

Bismillah hir rahman nir rahim

Tagleed

Praise be to Allah, we seek His help and His forgiveness. We seek refuge with Allah from the evil of our own souls and from our bad deeds. Whomsoever Allah guides will never be led astray, and whomsoever Allah leaves astray, no one can guide. I bear witness that there is no god but Allah, the One, having no partner. And I bear witness that Muhammad (ﷺ) is His slave and Messenger.

The most truthful speech is the Book of Allah and the best guidance and example is that of Muhammad (ﷺ), and the worst of all things are the newly invented matters, for every invented matter is an innovation, and every innovation is a going astray, and every going astray is in Hell-fire.

And thereafter:

Assalaamu alaikum wa rahmatullahi wa barakaatu.

I pray by the Mercy of Allah that you are in good health, with strong imaan and istiqamah upon the siraatul mustaqeem. Ameen.

Introduction:

This document consists of evidences for calling oneself "Muslim", being united upon truth and not breaking up into sects, rejecting any opinions when there's evidence contradicting it from the Quraan and Sunnah and what the scholars have said regarding opinions, including their own opinions.

Allah says in the Quraan:

Regarding Allah choosing Islam as the religion:

- ...This day have I **perfected your religion** for you, and completed my favour upon you, and **have chosen for you Islam as your religion**... *Al-Maaida (5:3)*
- **Verily The Religion before Allah is Islam** (submission to His will). *Aale-imraan (3:19)*

Regarding calling one's self "Muslim":

- And strive in His cause as ye ought to strive, (with sincerity and under discipline): He has chosen you and has imposed no difficulties on you in religion; it is the religion of your father Abraham. **It is He (Allah) Who has named you Muslims, both before and in this (Revelation)**; that the Messenger may be a witness for you, and ye be witnesses for mankind! So establish regular Prayer give regular Charity, and hold fast to Allah! He is your Protector— the— Best to protect and the Best to help! *Al-Hajj (22:78)*
- And who is better in speech than one who invites to Allah and does righteousness and says, "**Indeed, I am of the Muslims**" *Fussilat (41:33)*

Regarding unity upon truth and not being divided into hizbs:

- **And hold fast, all together by the rope which Allah (stretches out for you), and be not divided among yourselves**; and remember with gratitude Allah's favour on you; for ye were enemies and He joined your hearts in love so that by His Grace, ye became brethren; and ye were on the brink of the pit of fire, and He saved you from it. Thus doth Allah make his signs clear to you: that ye may be guided. *Aale-Imraan (3:103)*
- Indeed, **those who have divided their religion and become sects - you, [O Muhammad], are not [associated] with them in anything. Their affair is only [left] to Allah**; then He will inform them about what they used to do. *Al-An'am (6:156)*

Regarding rejecting any opinion when there is evidence from Quraan or authentic hadith concerning it:

- It is not fitting for a Believer, man or woman, **when a matter has been decided by Allah and His Messenger, to have any option about their decision**: if anyone disobeys Allah and His Messenger he is indeed on a clearly wrong Path. *Al-Ahzab (33:36)*
- O you who have believed, obey Allah and obey the Messenger and those in authority among you. **And if you disagree over anything, refer it to Allah and the Messenger**, if you should believe in Allah and the Last Day. That is the best [way] and best in result. *An-Nisa (4:59)*

- O you who believe! Keep your duty to Allah and fear Him, **and speak (always) the truth**. He will direct you to righteous deeds and will forgive you your sins. **And whosoever obeys Allah and His Messenger has indeed achieved a great achievement.** *Al-Ahzaab (33:70)*
- The answer of the Believers when summoned to Allah and His Messenger in order that He may judge between them, is no other than this: they say "**We hear and we obey**": it is such as these that will attain felicity. *An-Noor (24:51)*

On becoming the first Khalif in Islam Abu Bakr (رضى الله عنه) said:

"I have been given the authority over you, and I am not the best of you. If I do well, help me; and if I do wrong, set me right. **Sincere regard for truth is loyalty and disregard for truth is treachery.** The weak amongst you shall be strong with me until I have secured his rights, if God wills; and the strong amongst you shall be weak with me until I have wrested from him the rights of others, if God wills. **Obey me so long as I obey God and His Messenger. But if I disobey God and His Messenger, you owe me no obedience.** Arise for your prayer, God have mercy upon you." (*Al-Bidaayah wan-Nihaayah 6:305, 306*)

Some statements of the 4 Imaam's regarding following their opinions:

Imaam Abu Haneefah (rahimahullaah) said:

