

TAQLEED AND SALAFISM

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FORWARD	3
CHAPTER ONE: TAQLEED, IJTIHAAD AND THE FUQAHA	6
1. What is Taqleed?	6
2. The Taqleed of the Rejecters of Taqleed.....	7
3. Taqleed during the Era of Rasoolullah (Sallallahu alaihi wa sallam) ..	8
4. Following a Particular Imam or Math-hab	9
5. Why it is Incumbent to Follow a Particular Imam or Math-hab.....	11
6. Why Confine Taqleed to the Four Math-habs?	13
7. Why the Hanafi Math-hab?	14
8. The Question of Taqleed Being Prohibited in the Quraan	15
9. The Accusation of the Muqallids Discarding Ahadeeth.....	16
10. The Averment: “The Quraan and Hadeeth are before us. We can, therefore, refer directly to it.”	21
11. What is Quwwat-e-Ijtihadiyyah?	24
12. The Question of the Aimmah-e-Mujtahideen Prohibiting their Taqleed	27
13. The Error of Judging the Ahadeeth of the Fuqaha on the Criteria of the Muhadditheen	29
CHAPTER TWO: A Very Short Selection of the Praises Showered by the Aimmah of the Ummah upon Imam Abu Haneefah (Alaihir Rahmah).....	32
CHAPTER THREE: The Hanafi Dalaail for Certain	
Contentious Masaail	38
1. Zuhr Salaah After the Shadow of Objects Exceeds the Original Length	38
2. The Feet in Qiyaam	39
3. Rifa' Yadain Only at the Beginning	40
4. Folding the Hands Below the Navel.....	41
5. Soorah Faatihah Should Not be Recited by the Muqtadi	41
6. Reciting Aameen Softly.....	42
7. The Way to Sit in Qa'dah Akheerah.....	43
8. Sajdah of a Woman.....	44
9. Du'a after Fardh Salaah with Raised Hands.....	45
10. Istiwa alal Arsh—Where is Allah Ta'ala?	47
11. Tawassul and Shirk.....	52

نَحْمَدُهُ وَنُصَلِّيْ عَلَى رَسُوْلِهِ الْكَرِيْمِ وَعَلَى اٰلِهِ وَاَصْحَابِهِ اَجْمَعِيْنَ

FORWARD

Once, Hazrat Bahlool (Rahmatullahi alaih) passed by an Aalim who was quarrelling with someone. Hazrat Bahlool (Rahmatullahi alaih) commented:

“If this person [the Aalim] had ma’rifat [real perception] of Allah, he would not have squandered his time by quarrelling with an ignoramus.”

Life is short and transitory. The goal is Divine Pleasure through obedience to Allah Ta’ala and His Beloved Rasool, Muhammad (Sallallahu alaihi wa sallam). In view of the extremely short stay in this temporary abode, people who have come to realize the purpose of their creation are continuously in pursuit of proximity unto Allah Ta’ala. They shun idle talk and idle pastimes. As much as an Aalim who has ma’rifat of Allah Ta’ala detests being drawn into argumentation, as he rather prefers worship of his True Beloved, Allah Subhaanahu wa Ta’ala, circumstances however necessitate that he comes to the defence of the Deen-e-Haq from the fabrications and falsities of the people of falsehood.

Among the people of falsehood in these times are the modernist Salafi Sect who has nothing to do in life other than to castigate the Math-habs of Haq and vilify the followers of the Mathaahib (plural of Math-hab). They have set their whims and fancies as their Imams and have left no stone unturned in their endeavour to waylay the Imaan of unknowing

and innocent followers of the Hanafi Math-hab in particular, and other Math-habs in general. In fact, the modernist Salafi Scholars with their shallow understanding of the Quraan and Sunnah and their rigid Taqleed of the doctrine of Ibn Taimiyyah are currently engaged in an all out effort to rob people of their practice of the Quraan and Hadeeth in the beautiful and most elaborate way outlined in the Mathaahib-e-Arba'ah—the Hanafi, Shaafi'i, Maaliki and Hambali Schools of Thought. It has thus become obligatory upon the Ulama-e-Haq to expose the baatil of these peddlers of abandonment of Taqleed.

Ignorance and arrogance have become major hurdles for the anti-Taqleed protagonists. In consequence, they refuse to dump their oblique understanding of the Shariah and rather accept the Shariah as understood and practised by the four Schools of Fiqh over the past fourteen centuries of Islam's existence. This treatise is, therefore, not directed to the votaries of abandonment of Taqleed. It is for the safety and strength of those who have this wonderful path of Taqleed to follow.

This treatise is, for the major part, a condensation of a lengthy treatise on the subject of Taqleed and Ijtihad written by the venerable Mujaddid of his time, Hazrat Hakeemul Ummat Moulana Ashraf Ali Thanwi (Rahmatullahi alaih). Hazrat Moulana Thanwi (Rahmatullahi alaih) entitled his treatise 'Al-Iqtisaad fit Taqleedi wal Ijtihad'. In view of this compilation and translation being in principle a condensation of Hazrat Moulana Thanwi's treatise, we have omitted the references to the page numbers from the original work. Apart from the work of Hazrat Moulana Thanwi (Rahmatullahi alaih), quotations have been included from other reliable and authoritative works. The references of these works have been provided in the footnotes.

This treatise is almost a pure naql, i.e. it consists of almost only quotations, extracts and excerpts. We have only rarely inserted words of our own. The reason for this is twofold. Firstly, what we have compiled here is not our personal opinion. It is the view of the Authorities of

Deen. Secondly, the statements of our elders and senior Ulama obviate the need for our statements. Considering their Ilm and Taqwa, their understanding and commentary of the Teachings of the Shariat far outweighs whatever we can produce. And, after all, we are only muqallideen.

Although we have relied only on quotations, we have however, amended some texts to facilitate comprehension and/or for brevity.

Kitaabs and books on the subject of Taqleed are numerous. We are confident, however, that this treatise will serve as a textbook on the subject of Taqleed. It is only through educating ourselves in the rudiments of this Shar'i requirement that we can thwart the menace of Salafism. And Allah Ta'ala is the Giver of Towfeeq and He is the Best Aid.

Was-Salaam

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CHAPTER ONE: TAQLEED, IJTIHAAD AND THE FUQAHA

1. What is Taqleed?

Taqleed means to accept someone's statement simply on the basis of a favourable opinion about him, that is, he speaks on the basis of proof. Hence, there is no need to question him about his proof.

The object of Taqleed is to practise on the Quraan and Hadeeth with ease.

The rejecters of Taqleed whose standard is held precariously in these times by the sect styling itself 'Salafiyyoon' or 'Salafiyyah' insolently dub Taqleed 'blind-following'.

'Blind' bears the following connotations:¹

without foresight, discernment, intellectual perception, or adequate information

not governed by purpose or reason

reckless

The very nature of Taqleed demands discernment, intellectual perception and adequate information as a favourable opinion of an Imam being qualified in the field of Shar'i Uloom (Islamic Sciences) and thus being worthy of being followed is dependent on these factors. Taqleed, therefore, can never be blind-following in this sense.

¹ Readers Digest Oxford Complete Word-finder

The object and purpose of Taqleed has been clarified in 1.2. Thus the accusation of Taqleed being blind-following in this sense is palpably false.

When the muqallid or person making Taqleed follows an Imam or Math-hab he understands the Imam and Math-hab to be a trustworthy guide and the safest course to obedience to the commands of Allah Ta'ala and the teachings or Sunnah of Rasoolullah (Sallallahu alaihi wa sallam). He (the muqallid) understands his lack of competency in understanding the Quraan and Hadeeth. For him to resort to a self-study of the Quraan and Hadeeth and thereby form his own opinion is akin to bartering away his Imaan. He thus opts for the safest and surest path to the obedience and pleasure of Allah and His Rasool (Sallallahu alaihi wa sallam), and that is in Taqleed. Is this being reckless? Is this blind-following? May Allah Ta'ala save us from the deception of Shaitaan and the evil schemes of the nafs, Aameen.

When none of the senses of 'blind' portray true Taqleed, the usage of this word in relation to Taqleed is crass ignorance or malicious obstinacy. May Allah Ta'ala save us from the evils of the tongue and nafs.

2. The Taqleed of the Rejecters of Taqleed

2.1 In so far the rejecters of Taqleed are concerned, it should be understood that according to their very own principle [of Taqleed being haraam] it is not possible at all for them to practise on the Hadeeth. The reason for this is that practising on the Hadeeth is only possible through Taqleed of the Ulama in the matter of the Hadeeth being Saheeh, Dha'eef, Waajibul Amal, Mustahab or impermissible. And this, as is obvious is strict Taqleed in the Ahkaam [Laws of the Shariah/Fiqh]. There is no doubt to the fact that a Hadeeth being incumbent for practice, or vice versa, or disallowed for practice or vice versa are issues pertaining to the Ahkaam. It is precisely for this reason that the

Fuqaha discuss the various laws governing the Sunnah—its acceptance, its rejection, its employment, its relaxation and the laws pertaining to the narrators—in Fiqh and Usool-e-Fiqh; these issues being the elements of the Ahkaam.

Now when these people reject Taqleed then what gives them the right to make Taqleed of the Muhadditheen in these issues and on what basis do they declare the views and ijtihaad of the Muhadditheen in the field of Hadeeth categorization to be hujjat [proof] in the Shariah?²

3. Taqleed during the Era of Rasoolullah (Sallallahu alaihi wa sallam)

3.1 It is reported from Aswad Bin Yazeed who says: “Mu’aaz (Radhiyallahu anhu) came to teach us the Ahkaam of the Deen and to serve as governor. We asked him the mas-alah of a deceased leaving behind a daughter and a sister. Hazrat Mu’aaz (Radhiyallahu anhu) declared half [the estate of the deceased] for the daughter and half for the sister. This was in the lifetime of Rasoolullah (Sallallahu alaihi wa sallam).”

—Bukhari and Abu Dawood

We learn from this Hadeeth that during the blessed lifetime of Rasoolullah (Sallallahu alaihi wa sallam) Taqleed was in vogue. The one posing the question did not ask for proof. He accepted the fatwa of Hazrat Mu’aaz purely on the basis of his Deeni integrity. This is Taqleed.

