessary to have an encompassing knowledge of the practice of the Sahâbah, because if it is proven that a Sahâbi acted contrary to a Hadeeth which he narrated, it would be a sign of the Hadeeth being abrogated.
- 6. If all the four Imams left the practice of a Hadeeth in spite of narrating it, it proves that there is a hidden problem which effects the authenticity of the Hadeeth.
- 7. It is the height of ignorance to jump at the first Hadeeth in sight without looking at all the other Ahaadeeth (plural of Hadeeth) narrated regarding the same law.
- 8. The authenticity of a Hadeeth does not demand that the Hadeeth should be acted upon, because it could be abrogated.
- 9. Before acting upon an authentic Hadeeth, it would be necessary to establish that there is no other proof in Shari'ah contradicting the purport of this Hadeeth. By Shari'ah, we mean the encompassing understanding of an Imam of the Qur'an, Sunnah, Ijmaa'(consensus of Jurists) and Qiyas (analogical deduction). Furthermore, the negation of any such proof by anyone besides a Mujtahid (one who has perfection in all the tools required for extracting law from its direct sources) holds no water.
- 10. It is an undisputed fact that the four Imams were much more desirous in following the Qur'an and Hadeeth than us.

This last condition is sufficient to prove that this statement: *If a Hadeeth is Saheeh, it is my Mazhab* is not addressed to every Tom, Dick and Harry, but rather to a person who is a Mujtahid. And the reality of the fact is that the Imams told this to their students who were capable of Ijtihaad.

Allamah Ibn Aabideen As-Shaami rahmatullahi alaihi says in Raddul Muhtaar vol.1 pg.68 after quoting this statement of the Imaams rahmatullahi alaihim: If a Hadeeth is Saheeh, it is my Mazhab, "...and Imam Sha'rani rahmatullahi has quoted this from all the four Imaams, and it is obvious that this refers to him who is qualified to look into the texts, and he who can differentiate the affirmed texts from the abrogated..." and on pg.258 he says, "where you have a narration which is declared Saheeh without any contradiction, it is the Mazhab of the Mujtahid..." and yet in Sharh 'Uqood Rasmul Muftie with Majmoo'a Rasaa'il vol.1 pg.24 he says, "and I add: it is appropriate to limit this to it being a narration in the Mazhab, because they (our Jurists) have not given permission to exercise an independent judgement which takes a person out of the Mazhab ruling against what our Imaams have agreed upon. This is so because their (our Imams) legal judgement is stronger than his and the obvious is that they have seen a proof that is more preferred than what he sees which led them to leave practicing on it (this Saheeh Hadeeth)."

Conclusion

In conclusion we state that from the above-mentioned points it is clear as daylight that Salafism is nothing but a deception and pulling the wool over people's eyes by claiming to only follow authentic Ahâdîth. The above concise article only deals with the issue of Taqleed and Ahaadeeth, *inshallah* in the future we will try to expound on the differences relating on Aqeedah (beliefs), Allah Ta'ala grant Taufeeq. We should remain steadfast on the teachings of our Akabereen, and while seeking assistance from Allah Ta'ala the people of knowledge should approach the people with good character and befriend them (if one is certain that one will not poison one's own belief) . One should have pity on them for the truth has not opened on their hearts. One should not get angry with them, but one should speak to them with concern. With extreme tact and wisdom, steadily we should attract them to such efforts that will create submissiveness in them and respect for the Akaabir. It might take a long time but after persistence, the desired result will materialize *inshallah*.

References (also refer to the following Kitabs for more detail):

Madrasah Azaadville Archives

Ghair Mugallideen ke dairy,

Ifaadaat Mufti Mehmood (ghair muqallidiyyat),

Kuch dayr ghair muqallideen ke saat (Abu bakr Gazipuri)

Tajalliyaat Safdar-Majmooah

Maqaalaat-Maulana Asad Madani

Tagleede Aemaa aur Magaam Abu Haneefa- Maulana Muhammad Ismael Sanbaly.

Taqleed ke Sharee Haytheyat. Mufti Taqi Uthmani.

AlkalaamulMufeed. Maulana Sarfaraaz Khaan.

Majmooah Magaalaat Maulana Fadlul Ralhmaan Aazmy,

Why should we follow an Imam? Madrasah Taleemuddeen),

Towards understanding Taqleed part 1 and 2 of Mufti A.H Elias rahimahullah

Sifaat Mutashabihaat aur Salafi Aqaa'id

An-Nujooms Saariya fe Ta'weel Hadeethel Jaariyah

Al-Qawl Tamaam be Ithbaatet Tafweedh mazhaban les salafel Kiram

Gayatul Bayaan

Maqaalat Abul Ma'aathir

Maj'mooah Rasaail Wa Magaalat Jamiat Ulama Hind

Eezaahul Haq As-Sareeh

Al-Madkhal Ilal Uloomel Hadeeth Shareef

Qawaaid Fee Uloomel Hadeeth

Ahsanul Fatawa

Fatawa Raheemiyah

Khutoorah Musaawaatel Hadeethed Dhaeef Bel Maudoo

Al-Juz'ul Lateef fel Istidlaal bel Hadeeth Dhaeef

Ikhtilaaf Ummat aur Siraat Mustageem

Ar Radd Alal Wahhabiyah

Al-Hanaabilah wal Ikhtilaaf ma'a Salafeyatel Muaa'sarah

As-Salafeya Shaikh Ramadaan Booti rahimahullah.

Al Muhannad alal Mufannad

Eedahul Adillah

والله أعلم وعلمه أتم واحكم

Muhammad Irshad Motara 21st Zhul Hijjah 1442 31st July 2021