- **"Adhere to the Athaar (narrations) and the Tareeqah (way) of the Salaf and beware of newly invented matters, for ALL OF IT is innovation."** [Reported by As-Suyootee in *Sawn al-Mantaq Wal -Kalaam*, p. 32.]
- **"When a hadeeth is found to be saheeh, then that is my madhhab."** Ibn 'Aabideen in *al-Haashiyah (1/63)*, and in his essay *Rasm al-Mufti (1/4 from the Compilation of the Essays of Ibn 'Aabideen)*, Shaikh Saalih al-Fulaani in *Eeqaaz al-Himam (p. 62) & others*. Ibn 'Aabideen quoted from *Sharh al-Hidaayah* by Ibn al-Shahnah al-Kabeer, the teacher of Ibn al-Humaam, as follows: **"When a hadeeth contrary to the Madhhab is found to be saheeh, one should act on the hadeeth, and make that his madhhab.** Acting on the hadeeth will not invalidate the follower's being a Hanafi, for it is authentically reported that Abu Haneefah said, **'When a hadeeth is found to be saheeh, then that is my madhhab'**, and this has been related by Imaam Ibn 'Abdul Barr from Abu Haneefah and from other imaams." This is part of the completeness of the knowledge and piety of the Imaams, for they indicated by saying this that they were not versed in the whole of the Sunnah, and Imaam Shaafi'i has elucidated this thoroughly (see later). It would happen that they would contradict a sunnah because they were unaware of it, so they commanded us to stick to the Sunnah and regard it as part of their Madhhab. May Allaah shower His mercy on them all.
- **"It is not permitted for anyone to accept our views if they do not know from where we got them."** Ibn 'Abdul Barr in *Al-Intiqaa' fi Fadaa'il ath-Thalaathah al- A'immah al-Fuqahaa' (p. 145)*, Ibn al-Qayyim in *I'laam al-Mooq'een (2/309)*, Ibn 'Aabideen in his Footnotes on *Al-Bahr ar-Raa'iq (6/293)* and in *Rasm al-Mufti (pp. 29,32) & Sha'raani in Al-Meezaan (1/55)* with the second narration. The last narration was collected by 'Abbaas ad-Dawri in *At- Taareekh* by Ibn Ma'een (6/77/1) with a saheeh sanad on the authority of Zafar, the student of Imaam Abu Haneefah. Similar narrations exist on the authority of Abu Haneefah's companions Zafar, Abu Yoosuf and 'Aafiyah ibn Yazeed; cf. *Eeqaaz (p. 52)*. Ibn al-Qayyim firmly certified its authenticity on the authority of Abu Yoosuf in *I'laam al-Mooq'een (2/344)*. The addition to the second narration is referenced by the editor of *Eeqaaz (p. 65)* to Ibn 'Abdul Barr, Ibn al-Qayyim and others. If this is what they say of someone who does not know their evidence, what would be their response to one who knows that the evidence contradicts their saying, but still gives verdicts opposed to the evidence?! Therefore, reflect on this saying, for it alone is enough to smash blind following of opinion; that is why one of the muqallid shaikhs, when I criticised his giving a verdict using Abu Haneefah's words without knowing the evidence, refused to believe that it was a saying of Abu Haneefah!
- In one narration, **"It is prohibited for someone who does not know my evidence to give verdicts (fatwaa) on the basis of my words."** Another narration adds, **"... for we are mortals: we say one thing one day, and take it back the next day."** In another narration, **"Woe to you, O Ya'qub (Imaam Abu Haneefah's illustrious student, Abu Yoosuf (Rahimahullaah)! Do not write down everything you hear from me, for it happens that I hold one opinion today and reject it tomorrow, or hold one opinion tomorrow and reject it the day after tomorrow."** This was because the Imaam would often base his view on Qiyaas (Analogy), after which a more potent analogy would occur to him, or a hadeeth of the Prophet (ﷺ) would reach him, so he would accept that and ignore his previous view. Sha'raani's words in *Al-Meezaan (1/62)* are summarised as: "Our belief, as well as that of every researcher into Imaam Abu Haneefah (radi Allaahu 'anhu), is that, had he lived until the recording of the Sharee'ah, and the journeys of the Preservers of Hadeeth to the various cities and frontiers in order to collect and acquire it, he would have accepted it and ignored all the analogies he had employed. The amount of qiyaas in his Madhhab would have been just as little as that in other Madhhabs, but since the evidences of the Sharee'ah had been scattered with the successors and their successors, and had not been collected in his lifetime, it was necessary that there be a lot of qiyaas in his Madhhab compared to that of other imaams. The later scholars then made their journeys to find and collect ahaadeeth from the various cities and towns and wrote them down; hence, some ahaadeeth of the Sharee'ah explained others. This is the reason behind the large amount of qiyaas in his Madhhab, whereas there was little of it in other Madhhabs." *Abul-Hasanaat Al-Lucknowi* quoted his words in full in *An- Naafi' al-Kabeer (p. 135)*, endorsing and expanding on it in his footnotes, so whoever wishes to consult it should do so there. Since this is the justification for why Abu Haneefah has sometimes unintentionally contradicted the authentic ahaadeeth - and it is a perfectly acceptable reason, for Allaah does not burden a soul with more than it can bear - it is not permissible to insult him for

it, as some ignorant people have done. In fact, it is obligatory to respect him, for he is one of the imaams of the Muslims through whom this Deen has been preserved and handed down to us, in all its branches; also, for he is rewarded under any circumstance: whether he is correct or wrong. Nor is it permissible for his devotees to continue sticking to those of his statements which contradict the authentic ahaadeeth, for those statements are effectively not part of his Madhhab, as the above sayings show. Hence, these are two extremes, and the truth lies in between. "Our Lord! Forgive us, and our brethren who came before us into the Faith; and leave not, in our hearts, any rancour against those who have believed. Our Lord! You are indeed Full of Kindness, Most Merciful." (Al-Hashr 59:10)

- **"When I say something contradicting the Book of Allaah the Exalted or what is narrated from the Messenger (ﷺ), then ignore my saying."**

Al-Fulaani in *Eeqaaz al-Himam* (p. 50), tracing it to **Imaam Muhammad and then saying, "This does not apply to the mujtahid, for he is not bound to their views anyway, but it applies to the muqallid."** Sha'raani expanded on that in *Al-Meezaan* (1/26): "If it is said: 'What should I do with the ahaadeeth which my Imaam did not use, and which were found to be authentic after his death?' The answer which is fitting for you is: 'That you act on them, for had your Imaam come across them and found them to be authentic, he would have instructed you to act on them, because all the Imaams were captives in the hand of the Sharee'ah.' He who does so will have gathered all the good with both his hands, but he who says, 'I will not act according to a hadeeth unless my Imaam did so', he will miss a great amount of benefit, as is the case with many followers of the Imaams of the Madhhabs. It would be better for them to act on every hadeeth found to be authentic after the Imaam's time, hence implementing the will of the Imaams; for it is our firm belief about the Imaams that had they lived longer and come to know of those ahaadeeth which were found authentic after their time, they would have definitely accepted and acted according to them, ignoring any analogies they may have previously made, and any views they may have previously held."