Then, there is no evidence of Nabi (Sallallahu alaihi wa sallam) disagreeing with this fatwa and the implementation of this fatwa which transpired in his lifetime. Nor for that matter is any difference or rejection recorded. Thus, permissibility of Taqleed and its open and

² Qawaa'id Fee Uloomil Hadeeth, pp.281/2

free-practice without rebuke in the lifetime of Rasoolullah (Sallallahu alaihi wa sallam) is established.

3.2 It is reported from Sulaiman Bin Yasaar that Abu Ayyoob Ansaari (Radhiyallahu anhu) went for Haj. On the way to Makkah he lost his camels. On Yowmun Nahr [the 10th of Zul Hijjah] when Haj was over he came to Umar (Radhiyallahu anhu) and related his story. Umar (Radhiyallahu anhu) said: “Do what a person performing Umrah does and you will be released from your ihraam. Then wait for the Haj season next year and perform Hajj. For now, make qurbaani and slaughter whatever you are in the means of.” —Maalik

From this Hadeeth we learn that those Sahaabah who could not make ijtihaad [i.e. ascertain the ruling of a mas’alah directly from the Quraan or Hadeeth], they would make Taqleed of the Mujtahideen Sahaabah. Hazrat Abu Ayyoob Ansaari (Radhiyallahu anhu) was also a Sahaabi and he did not ask Hazrat Umar (Radhiyallahu anhu) for any proof for his fatwa.

3.3 Episodes of this nature among the Sahaabah, and even during the blessed era of Rasoolullah (Sallallahu alaihi wa sallam) reports of istiftaas [questions] and fatwas without references and proofs among the Sahaabah or among the Taabi’een and Sahaabah have been documented with such abundance that it is an awesome task to compile all. Those versed in Hadeeth literature are well aware of this.

4. Following a Particular Imam or Math-hab

4.1 It is reported from Hazrat Huthaifah (Radhiyallahu anhu) that Rasoolullah (Sallallahu alaihi wa sallam) said: “I do not know how long I will be with you people. Therefore, follow these two who will be after me.” Nabi (Sallallahu alaihi wa sallam) indicated to Hazrat Abu Bakr and Hazrat Umar (Radhiyallahu anhuma).

The purport of “who will be after me” is: during their reign of Khilaafat. Thus, the command is to follow them during their respective terms of Khilaafat. And, obviously, the Khaleefah is a single person. The conclusion thus is to follow Hazrat Abu Bakr (Radhiyallahu anhu) during his Khilaafat and Hazrat Umar (Radhiyallahu anhu) during his Khilaafat.

Thus, Nabi (Sallallahu alaihi wa sallam) instructed that one particular person should be followed for a specific time. And nowhere did he state that proof for the Ahkaam should also be enquired. Nor was it a standard practice of ascertaining the proof for each and every mas-alah. This is nothing but following a particular Imam or Math-hab.

4.2 It is reported from Aswad Bin Yazeed who says: “Mu’aaz (Radhiyallahu anhu) came to us to teach the Ahkaam of the Deen and to serve as governor. We asked him the mas’alah of a deceased leaving behind a daughter and sister. Hazrat Mu’aaz (Radhiyallahu anhu) declared half [the estate of the deceased] for the daughter and half for the sister. This was in the lifetime of Rasoolullah (Sallallahu alaihi wa sallam).”

—Bukhari and Abu Dawood

Just as Taqleed being Sunnat is proven from this Hadeeth, as mentioned in its appropriate place [see 3.1], similarly this Hadeeth confirms Taqleed of an Imam or Math-hab. The reason for this is that when Nabi (Sallallahu alaihi wa sallam) sent Hazrat Mu’aaz (Radhiyallahu anhu) to Yemen to teach the Ahkaam of the Deen he most assuredly gave permission to the people of Yemen to refer to him [Hazrat Mu’aaz] in all their affairs. This is Taqleed of an Imam.

4.3 It is reported from Hazrat Huzail Bin Shurahbil that a question was posed to Hazrat Abu Moosa (Radhiyallahu anhu). Then the same question was posed to Hazrat Ibn Mas’ood (Radhiyallahu anhu) and he was furthermore informed of the fatwa of Hazrat Abu Moosa

(Radhiyallahu anhu). Hazrat Ibn Mas'ood gave another ruling. This was brought to the notice of Hazrat Abu Moosa. Upon listening to Hazrat Ibn Mas'ood's answer, he said: "As long as this 'Ocean of Knowledge' is in your midst, do not refer to me."

—Bukhari, Abu Dawood and Tirmithi

Any person can understand from the words of Hazrat Abu Moosa: "As long as he is in your midst, do not refer to me," that he instructed them to take all their questions to him [Hazrat Ibn Mas'ood Radhiyallahu anhu]. And this is Taqleed of an Imam, that is, to refer all one's questions to one Aalim due to some precept and act according to his fatwa.

5. Why it is Incumbent to Follow a Particular Imam or Math-hab

5.1 It should be known that the incumbency and obligation of something [in the Shariat] is established in any of the following ways:

- The Quraan or Hadeeth directs special emphasis to some act, e.g. Salaah, Sowm, etc. Such incumbency is termed *wujoob biz zaat*.

The act itself has not been emphasized; however, practically it is not possible to carry out those acts which have been emphasized in the Quraan and Hadeeth without resorting to this act. In this case, this act will also be considered necessary. This is the purport of the Ulama's words: "The foundation of a Waajib is also Waajib." Take as an example the writing and printing of the Quraan and Hadeeth literature. Nowhere in the Shariat is this emphasized. In fact, the following Hadeeth clearly evinces the non-compulsion of writing. It is reported from Hazrat Ibn Umar (Radhiyallahu anhu) that the Rasool of Allah (Sallallahu alaihi wa sallam) said: "We are an Ummi Nation. We neither write nor calculate."

—Bukhari and Muslim

The Hadeeth clearly indicates its purport. Now, when writing in general is not waajib, then how can writing something in particular be waajib?

However, there is emphasis on the preservation of the Quraan and Hadeeth and their protection from loss. And, it is proven through experience and observation that it is not practically possible to preserve the Quraan and Hadeeth without resorting to writing and printing. Therefore, the writing and printing of the Quraan and Hadeeth are regarded to be necessary. Accordingly, there is an implied unanimity of the entire Ummah for the past 14 centuries on its incumbency in this way. Such an incumbency is termed *wujoob bil ghair*.

After understanding the types of wujoob and their nature, now understand that when it is said that the Taqleed of a particular Imam or Math-hab is waajib, then it means *wujoob bil ghair*, not *wujoob biz zaat*. Thus, there is no need to produce an Aayat or Hadeeth which emphasizes this type of Taqleed in name, just as a demand of an Aayat or Hadeeth is not made for proof of the incumbency of writing and printing the Quraan and Hadeeth literature, and regardless of the clear declaration of the aforementioned Hadeeth of writing not being incumbent, then too it is considered to be waajib and this is not viewed to be antithetical to the Hadeeth. In the same way, there is no need to produce any Nass [explicit Quraanic or Hadeeth text] to show the wujoob of Taqleed of an Imam or Math-hab.

Yes, there is a need to prove two premisses, viz.:

What are those things which will be harmed in our prevailing circumstances if we do not follow a particular Imam or Math-hab?

The wujoob of those factors

The following injunctions of the Shariah will be harmed in the absence of Taqleed of a Math-hab:

1. A sincere niyyat of only Deen in Ilm and Amal.

2. The Deen governing one's desires, i.e. to make one's desires subservient to the Deen, not the other way round.
3. To abstain from such things which pose a real danger to one's Deen.
4. Not to oppose the Ijma' or Consensus of the Ahl-e-Haq.
5. Not to transgress the perimeters of the Laws of the Shariah.

These being *waajib biz zaat* is emphatically proven in the Ahadeeth.

In so far as the harm to these factors in the case of not following a particular Imam or Math-hab is concerned, it is connected to experience and observation. [In other words, experience teaches and it can openly be observed that those who abandon Taqleed of an Imam or Math-hab fall into the pitfalls of insincerity, Taqleed of their nafs, harm to their Deen, opposition to the Consensus of the Ummah and transgression of the limits of the Shariah. Details and examples are too numerous to cite in this short treatise. Only someone blind to reality will venture to claim the contrary.] And the reason for this is that in these times corruption and personal motives have settled in the disposition of most people. This is obvious and it has been prophesied in the Ahadeeth on Fitnah [trials, mischief and evil times]. Those versed in Ilm and Hadeeth are fully aware of this.

6. Why Confine Taqleed to the Four Math-habs?

6.1 Previously it has been proven that Taqleed of a particular Imam is necessary. Furthermore, taking views from different Imams is fraught with harm. Thus, it is imperative to make Taqleed of an Imam whose Math-hab has been compiled and codified into principles and detailed laws to such an extent that almost all answers to questions are found in it in the form of a particular or a universal principal. In this way there remains no need to refer to other views.

By Divine Intervention this attribute is found only in the Four Math-habs [Hanafi, Shaafi'i, Maaliki and Hambali]. No other Math-hab enjoys this status. Thus, it is imperative to adopt one of these four Math-habs, as opting for a fifth Math-hab will result in the same problem and discrepancy of flirting with the Math-habs in fulfilment of the nafs' desire to remain unfettered from the Shariat. The corruption of this has been clarified earlier.

This is the reason for confining Taqleed to these Four Math-habs and hence for centuries this has been the standard practice of the Jumhoor Ulama of the Ummat. Some Ulama have even recorded Ijma' that the Ahlus Sunnah wal Jama'ah is confined to these Four Math-habs.

6.2 For Taqleed it is necessary that the Mujtahid's Math-hab be compiled. Taqleed of the illustrious Sahaabah is difficult, because none of their Math-habs are fully compiled and codified. However, through the medium of Taqleed of the Aimmah-e-Arba'ah [the Four Imams], we follow the Sahaabah.

