

Chapter Eight

Statements of Mujtahid Imams on Taqleed

1) When the Mufti is such that he is a Mujtahid, then the lay person must follow him, even if the Mufti has erred in his judgement. This is how Hasan has narrated from Imam Abu Hanifa; Ibn Rustum from Muhammad and Bashir ibn Waleed from Abu Yusuf.”¹

2) Imam Abu Yusuf continues:

“The lay person must follow the jurists since he is not capable of understanding the hadith independently.”²

3) Ibn Taymiyahⁱ reported that Imam Ahmad ibn Hanbal used to: “Instruct the lay person to ask Ishaq, Abu Ubaid, Abu Thaur and Abu Mus’ab. However, he used to prohibit his own Companions like Abu Dawud, ‘Uthman ibn Sa’eed, Ibrahim al-Harbi, ‘Abu Bakr al-Athrum, ‘Abu Zar’ah, ‘Abu Hatim and Muslim (among others) to follow anyone. He would say to them:

“You must follow the sources of the Qur’an and Sunnah.””³

4) Al-Saghani said on the authority of Ibn Ma’in: “I heard ‘Ubayd ibn Abi Qurra say: I heard Yahya ibn al-Daris say: I saw Sufyan [al-Thawri] being asked by a man: “What do you have against Abu Hanifa?” He said: “What is wrong with Abu Hanifa? I heard him say: I take from Allah’s Book and if I don’t find what I am looking for, I take from the Sunnah of Allah’s Messenger, and if I don’t find, then from any of the sayings that I like from the Companions, nor do I prefer someone else’s saying over theirs, until the matter ends with Ibrahim (al-Nakh’i), al-Shu’bi, Ibn

1 Kifayah: the commentary on Hidayah in the chapter of Fasting.

2 Abu Yusuf cited previously from Hidayah. Vol: 1. Page 226

3 Fatawa ibn Taymiyah. Vol: 2. Page 240

Sirin, and ‘Ata’: these are a folk who exerted their reasoning (ijtihad) and I exert mine as they did theirs.”

ⁱ A Ghair Muaqlid/Wahabi/Salafi. When the fatwas of ibn Taymiyya are looked at, in some places he has written for Taqleed and in some against Taqleed. It seems he did not know whether he was going straight, right or left.