Imaam Maalik ibn Anas (rahimahullaah) said:

- **"Truly I am only a mortal: I make mistakes (sometimes) and I am correct (sometimes). Therefore, look into my opinions: all that agrees with the Book and the Sunnah, accept it; and all that does not agree with the Book and the Sunnah, ignore it."** (Ibn 'Abdul Barr in *Jaami' Bayaan al-Ilm* (2/32), Ibn Hazm, quoting from the former in *Usool al-Ahkaam* (6/149), & similarly Al-Fulaani (p. 72))
- **"Everyone after the Prophet (ﷺ) will have his sayings accepted and rejected - not so the Prophet (ﷺ)."** This is well known among the later scholars to be a saying of Maalik. Ibn 'Abdul Haadi declared it saheeh in *Irshaad as-Saalik* (227/1); Ibn 'Abdul Barr in *Jaami' Bayaan al-Ilm* (2/91) & Ibn Hazm in *Usool al-Ahkaam* (6/145, 179) had narrated it as a saying of Al-Hakam ibn 'Utaibah and Mujaahid; Taqi ad-Deen as-Subki gave it, delighted with its beauty, in *al-Fataawaa* (1/148) as a saying of Ibn 'Abbaas, and then said: "These words were originally those of Ibn 'Abbaas and Mujaahid, from whom Maalik (radi Allaahu 'anhu) took them, and he became famous for them." It seems that Imaam Ahmad then took this saying from them, as Abu Daawood has said in *Masaa'il of Imaam Ahmad* (p. 276): "I heard Ahmad say, 'Everyone is accepted and rejected in his opinions, with the exception of the Prophet (ﷺ)'."
- **Ibn Wahb said: "I heard Maalik being asked about cleaning between the toes during ablution. He said, 'The people do not have to do that.' I did not approach him until the crowd had lessened, when I said to him, 'We know of a sunnah about that.' He said, 'What is that?' I said, 'Laith ibn Sa'd, Ibn Lahee'ah and 'Amr ibn al-Haarith narrated to us from Yazeed ibn 'Amr al-Ma'aafiri from Abu 'Abdur-Rahman al-Hubuli from Mustawrid ibn Shaddaad al-Qurashi who said, 'I saw the Messenger of Allaah (ﷺ) rubbing between his toes with his little finger.' He said, 'This hadeeth is sound; I had not heard of it at all until now.' Afterwards, I heard him being asked about the same thing, on which he ordered cleaning between the toes."**
From the *Introduction to Al-Jarh wat-Ta'deel of Ibn Abi Haatim*, pp. 31-2.

Imaam Shaafi'i (rahimahullaah) said:

As for Imaam Shaafi'i, the quotations from him are most numerous and beautiful (*From the Introduction to Al-Jarh wat-Ta'deel of Ibn Abi Haatim*, pp. 31-2) and his followers were the best in sticking to them:

- **"The sunnahs of the Messenger of Allaah (ﷺ) reach, as well as escape from, every one of us. So whenever I voice my opinion, or formulate a principle, where something contrary to my view exists on the authority of the Messenger of Allaah (ﷺ), then the correct view is what the Messenger of Allaah (ﷺ) has said, and it is my view."** Related by Haakim with a continuous sanad up to Shaafi'i, as in *Taareekh Dimashq of Ibn 'Asaakir* (15/1/3), *Ilaam al-Mooqi'een* (2/363, 364) & *Eeqaaz* (p. 100).
- **"The Muslims are unanimously agreed that if a sunnah of the Messenger of Allaah (ﷺ) is made clear to someone, it is not permitted for him to leave it for the saying of anyone else."** *Ibn al-Qayyim* (2/361) & *Fulaani* (p. 68)
- **"If you find in my writings something different to the Sunnah of the Messenger of Allaah (ﷺ), then speak on the basis of the Sunnah of the Messenger of Allaah (ﷺ), and leave what I have said." In one narration: "... then follow it (the Sunnah), and do not look sideways at anyone else's saying."** Harawi in *Dhamm al-Kalaam* (3/47/1), Khateeb in *Al-Ihtijaaj bi ash-Shaafi'i* (8/2), Ibn 'Asaakir (15/9/10), Nawawi in *Al-Majmoo'* (1/63), Ibn al-Qayyim (2/361) & *Fulaani* (p. 100); the second narration is from Hilyah al-Awliyaa' of Abu Nu'aim.
- **"When a hadeeth is found to be saheeh, then that is my madhhab."** Nawawi in *Al-Majmoo'* (1/63), Sha'raani (1/57), giving its sources as Haakim and Baihaqi, & *Fulaani* (p. 107). Sha'raani said, "Ibn Hazm said, 'That is, ... found to be saheeh by him or by any other Imaam.'" His saying given next confirms this understanding.

Nawawi says: "Our companions acted according to this in the matter of tathweeb (calling to prayer in addition to the adhaan), the conditions on coming out of ihraam due to illness, and other issues well-known in the books of the Madhhab. Among those of our companions who are reported to have passed judgment on the basis of the hadeeth (i.e. rather than the saying of Shaafi'i) are Abu Ya'qoob al-Buweeti and Abu I-Qaasim ad-Daariki. Of our companions from the muhadditheen, Imaam Abu Bakr Al-Baihaqi and others employed this approach. Many of our earliest companions, if they faced an issue for which there was a hadeeth, and the madhhab of Shaafi'i was contrary to it, would act according to the hadeeth and give verdicts based on it, saying, 'The madhhab of Shaafi'i is whatever agrees with the hadeeth.' Shaikh Abu 'Amr (Ibn as-Salaah) says, 'Whoever among the Shaafi'is found a hadeeth contradicting his Madhhab, he would consider whether he fulfilled the conditions of ijtihaad generally, or in that particular topic or issue, in which case he would be free to act on the hadeeth; if not, but nevertheless he found it hard to contradict the hadeeth after further analysis, he would not be able to find a convincing justification for opposing the hadeeth. Hence, it would be left for him to act according to the hadeeth if an independent imaam other than Shaafi'i had acted on it, and this would be justification for his leaving the Madhhab of his Imaam in that issue.' What he (Abu 'Amr) has said is correct and established. Allaah knows best."