7. Why the Hanafi Math-hab?

7.1 We reside in a place where the Math-hab of Imam Abu Haneefah (Rahmatullahi alaih) is prevalent without any endeavour on our part. Ulama and Kitaabs on this Math-hab are to be found in abundance. Had we adopted another Math-hab, then it would have been difficult for us to find out the laws applicable to day-to-day circumstances. This is due to the fact that the Ulama do not possess that insight and deep understanding of another Math-hab as they possess in their own Math-hab. In view of their occupation and excessive study and teaching the degree of expertise and understanding they have of their own Math-hab cannot be achieved with another Math-hab, although study of the Kitaabs of another Math-hab is possible. This point is self-evident and obvious to the Ahl-e-Ilm.

8. The Question of Taqleed Being Prohibited in the Quraan

8.1 **Question:** The Quraan censures Taqleed in this Aayat: “When it is said to the kuffaar: ‘Follow the laws which Allah Ta’ala has revealed,’ then they answer: ‘No! In fact, we will follow the path of our forefathers.’ (Dismissing their response Allah Ta’ala declares): What! Will they keep to the path of their forefathers regardless of their forefathers lacking understanding of Deen and them being astray?”

This shows that it is evil to follow the way of one’s predecessors when we have the Quraan and Hadeeth.

Similarly, it is stated in another Aayat that when you have a dispute, then refer the matter to Allah and His Rasool. From this we can understand that we should not refer to an Imam or Mujtahid.

Response: The mere translation of the former Aayat reveals that the Taqleed of the kuffaar has no affinity with the Taqleed under discussion. The Taqleed of the kuffaar has been denounced for two reasons.

The first is that they would reject the Aayaat and Ahkaam saying: “We do not accept it. We would rather prefer to follow our elders.”

Secondly, their elders lacked intelligence in the Deen and they lacked guidance.

These two are non-existent in the Taqleed we are discussing. Neither does any muqallid say that he rejects the Aayaat and Ahadeeth. In fact, he [the muqallid] says: “Our Deen is the Quraan and Hadeeth. However, I am ignorant” or “lacking knowledge” or “am totally incompetent in the field of ijtihaad and istimbaat. I do, however, have a favourable opinion and faith in so-and-so Aalim” or “Imam. He was thoroughly versed in the words and meanings of the Aayaat and

Ahadeeth. Thus, I consider the purport which he understood [from the Quraan and Hadeeth] to be correct and the stronger view. Therefore, I am acting on the Hadeeth, albeit in accordance to his guidance.”

In short, no muqallid rejects the Quraan and Hadeeth. And the Imam whom he follows did not lack knowledge and guidance, as is proven through reliable transmission from generation to generation (tawaatur) that they possessed intelligence and guidance.

Thus, in view of both reasons [for the denouncement of the Taqleed of the kuffaar] being non-existent here, this Taqleed [of the Math-habs] is beyond the ambit of the censure in the Quraan.

And how can Taqleed on the whole be the purport of the Aayat? Otherwise, the Aayat will be in clear contradiction to all those Ahadeeth which establish the validity of Taqleed.

9. The Accusation of the Muqallids Discarding Ahadeeth

9.1 Just as it is permissible to deduce a law through ijtihaad, similarly, it is also permissible to regard a Hadeeth to be subject to rationale and act in accordance to the rationale. This entails specifying the sphere of the Ahkaam or placing it on one of several possibilities or restricting a general rule or acting on the inner meaning rather than the external meaning. This is not antithetical to or discarding of the Hadeeth. Therefore, such an ijtihaad is permissible and furthermore Taqleed of such an ijtihaad is also perfectly permissible.

9.2 In Bukhari it is reported from Ibn Umar (Radhiyallahu anhu) that Rasoolullah (Sallallahu alaihi wa sallam) said to the Sahaabah after the Battle of Ahzaab: “None of you shall read Asr Salaah before reaching the Bani Quraithah.” Asr time came whilst some Sahaabah were still on the way. They were split on what to do. Some said: “No, we are going to read our Salaah. That was not the purport of Rasoolullah (Sallallahu

alaihi wa sallam). —His purport, rather, was to emphasize speed and haste in reaching there before Asr.” — This incident was brought to Rasoolullah’s notice. He did not reprimand or mete out punishment to anyone.

In the above episode some understood the actual purport by virtue of quwwat-e-ijtihaadiyyah [power of ijtihaad]. The purport they understand was one of the two possibilities and they performed the Salaat. Rasoolullah (Sallallahu alaihi wa sallam) did not reprimand them by saying: “Why do you discard the apparent meaning.” And nor did he declare them discarders of the Hadeeth.

9.3 To aver in relation to any mas-alah that it is in conflict to the Hadeeth depends on three things:

The purport of the mas-alah is correctly understood.

Its daleel is known.

The procedure of the inference is known.

If any of these three factors remain obscure to the opposing party, their judgement will be erroneous.

For instance, Imam Abu Haneefah’s statement of Salaatul Istisqa not being Sunnat is well-known. The apparent meaning of this statement seems to be in conflict with the Hadeeth because it is mentioned in the Ahadeeth that Rasoolullah (Sallallahu alaihi wa sallam) performed Istisqa Salaat. However, the purport of this statement [of Imam Abu Haneefah] is that it is not sunnat-e-mu’akkadah. Accordingly, sometimes Rasoolullah (Sallallahu alaihi wa sallam) would perform Salaah and make du’a for rain, and occasionally he would make du’a without performing this Salaah. Thus, we find the following Hadeeth in Bukhari:

“It is reported from Anas (Radhiyallahu anhu) that Rasoolullah (Sallallahu alaihi wa sallam) was delivering the Khutbah on Jumu’ah day when a person stood up and said: ‘Yaa Rasoolallah! Horses and goats have perished. Make du’a

unto Allah Ta'ala for rain.' Rasoolullah (Sallallahu alaihi wa sallam) stretched out both his hands and made du'a."

The above purport of Imam Abu Haneefah (Rahmatullahi alaih) is furthermore revealed by the following text of Hidaayah:

"We [the Ahnaaf] say that he [Rasoolullah Sallallahu alaihi wa sallam] did it on one occasion and omitted it on another occasion. It, therefore, is not sunnat."

—Awwalain

Thus, once the correct purport surfaces the question of opposition is dispelled.

Similar is the case when the daleel remains obscure. For instance, varying Ahadeeth are reported in regard to one mas-alah. Now it will be incorrect to aver that a Mujtahid has opposed the Hadeeth merely by looking at one of the Hadeeths. The Mujtahid has drawn a ruling for the other Hadeeth and he presents a valid interpretation for this one. An example of this is the mas-alah of Qiraatul Faatihah khalfal Imam [Reciting Soorah Faatihah behind the Imam]. The Ahadeeth in this regard differ.

Or a single Hadeeth holds scope for several varying possibilities. The Mujtahid understands a certain possibility, on the basis of his quwwat-e-ijtihaadiyyah, to be stronger. He thus infers this. This too is not opposition to the Hadeeth. An example of this is that it appears in the Hadeeth that if a person passes in front of you whilst you are reading Salaah then you should ward him off. The one possibility is that the literal meaning applies. The other possibility taking into account other principles and rules is that this Hadeeth is by way of warning and a deterrent from passing in front of a Musalli. If a Mujtahid takes the second possibility then it cannot be averred that he has discarded the Hadeeth. In fact, his practice is precisely on the Hadeeth.

And similarly, if the procedure of inference is obscure, then too the judgement of conflict will be erroneous. For instance, Imam Abu

Haneefah (Rahmatullahi alaih) states that the period of breastfeeding extends to 2 ½ years. The daleel, i.e. the Aayat: “Its carrying and weaning...” is well-known. However, the popular explanation of the inference is exceptionally faulty. In Madaarik, however, the tafseer of ‘hamluhu’ [its carrying] is reported from Imam Abu Haneefah as ‘bil akuf’ [with hands]. By virtue of this tafseer, all objections are dispelled. In this case, the Aayat means: After birth, the maximum period of the baby being carried around in arms and its weaning is 30 months. There is no problem in this tafseer and the view of Imam Abu Haneefah is easily substantiated.

In conclusion, judging a mas-alah to be in conflict with the Hadeeth is the prerogative of such a person who is thoroughly versed in the Traditions and he possesses keen insight and strong mental perception. One who possesses one attribute and lacks the other is not competent to pass off a mas-alah to be in violation of the Hadeeth.

It is proven in the Hadeeth [refer to 10.3] that merely being a Hafiz of the Hadeeth does not qualify one to be a Mujtahid. Any unbiased reader can understand from this that when a Hafiz of Hadeeth can be oblivious to the forms and procedure of inference then how on earth can the ignoramuses of today fathom all the various ways a Mujtahid employs in his deduction of the Masaail? Thus, how audacious it is on their part to stupidly call the Muqallid ‘discarder of Hadeeth’. May Allah Ta’ala reform their condition.

In this regard, whenever experts have found any statement in conflict with a Daleel-e-Shar’i they omitted the statement at once. Examples of this are the mas-alahs of the prohibition of consuming even a small quantity of an intoxicant and muzaara’at [farming on a profit-share basis]. There is clarity in the Kutub of the Hanafiyyah that in these two issues the view of Imam Abu Haneefah is discarded. However, the number of such [discarded] views probably does not even reach ten. In this regard this lowly servant [Hazrat Moulana Thanwi Alaihir Rahmah] investigated and besides five or six Masaail in which I had some reservations not a single mas-alah was found to be against the Hadeeth.

I even recorded the various ways the Masaail correspond to the Ahadeeth in a treatise. By coincidence, however, the treatise was lost.

Nevertheless, it is Haraam to revile a Mujtahid because the Mujtahid's error is not intentional. His error is ijtihaadi [i.e. an error in judgement]. In the light of the Hadeeth he is rewarded for this too.

We have said this according to our knowledge, otherwise it is possible that Imam Abu Haneefah had access to a Hadeeth which we are unaware of.

9.4 Ibn Taimiyyah states that the forms of inferences from a Hadeeth or Aayat are so many that no Mujtahid can be assailed for his inference. This he stated in his kitaab 'Raf'ul Malaam anil Aimmatil A'laam. This kitaab is worthy of perusal.³

9.5 Even if we had to assume that some Ahadeeth did not come to the notice of Imam Abu Haneefah, we nevertheless find that Imam Muhammad, Abu Yusuf Bin Huthail, Ibnul Mubaarak, Hasan Bin Ziyaad and other eminent students of Imam Abu Haneefah living to the era of Hadeeth Compilation.

