

## Chapter Three

### In which rules Taqleed is done

Taqleed-e-Shar'i has three dimensions:

- 1) Aqida (belief),
- 2) Rules that are explicit (Sarih) from the Qur'an and Hadith and no need for Ijtihad (research), and
- 3) Rules that are taken from the Qur'an and Hadith but a direct meaning can't be taken, so Ijtihad is required.

#### 1) **Aqidah - Qur'an and Hadith**

The knowledge that you and I take from the Qur'an and hadith is of several types: the first and foremost concerns our faith, and is the knowledge of Allah and His attributes, and the other basic doctrine of Islamic belief such as the messengerhood of the Prophet (may Allah bless him and grant him peace), the Last Day, and so on. Every Muslim can and must acquire this knowledge from the Book of Allah and the Sunnah.

It is not permissible to follow (Taqleed) anyone in Aqida, In Tafseer-e-Roohul Bayaan it states: If someone asks who you follow in Tawheed (Oneness of Allah) and Risalat (Prophethood) etc. then it will not be said Imam Abu Hanifa (may Allah have mercy upon him) or Fiqh-e-Akbar as there is no Taqleed in Aqida. In the preface of Shami discussing Taqleed it states:

“Besides secondary Fiqhi laws (faree), meaning those beliefs which are compulsory of every Muslim to believe in without anyone's Taqleed, the beliefs held by the Ahle-Sunnah i.e. the Ashaariah and Maaturidiyah.”

## 2) **Explicit text – Fiqh**

This is also the case with a second type of general knowledge, which does not concern faith, however, but rather works: the general laws of Islam to do good, to avoid evil, to perform the prayer, pay zakat, fast in Ramadan, to cooperate with others in good works, and so forth. Anyone can learn and understand these general rules, which summarize the sirat al-mustaqim or "straight path" of our religion.

Shaykh ‘Abdul Ghani Al-Nablusi states: “The issues which are explicit without any doubt and by necessity do not require any Taqleed of any of the four Imams like the obligation of Salaah, Fasting, Zakaah and Hajj, etc. and like the prohibition of adultery and fornication, drinking wine, murder, stealing and usurping. The issues which are debated are the issues where Taqleed becomes necessary.”<sup>1</sup>

In Tafeer-e-Kabir, it states, “Taqleed of a person in explicit laws. e.g. the five daily Salaah, the units of Salaah etc. is also not permissible. These are those rules which are proven explicitly from an absolute script of Islamic Law. Therefore, the ruling and books of Imam Abu Hanifa will not be used to support Salaah being Fardh etc. rather; they are to be confirmed from the Qur’aan and Hadith.”

## 3) **Ijtihad Required**

A third type of knowledge is of the specific details of Islamic practice. Anyone can understand the first two types of knowledge from the Qur’an and hadith, the understanding of this third type has a special name, Fiqh, meaning literally "understanding." And people differ in their capacity to do it.

Those rules which have been extracted from the Qur’an, Hadith or consensus of the Ummah using Ijtihad and the ability of deducing

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<sup>1</sup> Khulasatul Tahqeeq fi Hukm at-Taqleed was At-Talfeeq. Page 4. printed by Al-Yasheeq, Istanbul.

Islamic laws are Wajib (necessary) to make Taqleed on by one who cannot make Ijtihad. The classification of a rule that requires Taqleed and those which do not should be paid special attention. At some instances, the refuters of Taqleed object by saying, “When a follower of Taqleed is not allowed to extract rules from Islamic proofs, how can you present Qur’anic verses and Ahadith to prove Salaah, Fasting etc.?”

The answer to this is that obligation of Salaah etc. is not from amongst the rules followed under Taqleed.