There is another possibility which Ibn as-Salaah forgot to mention: what would one do if he did not find anyone else who acted according to the hadeeth? This has been answered by Taqi ad-Deen as-Subki in his article, The Meaning of Shaafi'i's saying, "When a hadeeth is found to be saheeh, then that is my madhhab" (p. 102, vol. 3): "For me, the best thing is to follow the hadeeth. A person should imagine himself in front of the Prophet (ﷺ), just having heard it from him: would there be leeway for him to delay acting on it? No, by Allaah ... and everyone bears a responsibility according to his understanding."

The rest of this discussion is given and analysed in I'laam al-Muwaqqi'een (2/302, 370) and in the book of al-Fulaane, (full title:) Eeqaaz Himam ulu l-Absaar, lil-Iqtidaa' bi Sayyid al-Muhaajireen wal-Ansaar, wa Tahdheeruhum 'an al-Ibtidaa' ash-Shaa'i' fi l-Quraa wal-Amsaar, min Taqleed al-Madhaahib ma'a l-Hamiyyah wal-'Asabiyyah bain al-Fuqahaa' al-A'saar (Awakening the Minds of those who have Perception, towards following the Leader of the Emigrants and Helpers, and Warning them against the Innovation Widespread among Contemporary Jurists in the Towns and Cities, of following Madhhabs with Zeal and Party-Spirit). The latter is a unique book in its field, which every desirer of truth should study with understanding and reflection.

- **"You (Imaam Ahmad ibn Hanbal (Rahimahullaah) are more knowledgeable about Hadeeth than I, so when a hadeeth is saheeh, inform me of it, whether it is from Kufah, Basrah or Syria, so that I may take the view of the hadeeth, as long as it is saheeh."** Related by Ibn Abi Haatim in Aadaab ash-Shaafi'i (pp. 94-5), Abu Nu'aim in Hulyah al-Awliyyaa' (9/106), al-Khateeb in Al-Ihtijaaj bish-Shaafi'i (8/1), and from him Ibn 'Asaakir (15/9/1), Ibn 'Abdul Barr in al-Intiqaa' (p. 75), Ibn al-Jawzi in Manaaiqib al-Imaam Ahmad (p. 499) & Harawi (2/47/2) with three routes from 'Abdullaah ibn Ahmad ibn Hanbal from his father that Shaafi'i said to him: ...etc; thus, it is authentic on the authority of Shaafi'i. This is why Ibn al-Qayyim attributed it definitely to him in I'laam (2/325), as did Fulaani in Eeqaaz (p. 152) and then said: "Baihaqi said, 'This is why he - i.e. Shaafi'i - used hadeeth so much, because he gathered knowledge from the people of Hijaz, Syria, Yemen and 'Iraq, and so accepted all that he found to be authentic, without leaning towards or looking at what he had considered out of the Madhhab of the people of his land when the truth was clear to him elsewhere. Some of those before him would limit themselves to what they found in the Madhhab of the people of their land, without attempting to ascertain the authenticity of what opposed it. May Allaah forgive all of us'."
- **"In every issue where the people of narration find a report from the Messenger of Allaah (ﷺ) to be saheeh which is contrary to what I have said, then I take my saying back, whether during my life or after my death."** Abu Nu'aim (9/107), Harawi (47/1), Ibn al-Qayyim in I'laam al-Muwaqqi'een (2/363) & Fulaani (p. 104)
"If you see me saying something, and contrary to it is authentically reported from the Prophet (ﷺ), then know that my intelligence has departed." Ibn Abi Haatim in al-Aadaab (p. 93), Abul Qaasim Samarqandi in al-Amaali, as in the selection from it by Abu Hafs al-Mu'addab (234/1), Abu Nu'aim (9/106) & Ibn 'Asaakir (15/10/1) with a saheeh sanad.
- **"For everything I say, if there is something authentic from the Prophet (ﷺ) contrary to my saying, then the hadeeth of the Prophet (ﷺ) comes first, so do not follow my opinion."** Ibn Abi Haatim, Abu Nu'aim & Ibn 'Asaakir (15/9/2).
- **"Every statement on the authority of the Prophet (ﷺ) is also my view, even if you do not hear it from me."** Ibn Abi Haatim (pp. 93-4)

Imaam Ahmad ibn Hanbal (Rahimahullaah) said:

Imaam Ahmad was the foremost among the Imaams in collecting the Sunnah and sticking to it, so much so that he even "disliked that a book consisting of deductions and opinions be written." Ibn al-Jawzi in al-Manaaqib (p. 192) Because of this he said:

- **"Do not follow my opinion; neither follow the opinion of Maalik, nor Shaafi'i, nor Awzaa'i, nor Thawri, but take from where they took."** Fulaani (p. 113) & Ibn al-Qayyim in I'laam (2/302).
In one narration: "Do not copy your Deen from anyone of these, but whatever comes from the Prophet (ﷺ) and his Companions, take it; next are their Successors, where a man has a choice." **Once he said: "Following means that a man follows what comes from the Prophet (ﷺ) and his Companions; after the Successors, he has a choice."** Abu Daawood in Masaa'il of Imaam Ahmad (pp. 276-7)
- **"The opinion of Awzaa'i, the opinion of Maalik, the opinion of Abu Haneefah: all of it is opinion, and it is all equal in my eyes. However, the proof is in the narrations (from the Prophet (ﷺ) and his Companions)." Ibn 'Abdul Barr in Jaami' Bayaan al-Ilm (2/149).**

- **"Whoever rejects a statement of the Messenger of Allaah (ﷺ) is on the brink of destruction."** Ibn al-Jawzi (p. 182).