Following them came Imam Tahaawi, Karkhi, Haakim the author of Kaafi, Abdul Baaqi Bin Qaani', Mustaghri, Ibnush Sharaq, Zaila'i and other Huffaaz and Nuqqaad [Examiners] of Hadeeth among the Ahnaaf who flourished during the age of the perfection of the standards in examining the Ahadeeth from Nabi (Sallallahu alaihi wa sallam). They were fully cognizant of the Saheeh, Dha'eef, Mash-hoor and Ahaad Ahadeeth.

Thus, they omitted any qiyaas [analogical deduction] of Imam Abu Haneefah they perceived to be in conflict with the Ahadeeth.

³ Al-Ifaadhaatul Yowmiyyah

Thus, the likes of Imam Muhammad, Imam Abu Yusuf, Zufar and Hasan differed [with Imam Abu Haneefah] in a significant portion of his Math-hab. The Hanafi Math-hab again is the collective statements of Imam Abu Haneefah and these students and associates of his. (Rahimahumullah Ta'ala).⁴

10. The Averment: “The Quraan and Hadeeth are before us. We can, therefore, refer directly to it.”

10.1 One who does not possess quwwat-e-ijtihaadiyyah [refer to no. 11] holds no right to resort to ijtihaad.

10.2 It is reported from Hazrat Adi Bin Haatim (Radhiyallahu anhu) that when the Aayat: “And eat and drink until the white thread becomes noticeable from the black thread,” was revealed, he took a white thread and a black thread and kept it. During the night he looked at it. However, the two threads were not distinguishable from each other. In the morning he informed Rasoolullah (Sallallahu alaihi wa sallam). Rasoolullah (Sallallahu alaihi wa sallam) responded: “Your pillow is exceptionally huge for the white and black threads (which actually imply the dawn light and darkness of the night) to be under your pillow.”

Notwithstanding the fact the this Sahaabi was a native who spoke the Arabic language, he erred in understanding the purport of the Quraanic Aayat in view of him not possessing quwwat-e-ijtihaadiyyah. Rasoolullah (Sallallahu alaihi wa sallam) brought his mistake to his notice in a humorous way. In some other Ahadeeth Nabi (Sallallahu alaihi wa sallam) did not voice his disapproval of ijtihaad from certain Sahaabah. This indicates that the Sahaabi here did not possess quwwat-e-ijtihaadiyyah and hence Nabi (Sallallahu alaihi wa sallam) did not credit him for his opinion and perception.

⁴ Qawaa'id fi Uloomil Hadeeth, p. 281

10.3 It is reported from Hazrat Ibn Mas'ood (Radhiyallahu anhu) that Rasoolullah (Sallallahu alaihi wa sallam) said: "May Allah Ta'ala keep that person happy and prosperous who listens to my Hadeeth, retains it, remembers it and delivers it to others. Indeed, many of those who pass on knowledge are not themselves versed in knowledge, and often a person passes on knowledge to someone who understands it more than the one who delivered to him."

—Shaafi'i, Baihaqi in Madkhal, Ahmad, Tirmithi, Abu Dawood, Ibn Maajah and Daarimi who reports from Hazrat Zaid Bin Thaabit.

There is clarity in this Hadeeth that some Hafizes of Hadeeth do not understand the meanings of the Hadeeth or possess little understanding of it.

10.4 The simple and straightforward test in this matter is to take a hundred by-laws from a Fiqhi kitaab in which the dalaail [proofs] are not mentioned, at random from various chapters and trace their sources in the Quraan and Hadeeth. Furthermore, the principles governing the by-laws should be proven from the text or indications of the Quraan and Hadeeth or with sound rational arguments. Once this assignment is complete it should be compared to the answers and proofs of the Fuqaha. Then one will wake up to the limit of one's intelligence and the worth of the Fuqaha's intelligence. Insha Allah, this will become evident to one and in future one will not venture to make such a claim.

10.5 Hazrat Abdullah Bin Mubaarak (Rahmatullahi alaih) furthermore said:

"Had it not been for the fact that Allah Ta'ala rescued me through the medium of Abu Haneefah and Sufyaan, I would have been just like the others."

In other words, Allah Ta'ala saved him through Imam Abu Haneefah and Imam Sufyaan Thowri from the perplexity and confusion which a raawi [narrator of Hadeeth] is embroiled in when seeing the conflicting

Ahadeeth and opposing narrations. The two Imams (Radhiyallahu anhum) would show him how the two [conflicting Hadeeths] are reconciled, which narration enjoys first preference and they would explain the meanings of the two to him.

Indeed, this [perplexity and confusion] was the case with not one, but many ruwaat [plural of raawi]. They were rescued by none other than the Fuqaha-e-Muhadditheen; those who were experts in riwaayat and diraayat [Traditions and reasoning powers].

Qazi Iyaadh related the following in Tadreebul Madaarik under the biography of Abdullah Bin Wahb Quraishi Misri, the pupil of Imam Maalik (Rahmatullahi alaih) —V.3 pp. 231/6:

“Yusuf Bin Adi said: ‘I found some people to be faqeesh, not Muhadditheen and some to be muhaddiths, not faqeesh. Only Abdullah Bin Wahb did I find to be a Faqeeh, Muhaddith and a zaahid [Buzrug, saint, recluse].’

Ibn Wahb said: ‘Had it not been that Allah Ta'ala saved me through Maalik and Laith, I would have gone astray.’ He was asked: ‘How is that?’ He replied: ‘I immersed myself in Hadeeth and in consequence I became perplexed. I would then present my doubts to Maalik and Laith who would tell me which Hadeeth to take and which to discard [on account of its unreliability, abrogation or other factor warranting its non-application].’ The end of Qazi Iyaadh’s quote.

Hafiz Ibn Abdul Barr documented this in Intiqah with a similar text. Our Shaikh, Muhaqqiq Kowthari (Rahimahullahu) annotated it with the following words:

“Ibn Asaakir’s text with his chain to Ibn Wahb is: ‘Had it not been for Maalik bin Anas and Laith bin Sa’d, I would have perished. I was under the impression that everything reported from Nabi (Sallallahu alaihi wa sallam) had to be carried out.’ In one narration it appears: ‘... I would have gone astray,’ i.e.

in view of the conflict between the Ahadeeth, which happens to many ruwaat who are strangers to Fiqh; who cannot distinguish between a Hadeeth with which practice is associated from one unlike the previous.”⁵

10.6 Qazi Bishr Bin Waleed said: “We would be by Sufyaan Bin Uyainah. When a problematic mas-alah would come to us, he [Imam Sufyaan] would ask: ‘Is there anyone here from the As-haab [students, associates] of Imam Abu Haneefah?’ My name would be taken. He [Imam Sufyaan] would say [to me]: ‘Answer.’ I would then answer. He would then remark: ‘Safety in Deen is to turn to the Fuqaha.’”⁶

11. What is Quwwat-e-Ijtihadiyyah?

11.1 Now listen to the Hadeeths from which the nature of quwwat-e-ijtihaadiyyah will become manifest.

Hadeeth One: It is reported from Hazrat Abdullah Bin Mas’ood (Radhiyallahu anhu) that Rasoolullah (Sallallahu alaihi wa sallam) stated: “The Quraan was revealed in seven dialects. Every Aayat has an apparent meaning and an inner meaning. And for every horizon there is a view. (In other words: the external purport of the Aayaat can be understood through Arabic linguistics and the hidden purport through intellectual and reasoning powers.)

—Mishkaat Shareef from Sharhus Sunnah

Hadeeth Two: Urwah Bin Zubair reports: “I enquired from Aishah (Radhiyallahu anha) about this Aayat: ‘Verily Safa and Marwah are among the salient signs of [the Deen of] Allah Ta’ala. Thus, whoever performs Haj or Umrah there is no sin on him if he makes sa’ee between the two.’ I said: ‘This Aayat teaches that there is no sin

⁵ Qawaa’id fi Uloomil Hadeeth, pp,310/11

⁶ Ibid, p. 330

on a person who does not make sa'ee of Safa and Marwah (which is the apparent purport of the Aayat because when there is no sin in making sa'ee the apparent meaning is that sa'ee is permitted. If one does not make sa'ee then too it will be permissible.)' Hazrat Aishah (Radhiyallahu anha) replied: 'O Nephew! You have made a big mistake. If this Aayat meant what you have understood from it then it would have read: 'There is no sin in not making sa'ee between the two.'

—Maalik, Bukhari, Muslim, Abu Dawood, Tirmithi and Nasaai.

Hadeeth Three: Speaking on the virtues of the Sahaabah Hazrat Ibn Mas'ood (Radhiyallahu anhu) said: "They are the most virtuous of the entire Ummah; their hearts are pure, they possessed the deepest knowledge and they were very open and informal."

—Razeen.

Hadeeth Four: Hazrat Ibn Juhaifah reports: "I asked Ali (Radhiyallahu anhu): 'Do you have some knowledge which is not found in the Quraan?' He responded: 'I take an Oath in that Being Who split the seed and created life! We do not have any knowledge, except for a distinct perception which Allah Ta'ala grants to whomever He wishes in [understanding] the Quraan.'"

—Bukhari, Tirmithi and Nasaai.

Hadeeth Five: Hazrat Zaid Bin Thaabit (Radhiyallahu anhu) reports: "During the occasion of the battle with the people of Yamaamah, Abu Bakr (Radhiyallahu anhu) sent someone to call me. When I came to him, I saw Umar (Radhiyallahu anhu) sitting by him. Abu Bakr (Radhiyallahu anhu) spoke to me and said: 'Umar came to me and advised me that many Qurra of the Quraan fell. He said: 'I fear that if this continues then a major portion of the Quraan will be lost to us. Therefore, my advice is that you instruct the compilation of the Quraan.' I responded: 'How can I do something which Rasoolullah (Sallallahu alaihi wa sallam) never did?' Umar replied: 'Wallah! There

is only good in this.’ He repeated this over and over again until I was contented and I understood what he had understood.”

—Bukhari and Tirmithi.