These are the clear, lucid sayings of the Imaams (Allaah Exalted be pleased with them) about sticking to the Hadeeth and forbidding the following of their opinion without clearly- visible evidence, such that mere opinion and interpretation is not acceptable. Hence, whoever adhered to whatever of the Sunnah that was proved authentic, even if it opposed some of the Imaams' sayings, he would not be conflicting with their madhhab, nor straying from their path; rather, such a person would be following all of them and would be grasping the most trustworthy handhold, which never breaks. However, this would not be the case with the one who abandoned any of the authentic Sunnah simply because it contradicted their views; nay, such a person would be being disobedient to them and opposing their above mentioned sayings, while Allaah says: **"But no, by Your Lord, they can have no (real) faith, until they make you judge in all disputes between them, and find in their souls no resistance against your decisions, but accept them with the fullest conviction."** (*an-Nisaa'*, 4:65).

He also says: **"Then let those beware who withstand the Messenger's order, lest some trial befall them or a grievous penalty be inflicted on them."** (*an-Noor*, 24:63).

Haafiz Ibn Rajab al-Hanbali (Rahimahullaah) says:

"Therefore it is obligatory on anyone who hears of a command of the Messenger of Allaah (ﷺ) or knows it, to explain it to the Ummah, advise them sincerely, and order them to follow his command, even if it contradicts the opinion of someone great. This is because the authority of the Messenger of Allaah (ﷺ) has the most right to be respected and followed, over and above the opinion of anyone great who has unknowingly contradicted the Messenger's command in any matter. This is why the Companions and those after would refute anyone who contradicted the authentic Sunnah, sometimes being very stern in their refutation (Even against their fathers and learned men, as Tahaawi in *Sharh Ma'aani al-Aathaar* (1/372) & Abu Ya'laa in his *Musnad* (3/1317) have related, with an isnaad of trustworthy men, from Saalim ibn 'Abdullaah ibn 'Umar, who said: "I was sitting with Ibn 'Umar (radi Allaahu 'anhu) in the mosque once, when a man from the people of Syria came to him and asked him about continuing the 'Umrah onto the Hajj (known as Hajj Tamattu'). Ibn 'Umar replied, 'It is a good and beautiful thing.' The man said, 'But your father (i.e. 'Umar ibn al-Khattaab) used to forbid it!' So he said, 'Woe to you! If my father used to forbid something which the Messenger of Allaah (ﷺ) practised and commanded, would you accept my father's view, or the order of the Messenger of Allaah (ﷺ) ?' He replied, 'The order of the Messenger of Allaah (ﷺ)'. ' He said, 'So go away from me.' Ahmad (no. 5700) related similarly, as did Tirmidhi (2/82) and declared it saheeh. Also, Ibn 'Asaakir (7/51/1) related from Ibn Abi Dhi'b, who said: "Sa'd ibn Ibraaheem (i.e. the son of 'Abdur Rahmaan ibn 'Awf) passed judgment on a man on the basis of the opinion of Rabee'ah ibn Abu 'Abdur Rahmaan, so I informed him of the saying of the Messenger of Allaah (ﷺ) which was contradictory to the judgment. Sa'd said to Rabee'ah, 'We have Ibn Abi Dhi'b, whom I regard to be reliable, narrating from the Prophet (ﷺ) contrary to what I ruled.' Rabee'ah said to him, 'You have made your effort, and your judgment has been passed.' Sa'd said, 'Most amazing! I enforce the decree of Sa'd, and not the decree of the Messenger of Allaah (ﷺ)! No, I shall withdraw the decree of Sa'd, son of the mother of Sa'd, and enforce the decree of the Messenger of Allaah (ﷺ)'. ' So Sa'd called for the written decree, tore it up and gave a new verdict.") , not out of hatred for that person, for they loved and respected him, but because the Messenger of Allaah was more beloved to them, and his command was superior to the command of any other created being. Hence, when the order of the messenger and that of someone else conflicted, the order of the Messenger would be more fitting to be enforced and followed. None of this would stop them respecting the person they had opposed because they knew that he would be forgiven (In fact, he would be rewarded, because of the Prophet's saying (ﷺ): "When a judge passes judgment, if he makes his effort (ijtihad) and rules correctly, he will have two rewards; if he makes his effort (ijtihad) and rules wrongly, he will have one reward." (Related by Bukhaari, Muslim & others.); in fact, the latter would not mind his instruction being opposed when the command of the Messenger of Allaah (ﷺ) was clearly shown to be opposite." (Quoted in the notes on *Eeqaaz al-Himam*, p. 93)

Indeed, how could they mind that, when they had ordered their followers to do so, as we have seen, and had enjoined on them to abandon any of their views which contradicted the Sunnah. In fact, **Imaam Shaafi'i (Rahimahullaah) told his companions to attribute the authentic Sunnah to him also, even if he had not adopted it or had adopted something contradictory to it.** Hence, when the analyst Ibn Daqeeq al-'Eid (Rahimahullaah) collected together, in a bulky volume, the issues in which one or more of the four Imaams' madhhabs had contradicted the authentic hadeeth, he wrote at the beginning of it, "It is prohibited to attribute these answers to the Mujtahid Imaams, and obligatory on the jurists who follow their opinions to know of these so that they do not quote them regarding these and thus lie against them." (*Fulaani*, p. 99)