From the aforementioned Five Hadeeths collectively, the following points are clear:

Some meanings of the Nusoos [Quraan and Hadeeth texts] are apparent and some of the purports are hidden and subtle. The latter are mysteries, reasons and wisdom.

The level of understanding the Nusoos vary among individuals. Some only understand the apparent meanings, whilst others penetrate the hidden meanings.

In this disparity in comprehension, virtue and merit is not due to mere difference in comprehension as this is the case with any two individuals. Rather, this virtue and merit is exclusive to a special level of depth and penetration and, this is the level of knowledge worth of consideration.

This special level of understanding is not the product of human effort. It is Allah-given.

Thus, the summary of its [quwwat-e-ijtihaadiyyah’s] nature as concluded from the above Ahadeeth is that it is an exclusive Allah-given proficiency and power of comprehension and deduction by virtue of which those who possess this power discover the hidden purport and subtle meanings of the Nusoos and the mysteries and reasons for the Ahkaam pertaining to practice and belief in such a matter that they are contented. Others cannot penetrate where they have penetrated.

Sometimes, however, their hearts are contented with another view. In such a case they retract their first view.

This power is called fehm, fiqh, raai, ijtihaad, istimbaat and other terms also are used to refer to it in the Aayaat and Ahadeeth.

12. The Question of the Aimmah-e-Mujtahideen Prohibiting their Taqleed

12.1 **Question:** The Aimmah-e-Mujtahideen have themselves said that it is not lawful to practice on their statements until the proof is know. Thus, those whom you make Taqleed of, prohibit this selfsame Taqleed.

Response: The audience of the above statement of the Mujtahideen is not those people who do not possess quwwat-e-ijtihaadiyyah, otherwise, this statement of theirs will firstly clash with those Ahadeeth which permit Taqleed which we have mentioned earlier, and secondly, it will clash with their practice and other statements of theirs.

The clash with their practice is that it is not documented anywhere that the Mujtahideen would furnish proof when answering each and every person's question. Similarly, there was no strict adherence to record dalaail [proofs] with their Fataawa which they compiled, as is evident in the Kitaabs such as: Jaami' Sagheer, etc. It is an obvious fact that an answer is given for the sake of practice, whether the answer is verbal or recorded in a book. Thus, this practice of theirs is Taqleed per se.

The clash [of the abovementioned statement] with their other statements is that it is reported in Hidaayah Awwalain, etc. from Imam Abu Yusuf (Rahmatullahi alaih) that if a person has blood removed from his body in the state of fasting and thereafter he intentionally eats or drinks thinking that his fast had broken on the basis of the Hadeeth: "The fast of both, the cupper and the one who was cupped is broken," then such a person will have to necessarily keep kaffaarah. Presenting the argument for this mas-alah Imam Abu Yusuf says: "It is obligatory on a layman [i.e. a non-Aalim] to explicitly follow the Fuqaha as he has no understanding of the Ahadeeth."

This statement clearly shows that the former statement of the Mujtahideen is addressed to those who possess quwwat-e-ijtihaadiyyah,

not to those who lack this power. Accordingly, reflecting on that statement reveals this restriction. This is due to the fact that the words: “until the proof is not known,” evinces that they were speaking to people who had the potential to comprehend the dalaail. One who lacks quwwat-e-ijtihaadiyyah may be able to listen to the proof; he cannot however comprehend the proof.

It is takleef-e-maa laa yutaaq [imposing the unbearable] which is Shar’i-wise baatil [null and void], for a person who lacks the power to comprehend the proofs to try to comprehend the proofs. Thus, it is evident that this address [i.e. the statement of the Mujtahideen in the question] is directed to a Saahib-e-Ijtihaad, not to a non-Mujtahid.

12.2 Ibn Taimiyyah states: “The Aimmah barring Taqleed is only in relation to one who has the power to draw Ahkaam from the dalaail.”

—Fataawa Ibn Taimiyyah.⁷

⁷ Al-Kalaamul Mufeed fi Ithbaatit Taqleed, p. 233

13. The Error of Judging the Ahadeeth of the Fuqaha on the Criteria of the Muhadditheen

13.1 In so far as those Ahadeeth are concerned which are dha'eef according to the Muhadditheen, firstly all those rules and principles are presumptive on which the Muhadditheen have based the strength and weakness of the Ahadeeth and in which the major factor is the credentials of the raawi [narrator]. Accordingly, in certain principles, the Muhadditheen themselves are split.

Similarly, a raawi being thiqah [reliable] or ghair-thiqah [unreliable] is also presumptive [i.e. speculative, not categorical]. Hence, the Muhadditheen differ in regard to many narrators. Furthermore, preference for declaring a narrator unreliable over his reliability is conditional to many restrictions and it is not accepted that all the conditions are found everywhere. The books on this subject reveal the veracity of this point.

When these rules and principles are presumptive then how can they be binding on all? When the Fuqaha have formulated other principles to judge the strength and weakness of the Ahadeeth on the basis of dalaail, as appears in the Usool-e-Fiqh Kitaabs, there is no reason then for objection. Thus, it is quite possible that a certain Hadeeth is unreliable in the light of the Muhadditheen's standards, but according to the standards of the Fuqaha the same Hadeeth is worthy of being a basis for formulating Ahkaam.

Secondly, dhu'f or weakness is not an inherent quality of a Hadeeth. Dhu'f is due to the raawi. Thus, it is quite possible that a Mujtahid received a Hadeeth with a Saheeh sanad [authentic chain] and later on the sanad was tarnished by the addition of a weak narrator. Therefore, the later dhu'f does not harm the earlier contention and proof of the Mujtahid.

Once the Mujtahid has employed a Hadeeth in his argument—bearing in mind that employing a Hadeeth for this purpose is dependent on the authenticity of the Hadeeth—then the Mujtahid has actually authenticated the Hadeeth. This is the purport of the Ulama’s statement: “When a Mujtahid advances a Hadeeth in his argument it is his authentication of the Hadeeth.” Thus, regardless of its sanad being doubtful, according to the muqallid the Hadeeth will be judged to be Saheeh, as is the case with the Ta’leeqaat of Imam Bukhari (Rahmatullahi alaih). Therefore, there is no disadvantage to the Mujtahid’s argument on account of such a Hadeeth.

13.2 It is only befitting to mention here that the Thulaathiyyaat [Ahadeeth in which there are only 3 links to Rasoolullah (Sallallahu alaihi wa sallam). These Ahadeeth are much prized by the Muhadditheen] by Imam Bukhari and other Muhadditheen are very few. You can judge from this that, in the entire Bukhari Shareef there are not more than 20-22 Thulaathiyyaat. Imam Abu Haneefah, on the other hand, by virtue of him being earlier, and a Taabi’i, his narrations are predominantly Thulaathiyyaat. In fact, there are even Thunaaiyyaat [Ahadeeth with only 2 links to Rasoolullah (Sallallahu alaihi wa sallam) to his credit]. Hence, Imam Shar’aani Shaafi’i has written: “I have studied authentic copies of Imam Abu Haneefah’s 3 Masaaneed [Hadeeth works with chains that are linked to Rasoolullah Sallallahu alaihi wa sallam] endorsed by the Huffaaz of Hadeeth. I found every Hadeeth to be the report of excellent and righteous Taabi’een, the likes of Aswad, Alqamah, Ataa, Ikrimah, Mujaahid, Makhool, Hasan Basri and others.”

Thus, between Imam Abu Haneefah and the Office of Risaalat (Sallallahu alaihi wa sallam), all the narrators were honest and uprighteous Aalims, and they were eminent Buzrugs [Saints]. None of them was a liar or one accused of mendacity. It is for this reason that the Aimmah-e-Hadeeth and the Ulama have concluded that the Ahadeeth with which the Aimmah-e-Matboo’een-e-Mujtahideen have formulated Fiqh, are much more reliable and accredited than the later Ahadeeth, because those illustrious Fuqaha were the Asaatizah

[Teachers and Mentors, and in fact the Asaatizah of the Asaatizah] of the later Muhadditheen. Furthermore, they enjoyed a closer proximity to the Era of Risaalat and the Sahaabah. Falsehood had not become widespread in this Khairul Quroon [Noblest of Ages]. Therefore, whatever dhu'f [weakness in the Ahadeeth] developed on account of the ruwaat, it was the harvest of the following generations.⁸

⁸ Malfoozaat-e-Muhaddith-e-Kashmiri, pp. 147/ 8

CHAPTER TWO: A Very Short Selection of the Praises Showered by the Aimmah of the Ummah upon Imam Abu Haneefah (Alaihir Rahmah)

1. When the Aayat in Soorah Jumu'ah: "... and others among them who have not as yet met up with them," was revealed, Rasoolullah (Sallallahu alaihi wa sallam) said placing his hand on Hazrat Salmaan Farsi (Radhiyallahu anhu): "If Imaan [i.e. Deen] was on Pleiades, then men—or he said—a person from them (i.e. the Persians) would have reached it."

—Bukhari in Kitaabut Tafseer.

Hafiz Suyooti said: "This Hadeeth is an authentic and reliable basis for the indication to be taken to mean Imam Abu Haneefah."

The student of Hafiz Suyooti said: "Our Ustaad was convinced that this Hadeeth signified Imam Abu Haneefah without doubt, because no one from Persia attained the rank in Ilm equal to him."

2. Sam'aani said in Ansaab: "He [Imam Abu Haneefah] engrossed himself in the pursuit of Ilm and went to extreme lengths in acquiring it until he achieved what no one besides him achieved. One day he came to [Khaleefah] Mansoor when Isa Bin Abaan was there. He [Isa Bin Abaan] said to Mansoor: "This is the Aalim of the world today."⁹

⁹ The quotations from no. 2 till no. 10 are all from Qawaa'id fi Uloomil Hadeeth, pp. 308-331

3. Yazeed Bin Haroon¹⁰ said: “I met a thousand men [Aalims, Muhaddiths] and I wrote [Ahadeeth] from most of them. I found five of them to be greater than the rest in Fiqh, Taqwa and Ilm. The foremost among them was Abu Haneefah.”

4. It is reported from Abdullah Bin Mubaarak: “I came to Kufa¹¹ and I asked the Ulama there, who the greatest Aalim in their land was? All without exception took the name of Imam Abu Haneefah.”