The Imaams' Followers Leaving their Views if these Contradicted the Sunnah

Due to all that we have mentioned, the disciples of the Imaams, a number of people from those of old, and a few from those of later time (cf. al-Waaqi'ah 56:13-14), would not accept all of their Imaam's views; they actually ignored many when they found them to be clearly against the Sunnah. **Even the two Imaams, Muhammad ibn al-Hasan and Abu Yoosuf (Rahimahullaah) differed from their shaikh Abu Haneefah "in about a third of the Madhhab"** (*Ibn 'Aabideen in Haashiyah (1/62), & Lucknowi gave its source in an-Naafi' al-Kabeer (p. 93) as Ghazaali*), as the books of masaa'il prove. **Similarly is said about Imaam al- Muzani** (*He himself says at the beginning of his Concise Shaafi'i Fiqh (printed in the margin of Imaam Shaafi'i's Al-Umm): "This book is a selection from the knowledge of Muhammad ibn Idrees al-Shaafi'i (Rahimahullaah) and from the meanings of his sayings, to aid the understanding of whoever wants it, knowing of his forbidding the following of his, or anyone else's, opinion, so that such a person may carefully look for his Deen in it."*) **and other followers of Shaafi'i and other Imaams**; were we to start giving examples, the discussion would become exceedingly, long, and we would digress from what we set out to do in this Introduction, so we shall limit ourselves to two instances:

1) Imaam Muhammad says in his Muwatta' (*In which he has explained his opposing his Imaam in about twenty masaa'il (nos. 42, 44, 103, 120, 158, 169, 172, 173, 228, 230, 240, 244, 274, 275, 284, 314, 331, 338, 355, 356 - from Ta'leeq al-Mumajjid 'alaa Muwatta' Muhammad (Important Notes on Muhammad's Muwatta'))*) (p. 158), "As for Abu Haneefah, he did not regard there being a prayer to ask for rain, but we hold that the imaam prays two rak'ahs and then supplicates and holds out his wrapping garment ..."

2) We have 'Isaam ibn Yoosuf al-Balkhi, one of the companions of Imaam Muhammad (*Ibn 'Aabideen mentioned him among them in Haashiyah (1/74) & in Rasm al-Mufti (1/17). Qurashi mentioned him in Al- Jawaahir al-Madiyyah fi Tabaqaat al-Hanafiyyah (p. 347) and said, "He was a reliable transmitter of Hadeeth. He and his brother Ibraaheem were the two shaikhs of Balakh of their time."*) and a servant of Imaam Abu Yoosuf (*Al-Fawaa'id al-Bahiyyah fi Taraajum al-Hanafiyyah (p. 116)*), who "would give verdicts contrary to Imaam Abu Haneefah because he did not know the latter's evidence, and other evidence would present itself to him, so he would give verdicts using that." (*Al-Bahr ar-Raa'iq (6/93) & Rasm al-Mufti (1/28)*). Hence, "he would raise his hands on bowing (in prayer) and on rising from it" (*Al-Fawaa'id ... (p. 116)*); *the author then added a useful note:*

"From this can be deduced the falsity of Makhool's narration from Abu Haneefah: 'that he who raises his hands during Prayer, his Prayer is ruined', by which Ameer, the scribe of Itqaani, was deceived, as has been mentioned under his biography. 'Isaam ibn Yoosuf, a companion of Abu Yoosuf, used to raise his hands, so if the above-mentioned narration had any foundation, Abu Yoosuf and 'Isaam would have known about it ... It can also be deduced that if a Hanafi ignored the madhhab of his Imaam in an issue due to the strength of the evidence against it, this would not take him outside the ranks of the Imaam's followers, but this would in fact be proper taqleed in the guise of leaving taqleed; do you not see that 'Isaam ibn Yoosuf left Abu Haneefah's madhhab of not raising the hands, but he is stil counted as a Hanafi?... To Allaah I complain of the ignorance of our time, when they insult anyone who does not follow his Imaam in an issue because of the strength of evidence against it, and expel him from the fold of that Imaam's followers! This is not surprising when those who do this are from the ordinary masses, but it is amazing when it comes from those who imitate men of learning but plod along that path like cattle!"), as is the mutawaatir sunnah of the Prophet (ﷺ); the fact that his three Imaams (i.e. Abu Haneefah, Abu Yoosuf and Muhammad) said otherwise did not prevent him from practising this sunnah. This is the approach which every Muslim is obliged to have, as we have already seen from the testimony of the Four Imaams, and others.

To sum up:

I sincerely hope that no follower of an Imaam will race to condemn the principles of this book and abandon benefiting from the sunnahs of the Prophet (ﷺ) which it contains, with the argument that they are contrary to his Madhhab. I hope that such a person will instead consider what we have given of the exhortations of the Imaams towards the obligation to act on the Sunnah and ignore their sayings contradictory to it. I hope also that he will realise that to condemn the attitude of this book is to condemn whichever Imaam he is following, for we have taken these principles from those Imaams, as we have explained. Therefore, whoever refuses to be guided by them on this path is in great danger, for such refusal necessitates turning away from the Sunnah, the Sunnah to which we have been ordered to refer in cases of difference of opinion and on which we have been commanded to depend.