5. Hafiz Ibn Khusru reported with his chain from Muhammad Bin Salamah that Khalaf Bin Ayyoob said: “Ilm came down from Allah Ta'ala to Muhammad (Sallallahu alaihi wa sallam). Then it passed onto his Sahaabah, then to the Taabi'een. Then it went to Abu Haneefah and his As-haab.”

It is not a hidden fact that Ilm in that age was nothing other than Ilmul Hadeeth wal Quraan. The greatest Aalim in that time therefore, was he who had the most knowledge of the Quraan and Hadeeth.

6. Ibnul Qayyim said in I'laamul Muwaqqi'een that Yahya Bin Aadam¹² said: “Nu'maan [Imam Abu Haneefah] gathered all the Hadeeth of his city. His gaze was thus on the final traditions which Nabi (Sallallahu alaihi wa sallam) left behind.

7. The Historian, Ibn Khaldoon said: “What indicates that he [Imam Abu Haneefah] was among the senior Mujtahideen in the Science of

¹⁰ He was, as stated by Hafiz Ibn Hajar in Tehzeebut Tehzeeb in his biography: “One of the eminent and well-known Huffaaz. Ahmad Bin Hambal, Ali Bin Madeeni and a host of others have reported Ahadeeth from him.”

¹¹ Indeed Kufa was the home of 1500 Sahaabah among whom 70 were Badris; leave alone the other cities of Iraq. Refer to Fiqhu Ahlil Iraq wa Hadeethuhum by Imam Kowthari, p. 42.

¹² He is among the Shuyookh of the Shuyookh of Imam Bukhari. His Hadeeths are documented in Saheeh Bukhari. He was a contemporary of Imam Abu Haneefah in Kufa.

Hadeeth is that his Math-hab gained acceptance among them and they turned to it and gave it recognition after discussion and investigation.”

8. Ibn Hajar said in his Qalaa'id that Sufyaan Thowri said: "In front of Abu Haneefah we were like sparrows in front of a hawk. Verily Abu Haneefah was the leader of the Ulama."

9. Imam Shaafi'i said that Imam Maalik was asked: "Did you see Abu Haneefah?" He replied: "Yes, I saw a man, if he wished to prove to you that this pillar is made of gold, he would prove it."

10. Khateeb Baghdadi with his chain reported from Ibn Karaamah that he said: "We were by Wakee' Bin Jarraah one day when a person said: 'Abu Haneefah has erred.' Wakee' spoke: 'How can Abu Haneefah err when he has by him the likes of Abu Yusuf, Zufar and Muhammad with their qiyaas and ijtihaad, the likes of Yahya Bin Zakariyyah Abi Zaaidah, Hafs Bin Ghiyaath and Hibbaan and Mandal the sons of Ali with their hifz and understanding of the Hadeeth, Qaasim Bin Ma'n and his perception of language and linguistics and Dawood Bin Naseer Taai and Fudhail Bin Iyaadh with their Zuhd and taqwa? A person who has these students or associates can hardly err. If he does, they will return him to the Haq."

11. Imam Shar'aani mentioned in Meezaan that Imam Shaafi'i (Rahimahullah) left out Qunoot when he visited his [Imam Abu Haneefah's] grave and it was time for Fajr Salaah. He [Imam Shaafi'i] said: "How can I recite the Qunoot in the presence of the Imam when he does not advocate it?"

Imam Shar'aani adds that the reason for Imam Shaafi'i doing that [i.e. omitting the Qunoot] was to show adab [respect] to the Aimmah-e-Mujtahideen, placing them and all their statements on a noble and acceptable pedestal, for they never said anything but after coming to

know of a daleel from the Traditions of Rasoolullah (Sallallahu alaihi wa sallam).¹³

12. The praises of Ibn Taimiyyah for Imam Abu Haneefah: “These are the Ulama who study and research Ilm day and night. They have no personal interest with anyone. In fact, they assert preference to this Sahaabi’s statement sometimes and that Sahaabi’s statement sometimes according to the proofs of the Shariat they behold, like Sa’eed Bin Musayyab and the Fuqaha of Madinah... and their counterparts the likes of Alqamah, Aswad, Qazi Shuraih, and their like. Then Ibraheem Nakha’i, Aamir Sha’bi, Hakam Bin Utaibah, Mansoor Bin Utaibah, up to Sufyaan Thowri, **Abu Haneefah**, Ibn Abi Lailah and Shareek up to Wakee’ Bin Jarraah, Abu Yusuf, and Muhammad Bin Hasan and their peers.”¹⁴

13. He [Ibn Taimiyyah] said in another place: “The Imams of the Ulama of Hadeeth, Tafseer, Tasawwuf and Fiqh such as the four Imams [Abu Haneefah, Shaafi’i, Malik and Ibn Hambal] and their followers [i.e. their students]...”

14. Imam Bukhari (Rahmatullahi alaih) states: “I never found myself more inferior and barren by anyone other than Ibn Madeeni.” This same Ibn Madeeni together with Imam Ahmad and Yahya Bin Ma’een are the students of Yahya Bin Sa’eed Al-Qattaan. And he [Yahya Bin Sa’eed Al-Qattaan] would teach them with such pomp between Asr and Maghrib time that he would recline against a pillar of the Masjid and these three would be standing in front of him with arms folded listening to his dars [lecture, lesson] of Hadeeth and unravelling their queries and doubts regarding Ahadeeth and Masaail.

¹³ Abu Haneefah wa As-haabuhu Al-Muhadditheen, p. 67

¹⁴ No. 12 and 13 having been taken from the Muqaddamah of Tabyeedhus Saheefah with reference to Minhaajus Sunnatin Nabawiyah

Then take note that Yahya Al-Qattaan has been listed by Allaamah Kurduri among the students of Imam Abu Haneefah and among his Ahl-e-Shura [consultation members] of his Math-hab.

He would attend the lessons of Imam Abu Haneefah and reap the benefit. He would give fatwa on Imam Saheb's Math-hab. He was the first author of Taareekh-e-Rijaal [Biography of the narrators of Hadeeth].

He [Yahya Bin Sa'eed Al-Qattaan] says in regard to Imam Abu Haneefah: "Allah is witness that I do not speak a lie when I say that I did not find anyone more correct in judgement than Imam Abu Haneefah. And, I subscribe to most of his views."¹⁵

15. Hafiz-e-Hadeeth Makki Bin Ibraheem was the Imam of the Muhadditheen of Balkh and he is the Ustaad of Imam Bukhari. Imam Bukhari has included many of his narrations in Bukhari Shareef. From among the loftiest sanad—the 22 Thulaathi Ahadeeth—of Bukhari Shareef 20 alone are from Hanafi narrators and 11 are from Makki Bin Ibraheem alone. This great distinction [of the number of Thulaathiyyaat in Bukhari Shareef] is by virtue of the predominant Hanafi narrators.

He [Makki Bin Ibraheem] is also a student of Imam Abu Haneefah who stayed with him and learnt from him day and night. He says: "Imam Abu Haneefah was the greatest Aalim of his time." And, 'Aalim' in the parlance of the Muhadditheen is he who is accomplished in the text and chains (mutoon wa isnaad) of the Ahadeeth.

16. It is only befitting to mention here that the Thulaathiyyaat [Ahadeeth in which there are only 3 links to Rasoolullah Sallallahu alaihi wa sallam] by Imam Bukhari and the other Muhadditheen are very few. You can judge from this that, in the entire Bukhari Shareef there are not more than 20-22 Thulaathiyyaat. Imam Abu Haneefah on the other hand, by virtue of him being earlier, and a Taabi'i, his

¹⁵ No's 14, 15 and 16 are from Malfoozaat-e-Muhaddith-e-Kashmiri, pp. 145-7.

narrations are predominantly Thulaathi. In fact, there are even Thunaaiyyaat [Ahadeeth with only 2 links to Rasoolullah (Sallallahu alaihi wa sallam) to his credit]. Hence, Imam Shar'aani Shaafi'i has written: "I have studied authentic copies of Imam Abu Haneefah's 3 Masaaneed [Hadeeth works with chains that are linked to Rasoolullah Sallallahu alaihi wa sallam] endorsed by the Huffaaz of Hadeeth. I found every Hadeeth to be the report of excellent, reliable and righteous Taabi'een, the likes of Aswad, Alqamah, Ataa, Ikramah, Mujaahid, Makhool, Hasan Basri and others."

Thus, between Imam Abu Haneefah and the Office of Risaalat (Sallallahu alaihi wa sallam) all the narrators were honest and uprighteous Aalims and they were eminent Buzrugs [Saints]. None of them was a liar or one accused of mendacity.

17. When such lofty virtues are proven for Imam Abu Haneefah with such strong evidences, then how can there be any doubt in his knowledge and guidance? And, this is the touchstone of leadership in Deen and reason for his Taqleed. And, this is the objective of this discussion.

CHAPTER THREE: The Hanafi Dalaail for Certain Contentious Masaail

Here we present the Hadeeth proofs for certain contentious issues to show that the Hanafiyyah do follow the Hadeeth. Testifying to this fact Imam Ibn Taimiyyah states:

“The Hanafiyyah are from the Ahlus Sunnah wal Jama’ah, and the Ahlus Sunnah are the Ahlul Hadeeth.”

—Minhaajus Sunnah¹⁶

We have sufficed here with the bare minimum.

1. Zuhr Salaah After the Shadow of Objects Exceeds the Original Length

Abu Tharr (Radhiyallahu anhu) reports the following: “We were with Rasoolullah (Sallallahu alaihi wa sallam) on journey. The Mu’azzin wanted to give the Azaan. Rasoolullah (Sallallahu alaihi wa sallam) said: ‘Let the temperature cool down.’ After some time, the Mu’azzin wished to give again. Rasoolullah (Sallallahu alaihi wa sallam) said: ‘Let it cool down more.’ The time passed until the shadows equalled the dunes. Then Rasoolullah (Sallallahu alaihi wa sallam) said: ‘The heat of summer is due to the flames of Jahannam.’”

—Bukhari

The contention from the above Hadeeth is obvious. Observation reveals that when the shadow of a dune is equal to it then the length of the shadow of other [i.e. smaller] objects appear much longer than once their size. Now, when Azaan is given at this time, then it is obvious that the shadow of objects will exceed their original length before the Salaat

¹⁶ Imdaadul Fataawa, V.6 p. 48

is completed. From this it is established that the time of Zuhr remains even after one mithl [i.e. the original length of objects].

2. The Feet in Qiyaam

2.1 It appears in Sunanun Nasaai (1/132) in Baabus Saffi baina Qadamain fis Salaah: “Abdullah saw a person reading Salaah whilst he had made saff of his feet. He remarked: ‘He has erred in the sunnat. If he had made muraawahah it would appeal to me more.’”

Saff here means to put the feet together. Muraawahah actually means to rest on one foot a little and then on the other... However, keeping the feet slightly apart is also muraawahah. And, in all probability, it is intended here. In any case, from this [Hadeeth] it is proven that the feet should not be kept wide apart.¹⁷

2.2 The meaning of joining ‘ankles to ankles’ [in the Hadeeth: “Thereafter, I saw that a man would attach his shoulder to the shoulder of his companion (the one standing alongside), his knee to the knee of his companion and his ankle to the ankle of his companion.”—Bukhari and Abu Dawood] is that everyone in the Jama’ah should stand alongside the other (i.e. in a straight line).¹⁸

2.3 It should be noted that the emphasis is on closing the gaps [in Jamaat Salaat]. There should be no gap between two musallis standing in the saff. But the wider the legs are spread apart, the more the distance between the shoulders will increase. Thus, spreading the legs wide apart defeats the very command issued in the Hadeeth to close the gaps and straighten the sufoof.

¹⁷ Ma’aarifus Sunan, V. 2 pp. 198/9

¹⁸ No’s 2.2 and 2.3 are excerpts from ‘The Feet in Salaat—The Salafi Error,’ pp. 5, 7, 8 and 9.

In order to achieve ‘foot to foot’ literally, the Salafis are constrained to turn their feet at angles away from the Qiblah. In this hideous exercise, they manage only to touch the toes of the next musalli with much difficulty and irritation to those whose peace of mind is disturbed with the unruly encroachment of his companion’s toes. When the toes are made to touch with the feet in diagonal positions, the shoulders cannot touch; the knees, ankles, necks, etc. are thrown completely out of alignment.

When shoulders are not lined up, it is impossible to achieve straight sufoof. It is for this reason that the Hadeeth emphasises more on shoulders. Feet are mentioned only once. The Sahaabah and the Taabi’een relate the instruction ‘to line up’ and straighten the saff to the shoulders, necks, knees, ankles and the feet. In other words, all these should be in line, not out of alignment. It is for this reason that the Hadeeth clearly mentions that the Khulafa-e-Raashideen, in fact Rasoolullah (Sallallahu alaihi wa sallam) himself, would order protruding chests to recede into line. Never did any of the Authorities of the Shariah speak about feet which should touch.

In the adoption of the Salafi mode, the movement is excessive in Salaat. Neither is proper Ruku’ nor proper Sajdah possible if this hideous posture has to be retained throughout Salaat. In fact, Sajdah is not at all possible with the feet spread wide apart. Therefore, the Salafis are constrained to shift positions repeatedly when going into Ruku’. This excessive movement in Salaat is negatory of khushoo’.

3. Rafa’ Yadain Only at the Beginning

3.1 It is reported from Alqamah that Hazrat Abdullah Bin Mas’ood (Radhiyallahu anhu) said: “Shall I show you the Salaah of Rasoolullah (Sallallahu alaihi wa sallam)?” He then performed Salaah and he lifted his hands only at the beginning (i.e. at the time of Takbeer-e-Tahreemah).

—Tirmithi who designated it Hasan. He also said that Baraa reported something similar.

3.2 It is reported from Hazrat Baraa that Rasoolullah (Sallallahu alaihi wa sallam) would raise his hands close to his ears when commencing Salaah and thereafter he would not repeat it.

—Abu Dawood

4. Folding the Hands Below the Navel

4.1 It is reported from Abu Juhaifah that Hazrat Ali (Radhiyallahu anhu) said: “The Sunnat way in Salaah is to keep the hands below the navel.”

—Abu Dawood

4.2 Abu Waail reports that Hazrat Abu Hurairah (Radhiyallahu anhu) said: “Holding one hand with the other in Salaah, this is below the navel.”

—Abu Dawood

5. Soorah Faatihah Should Not be Recited by the Muqtadi

5.1 It is reported from Abu Moosa Ash’ari and Abu Hurairah (Radhiyallahu anhuma): “When the Imam recites then you should maintain silence.

—Muslim, Abu Dawood, Nasaai and Ibn Maajah

In the above Hadeeth, there is no mention of or restriction with the Salaah being Sirri or Jahri. Nor is there any restriction to Alhamdu or a Soorah. In fact, Salaah in general, is mentioned and Qiraat in general. Thus, all [forms of Salaah—Sirri and Jahri—and qiraat—Alhamdu and

the Soorah] are included [in the prohibition]. Thus, the objective is clearly indicated.

5. 2 In so far as the Hadeeth: “There is no Salaat for one who does not recite Soorah Faatihah,” is concerned, it applies to a person who is performing Salaah alone. It is not addressed to one who reads behind the Imam. This is confirmed by the following Hadeeth-e-Mowqoof: Abu Nu’aim reports from Wahb Bin Kaisaan that he heard the Sahaabi, Jaabir Bin Abdullah saying: “If anyone performs a Rakaat without Alhamdu, then there is no way out [of the harm to his Salaah] other than him being behind the Imam.”

—Tirmithi, who said that the Hadeeth is Hasan Saheeh.

5. 3 Then the Hadeeth: “Do not recite anything behind me besides Alhamdu because the Salaah of that person who does not recite it is not valid,” does not prove the compulsion of Faatihah. The reason for this is that it could possibly mean: In view of Soorah Faatihah enjoying the status of Salaah being dependent on it for existence or perfection (according to the difference of opinions) we give permission for its recital. Thus, at most the Hadeeth gives permission for its recital. The earlier prohibition and then exclusion suggests this meaning as well. The Hadeeth cited at the beginning, however, prohibits its recitation as in it there is a negative command, namely, “maintaining silence”. Thus, according to the principle: “When a proof of permissibility and a proof of prohibition clash, the proof of prohibition will take preference,” it has to be said that the permissibility has been abolished. Now, there remains no doubt in this mas-alah in the light of any Hadeeth.

6. Reciting Aameen Softly

6.1 Alqamah Bin Waail reports from his father that Rasoolullah (Sallallahu alaihi wa sallam) read:

غَيْرِ الْمَعْضُوبِ عَلَيْهِمْ وَلَا الضَّالِّينَ

and then said Aameen softly.

It appears in Aini that this Hadeeth has been documented by Imam Ahmad, Abu Dawood Tayaalisi and Abu Ya'la Mowsili in their Masaaneed, Tabarani in his Mu'jam, Daara Qutni in his Sunan and Haakim in his Mustadrak with these words:

وَأَخْفَى بِهَا صَوْتَهُ

which means: “and he [Rasoolullah Sallallahu alaihi wa sallam] lowered his voice with it [Aameen].”

In Kitaabul Qiraat Haakim documented the word خَفَضَ [he dropped (his voice)]. Haakim also said regarding this Hadeeth that its chain is authentic, although Bukhari and Muslim have not reported it.

Tirmithi expressed certain doubts regarding this Hadeeth. However, Allaamah Aini has responded to all. The summary of his response appears in the marginal notes to Nasaai, Mujtabai Print.

7. The Way to Sit in Qa'dah Akheerah

7.1 In Qa'dah Akheerah one should sit as one sits in Qa'dah Oela. Hazrat Aishah (Radhiyallahu anha) reports that Rasoolullah (Sallallahu alaihi wa sallam) would recite 'Attahiyyaat' with every two Rakaats and he would spread his left foot and keep the right foot erect.

—Muslim

In the above Hadeeth the practice of Rasoolullah (Sallallahu alaihi wa sallam) in the manner of keeping the feet is mentioned. The unrestricted usage of the words includes both Qa'dahs. Furthermore, the phrase 'with every two Rakaats' confirms this generality.

7.2 Waail Bin Hujr reports: “I came to Madinah and said: ‘I am going to watch the Salaah of Rasoolullah (Sallallahu alaihi wa sallam).’ When he

[Rasoolullah Sallallahu alaihi wa sallam] sat for Tashahhud, he spread out his left foot, kept his left hand on his left thigh and his right foot erect.”

—Tirmithi who said that the Hadeeth is Hasan Saheeh and that most Ulama subscribe to this practice.

Although an act [of Nabi Sallallahu alaihi wa sallam] is not general per se, however, in the case where there are indications present, generality can be entertained. The indications here are the following:

The Sahaabi purposefully watching the Salaah of Rasoolullah (Sallallahu alaihi wa sallam) which generally necessitates watching on several occasions

His special mention of his observation

If the manner of the two Qa'dahs [first and last] were different then the Sahaabi would have mentioned it as required because maintaining silence in such a case would give a wrong impression. From the foregoing, we can conclude that both sittings were the same.

7.3 The son of Abdullah Bin Umar (Radhiyallahu anhu) reports from his father that he said: “The Sunnah of Salaah is to keep the foot erect with the toes pointing to the Qiblah and sitting on the left foot.”
—Nasaai

In view of this Hadeeth being qowli [i.e. a verbal declaration] there is, therefore, no such doubt as with the previous Hadeeth because in a verbal tradition, there is generality.

8. Sajdah of a Woman

A woman should constrict herself and let her stomach cling to her thighs as this is more concealment for her. And indeed she is an object of concealment. This [manner of Sajdah] is indicated in the Hadeeth reported by Abu Dawood in his Maraaseel: “Nabi (Sallallahu alaihi wa sallam) passed by two women and said: ‘When you make Sajdah then

compress some of your body to the ground. Verily a woman does not imitate a man in this [i.e. Sajdah].¹⁹

9. Du'a after Fardh Salaah with Raised Hands

9.1 Allah Subhaanahu wa Ta'ala declares: "Once you are complete, then exert yourself and concern yourself with your Rabb."