I ask Allaah to make us among those about whom He says, **"The answer of the believers, when summoned to Allaah and His Messenger, in order that he may judge between them, is no other than this: they say, "We hear and we obey" - it is such as these that will attain Success. It is those who obey Allaah and His Messenger, and fear Allaah, and keep their duty to Him, who will triumph."** (*an-Noor 24:51-52*)

(*The prophet's (ﷺ) prayer described - Muhammad Naasiru-Deen Al-Albaani*)

Shaykh Uthaymeen's (Rahimahullaah) (who some regard as a "Salafi" Shaykh) stance on hizbs:

- **Shaykh Muhammad ibn Saalih al-Uthaymeen**

AhluSunnah Wal-Jama'ah' are those who adherently cling and unite upon the 'Sunnah', not turning to other than it, neither in the affairs of the belief nor in the affairs of the actions. So for this reason they are called 'AhluSunnah' (the people of the 'Sunnah') because they strictly adhere to it. And they are called 'Al-Jama'ah' because they gather together and unite upon it. However, if you were to consider the state of 'Ahlul Bid'ah', (the people of innovation), you would find them differing in what they are upon and in what they adhere to as is relates to both their methodology of belief, and likewise their methodology with regards to the practical implementation of the religion. This proves that they are far from the 'Sunnah', and that their distance from the 'Sunnah' is in relation to the amount that they have innovated.

From the Prophet (ﷺ) statement, **"Whoever lives amongst you will see much differing, so adhere to my Sunnah"**, It can be learnt that if parties (ahzaab) within the ummah emerge in increasing numbers then one should not affiliate himself to a party (hizb). In the past, many groups have appeared; Khawaarij, Mu'tazilah, Jahmiyyah, Shee'ah, even Raafidah. Then there appeared, later on Ikhwanis, Salafis, Tablighis, and all those like them. **Put all of them to one side and take [the path] ahead. Which is what the Prophet (ﷺ) guided to. "Adhere to my Sunnah and the Sunnah of the rightly guided caliphs."** No doubt, it is obligatory for all Muslims to adopt the way of the salaf as their madhhab, not affiliation to a specific party (hizb) named, "The Salafis". It is obligatory for the Islamic Ummah to adopt the way of the salaf as-salih as their madhhab, not bigotry to those called "the salafis". **Pay attention to the difference: There is the way of the salaf, and there is a party (hizb) called "the salafis"**. What is the objective? Following the Salaf. Why? **The salafi brothers are the closest sect to that which is right, no doubt, but their problem is the same as others, that some of these sects declare others as being misguided, they declare them to be innovators and as being sinners. We don't censure this, if they deserve it, but we censure handling this bid'ah in this way.** It is obligatory for the leaders of these sects to get together and say, **"Between us is the book of Allah, and the Sunnah of His messenger, so lets us judge by them and not according to desires, opinions and not according to personalities. Everyone makes mistakes and achieves correctness no matter what he has reached with regards to knowledge and worship. Infallibility is [only] in the religion of Islam."** In this hadeeth the prophet (ﷺ) guided to the way in which a person secures himself. **He doesn't affiliate him to any sect, only the way of the salaf as-salih, to the Sunnah of our Prophet (ﷺ) and the rightly guided caliph.**

Ibn al-Qayyim laying out the three kinds of forbidden taqleed:

'The first category is of three types: Firstly, **to turn away from what Allah has revealed and not resort to it, sufficing instead with following one's forefathers.** Secondly, **doing taqleed of someone, not knowing if they are qualified so that they can be authoritatively followed.** Thirdly, **doing taqleed in the face of the proof being established, and it is clear that the proof opposes the view of the authority being followed.'** (*I'lam al-Muwaqqi'in (Saudi Arabia: Dar Ibn al-Jawzi, 1423H), 3:447*)

Al-Dhahabi paints this overall picture:

'There is no doubt that anyone who has a thorough grasp of fiqh, whose knowledge is broad and intention sound, is not allowed to stick rigidly to one madhhab in all that it stipulates. For perhaps another madhhab may present stronger evidences in an issue and evidences may emerge by which the proof is established to him. [In this case] he should not follow his imaam, but must act in accordance with the proof, by following the imaam with whom the proof lies; not out of obeying his whims. However, he is not to give a fatwa to the general public except in accordance with the madhhab of his imaam.'
(*Siyar A'lam al-Nubala, 8:93-94*)

The last sentence regarding giving fataawa to the general public according to the madhab while knowing the evidence is contrary to the speaking the truth and the consensus of the other shuyookh. As such this is a matter where Al-Dhahabi erred and should not be followed. Ulema should heed the warnings in the Quraan and of the messenger (ﷺ) regarding knowingly misleading the people: "Verily, those who conceal the clear proofs, evidences and the guidance, which We have sent down, after We have made it clear for the people in the Book, they are the ones cursed by Allâh and cursed by the cursers.Except those who repent and do righteous deeds, and openly declare (the truth which they concealed). These, I will accept their repentance. And I am the One Who accepts repentance, the Most Merciful" (al-Baqarah 2:159-160)

-“Surely, those who conceal that which Allah has revealed of the Book and take for it a small price – they eat nothing into their bellies but fire. Allah will not speak to them on the Day of Resurrection, nor will He purify them; and they shall have a painful chastisement.” (al-Baqarah 2:174)

-“And when Allah took a covenant with those who were given the Book: ‘You shall certainly make it known to mankind and shall not hide it.’ But they cast it behind their backs and took a small price for it – how vile is that which they gained thereby.” (Sura Aal Imran 3:187)

Scholars mention that although these Qur’anic verses relate to specific peoples historically, the specificity of context does not negate the generality of the wording and, hence, prohibition. Therefore, the verses would apply to scholars of our community that withhold religious knowledge that is needed by the community. Qatada, for example, said with respect to the covenant mentioned in the latter verse above (Sura Aal Imran 3:187), “This is a covenant that Allah has taken with all who possess knowledge, so whoever has knowledge let him teach it. Beware of withholding knowledge, for indeed its concealment is a catastrophe.”

This is how various Noble Companions understood the verses as well, such as Aisha and Abu Hurayra [Allah be pleased with them]. Abu Hurayra swore by Allah that were it not for two verses in the Qur’an (Sura al-Baqara 2:159-60, see above), he would not have related any Prophetic hadiths.

The following scholarly insights are less about the actual adab of differing, but have more to do with the ego’s deceptions in matters of khilaf between the scholars. All three insights come from Ibn Rajab al-Hanbali:

The first of these insights from Ibn Rajab concerns “loving and hating for God’s sake.” In one hadith, it states: ‘Whoever loves for God’s sake, loathes for God’s sake, gives for God’s sake and withholds for God’s sake has perfected faith. (Abu Dawud, no.4681. It was declared as sahih, due to its collective chains, in al-Albani, Silsilat al-Ahadith al-Sahihah, Riyadh: Maktabah al-Ma’arif, 1995, no.380) **It must be stressed that such hating, detesting or disliking can’t be done based on desires or ego. Rather it is principled, done purely for the sake of God: desires or ego having no share in it whatsoever. Nor, it must equally be stressed, is it a loathing that entails harm** – as al-Munawi explained: ‘Hating for God doesn’t imply harming the one he loathes. Instead, it is for his disbelief or disobedience. (Fayd al-Qadir Sharh al-Jami al-Saghir, Cairo: Dar al-Hadith, 2010, 7:543-4; no.8308) Yet not to labour the point, it is also not a frenzied hating, where one froths at the mouth and spews out stupidity, as the blood curdles and the infantile ego flies into a rage. Rather, as said before, it is a righteous hating in which the ego is to have no share. And given how so very rare it is for egos to be truly tamed and trained, one can well comprehend why hating for God’s sake is from the highest perfections of iman.

In this insight, Ibn Rajab, rahimahullah, draws our attention to how, **when scholars differ, they may be excused due to their good intention and scholarly ijihad, but some of their followers will not. And that is because their heart’s intention and dislike of the view that opposes their shaykh’s was not to uphold the truth, but to merely be partisan and big-up their own corner.** With that being the long and the short of it, here are his actual words:

‘When religious differences among people grew, and schisms deepened, then this led to an increase in mutual hatred and reviling: each of them apparently hating for the sake of God. In one and the same issue, some could be excused, while others may not. **They may, in fact, just be following their desires or falling short in evaluating on what basis they are actually hating. For so much hating is of this nature; occurring when the one followed is differed with, and the followers thinks that the one he follows is always correct. And this [thinking] is a categorical mistake! But if he thinks him right on the issue being differed over, then he could be right or he could be wrong; or he could simply be inclining towards [the stance of the one followed] merely from desire; or from familiarity or habit. And all of this belies such hating being for God’s sake.** (Jami’ al-Ulum wa’l-Hikam, Beirut: Mu’assasah al-Risalah, 1998, 2:267)

The second insight explores the above psychology of the zealous follower a little further. Ibn Rajab draws our attention to it by stating:

‘... for it may be that he only supports the view because it’s the view of the one he follows. Had it been voiced by another scholar, he wouldn’t have accepted it; supported it; allied himself with those who agree with it; or shown enmity to those who differ with it. Despite this, he fools himself into thinking he’s supporting the truth, and is of the same position as the one whom he follows – and this is most certainly not the case! For the scholar he follows, his intention was to aid the truth, even though he erred in his ijihad. As for the follower, his purpose in [supposedly] aiding the truth is polluted by his desire to elevate the person he follows; or make his opinion predominant; or that he not be thought of as being wrong: and this agenda taints the desire to support only the truth. So understand this, for it is a vital matter. (ibid., 2:268)

The last insight concerns **how to behave justly with the slips and errors of a scholar.** Ibn Rajab offers these following broad guidelines:

'Here there are two points: Firstly, that **whoever contravenes any directive of the Prophet, erring in his ijthad while seeking to obey the Prophet and follow his injunctions, he is forgiven and his status is not demeaned at all because of this.** Secondly, **that the love and esteem the scholar is held in should never prevent clarifying how his view has actually contravened the Prophet's order; peace be upon him. This, as part of sincere advice to the ummah in clarifying to them the command of the Prophet. Likewise, the one that is loved and held in esteem, if he knows his view contravenes the command of the Messenger, he should be pleased that it has been explained to the ummah, and that they have been duly guided to the Prophet's command and have rejected his view. This point is hidden from many of the ignorant who have gone to extremes in following their scholars. They think that refuting someone of status, be he a scholar or a righteous person, is to denigrate him. But this isn't the case at all.**

'It was out of such negligence that the religion of the People of the Book was altered. For they followed the slips of their scholars and turned away from that which their Prophets came with, until their religion was altered and they took their priests and rabbis as lords besides God: making lawful to them the forbidden, and forbidding them the lawful. Such became their worship of their scholars.' (*Majmu' Rasa'il al-Hafiz Ibn Rajab, Cairo: al-Faruq al-Khadathiyyah, 2002, 1:246*)

In conclusion:

These are some evidences from the Quraan, sunnah and views of various scholars including the four illustrious imaams whom we take our deen from regarding Taqleed and we strive to act upon it bi-idhnillah – may Allah grant them the highest stages of jannatul firdaus and all of us along with them. Since we do not interpret this deen of ours from our own understanding but rely on the true scholars of the past for their understanding of it, one could say that we all ascribe to taqleed of each of them in a linguistic sense. There is a difference between this type of taqleed and the type in vogue today where many people expect one to adhere to and only practice what is within the boundaries of a particular madhab even if there are authentic evidences that directly oppose the opinion being acted upon. This in itself is problematic as it is a rejection of something established and authenticated in Islam in favour of something that a scholar may have erred in or the evidence had not reached him during his lifetime. Clinging to it after it has been made clear that the very scholars we say we follow have told us to reject their opinions for the authenticated Sunnah cannot be considered taqleed of these illustrious scholars but rather following of our own desires and egos.

I say this, and I seek forgiveness from Allah for me and for you and for the rest of the Muslims. So ask Him for forgiveness, He is surely the One who forgives, the most Merciful.

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