Imam Abu Abdillah Muhammad Bin Ahmad Ansaari Qurtubi said in Al-Jaami'u li Ahkaamil Quraan under the above Aayat: "Ibn Abbaas and Qataadah (Radhiyallahu anhuma) said: "When you are complete with your Salaah then exert yourself in du'a and ask Him your need."

Abd Bin Humaid and Ibn Nasr reported from Dhah-haak: "Once you are complete with your Fardh Salaah."

Allaamah Muhammad Bin Ali Showkaani said in Fat-hul Qadeer: "Once you are complete, then exert yourself—Qataadah, Dhah-haak, Muqaatil and Kalbi said: 'When you have completed your Fardh Salaah then exert yourself with du'a unto your Rabb and turn to Him for your need and He will give you.' Mujaahid also said the same."²⁰

9.2 Imam Hafiz Haithami reported in Majma'uz Zawaa'id from Muhammad Bin Abi Yahya that he said: "Abdullah Bin Zubair saw a person with raised hands making du'a before completing his Salaah. When he completed his Salaah he [Abdullah Bin Zubair] said: 'Verily Rasoolullah (Sallallahu alaihi wa sallam) never lifted his hands until only after completing his Salaah."

—Tabarani who titled it 'Muhammad Bin Abi Yahya Al-Aslami and he declared its narrators to be thiqaat [reliable].

¹⁹ Al-Bahrur Raaiq, V. 1 p. 561

²⁰ No's 9.1—9.3 are quotations from Istihbaabud Du'a ba'dal Faraaidh, pp.80 and 103.

I [the Compiler, Moulana Abdul Hafeez Makki Hafizahullah] say: “Hafiz Ibn Hajar said in Nataaijul Afkaar (2/310): ‘This is a Hadeeth-e-Hasan.’ Hafiz Suyooti said in Fadh-dhul Wi’aa after citing this Hadeeth: ‘Its narrators are thiqaat.’”

9.3 Allaamah Muhaddith Shaikh Abdul Fattaah Abu Ghuddah said in his detailed annotation of the above Hadeeth [cited in 9.2] in the treatise of Shaikh Allaamah Muhammad Ahdal Yamaani ‘Sunniiyatu Raf’il Yada’in fid Du’a’: “Among the Shaahids [supporting Ahadeeth] of the Hadeeth of Abdullah Bin Zubair cited is the one mentioned earlier ta’leeqan from Utbiyyah; the statement of Imam Maalik: “I saw Aamir Bin Abdullah Bin Zubair raising his hands whilst sitting after Salaah making du’a.” Apparently, this practice of Aamir was adopted from the Hadeeth of his father, Abdullah Bin Zubair reported by Aslami.

9.4 It is reported from Abu Hurairah that Rasoolullah (Sallallahu alaihi wa sallam) raised his hands after making Salaam and whilst facing the Qiblah, and he said: “O Allah! Free Waleed Bin Waleed, Ayyaash Bin Rabee’ah, Salamah Bin Hishaam and the weak Muslims who cannot scheme [a way to free themselves] and nor do they know the routes; save them from kuffaar-captivity.”

—Ibn Abi Haatim and Hafiz Ibn Katheer in his Tafseer 1/823 Soorah Nisaa, Aayat 100.²¹

9.5 Imam Hafiz Ibn Katheer said in Al-Bidaayah wan Nihaayah (6/328): “And indeed Alaa was among the eminent Aalims and Aabids of the Sahaabah and one whose du’as would be accepted. It so happened in this campaign that they camped at a certain place. They had not even set up camp when their camels fled with all the provisions they were carrying including their tents and drink. They were left on that ground with nothing besides the clothes they wore. And it was night time. They could not recapture a single camel. The concern and grief that overtook them is indescribable. They started imparting their final will to each other [as death seemed inevitable].

²¹ Thalaathu Rasaail li Abdil Fattaah Abi Ghuddah, p.130

Just then the messenger of Alaa called out. They came to him [Hazrat Alaa]. He said: “O People! Are you not Muslims? Are you not in the Path of Allah Ta'ala? Are you not the Helpers of Allah Ta'ala?” They replied: “Why not? Indeed we are!” He [Hazrat Alaa] then said: “Then rejoice, for Wallah, never will Allah Ta'ala abandon those who bear the qualities you bear.”

The Azaan was then given for Fajr Salaah when dawn came. He led the army in Salaah. Once he completed the Salaah he sat in the Qa'dah position and everyone sat in that position. He [Hazrat Alaa] engrossed himself in du'a with hands raised. Everyone did as he did until the sun rose. They started to look at the rays of the sun shining in succession. But he [Hazrat Alaa] remained engrossed in du'a. After some time they suddenly saw a huge pond close to them formed by Allah Ta'ala with fresh sweet water. He [Hazrat Alaa] got up and went to it followed by his men. They drank and bathed. It was not long thereafter that the camels returned, also thirsty in search of water. This then was among the miracles and signs of Allah Ta'ala that people witnessed in this party.”

Collective du'a of the Imam and Muqtadis with raised hands after Fajr Salaah is clearly proven in this Hadeeth.²²

10. Istiwa alal Arsh—Where is Allah Ta'ala?

10.1 The issue of *Istiwa alal Arsh* is mentioned in seven Soorahs, viz. Soorah A'raaf, Soorah Yunus, Ra'd, Taha, Furqaan, Sajdah and Hadeed.²³

²² Istihbaabud Du'a ba'dal Faraaidh, pp.101,

²³ Imdaadul Fataawa, V.6, p.39

The following Tafseer of *Istiwa alal Arsh* appears in Tafseer Mukammal Bayaanul Quraan under the Aayat in Soorah A'raaf:

ثُمَّ اسْتَوَى عَلَى الْعَرْشِ

“Then He established (and manifested) Himself on the Arsh (which resembles the Throne of a King, in a manner befitting His Sublime Self).

This is precisely the view of the Jumhoor Salaf [Overwhelming majority of the Former Ulama], i.e.:

- *Istiwa* is in its literal sense.

The nature of the literal meaning is entrusted to Allah Ta'ala.

Delving in the reality of it is prohibited.

This prohibition is only logical because our mental perception is incapable of comprehending it [the reality of Allah Ta'ala's *Istiwa*]. This is like a person who is born blind will be advised not to delve into the nature of colour, for the same reason [i.e. he is incapable of comprehending the nature of colour].

And beware of comparing His [Allah Ta'ala's] *Istiwa* to your *Istiwa*, for indeed the nature of an attribute differs in relation to the holder of the attribute. Zaid 'settling' somewhere is not like the mind settling on an issue. Similarly, the length of a stick is not the same, i.e. it does not share the same reality, as the length of night, notwithstanding the fact that both 'settling' and 'length' are in their literal sense (in the two examples mentioned).

When the *Mustawi* [that is, the Being Who has established and manifested Himself on the Arsh] is unfathomable in His Essence, His *Istiwa* will undoubtedly be unfathomable in reality. Thus, there is no way to judge One Whose reality is unfathomable with an entity whose reality is fathomable. Your *Istiwa* is inconceivable for Allah Ta'ala.²⁴

²⁴ Ibid, p.50

10.2 The safest course is not to discuss this issue and leave the nature of it to Allah Ta'ala.

The approach of the illustrious Salaf [i.e. Predecessors, Former Ulama] was that the Nusoos [Quraanic Texts and Ahadeeth—here reference is to the allegorical texts] are in their literal senses. However, the nature and essence of it is not known.²⁵

10.3 *Istiwa* and *Uluw* [Loftiness] do not necessitate direction. If direction is declared [for Allah Ta'ala as the deviate Salafis fallaciously claim, that Allah Ta'ala is above on His Throne] then the nature of *Istiwa* is specified which is in violation to the belief of the illustrious Salaf as they unequivocally state that the reality [of *Istiwa*] is not known.

To summarize, there are two dimensions to *Istiwa* and *Uluw*:
Declaring direction [for Allah Ta'ala].
Without declaring direction, in fact, declaring no direction.

The first is the doctrine of the Mujassimah [a deviant sect who subscribe to anthropomorphism] and the second is the doctrine of the Ahlus Sunnah in which the Muhadditheen and Soofiyah both are included.²⁶

10.4 Direction [for Allah Ta'ala] is negated traditionally and rationally. In tradition, on the basis of the Aayat: “There is none like unto Him.”

Rationally, for this reason that direction is created and non-eternal, whereas Allah Ta'ala is pure from the attribute of non-eternity, as the location of non-eternity is also non-eternal.²⁷

²⁵ Ibid, p.25

²⁶ Ibid, p.25

²⁷ Ibid, p. 25

10.5 And, how beautifully did Imam Maalik put it when he was asked about this [i.e. *Istiwa alal Arsh*]: “*Istiwa* is known, the manner is unknown, delving into it is bid’at and belief in it is incumbent.”— Marginal Notes of Nibraas with reference to Sharhul Fiqhil Akbar by Mulla Ali Qaari.²⁸

The bid’at and dhalaalat (innovation and deviation) of the modernist Salafis is thus manifest from Imam Maalik’s statement. They have raised and dabbled into this issue without fear for the delicate nature of the subject, thus exposing their Imaan and the Imaan of innocent Muslims to kufr. May Allah Ta’ala protect us from transgressing the limits.

10.6 This brings us to the question: Where is Allah Ta’ala? This question too, like the previous mas-alah is delicate and delving into it is unwise. In fact, for us who lack expertise in Shar’i Uloom to discuss the issue is fraught with perils for our Imaan. And, even if we possessed deep knowledge of the Shariah and Islamic Sciences, then too words lack the scope to describe this as well as all the Infinite Attributes of Allah Azza wa A’laa.

The minimum requirement is that we believe in the following: Allah Ta’ala declares: “East and west belongs to Him. Thus, wherever you turn, the Face of Allah is there.”

Thus, the Face of Allah Ta’ala is everywhere. In what way and in which manner is not for our concern. In fact, it is kufr to probe the details.

Allah Ta’ala declares:

“Be aware that indeed He encompasses everything.”

Thus, everything is surrounded and encompassed by Him. Nothing escapes Him and nothing is beyond Him. This much we believe and it is

²⁸ Ibid, pp.30/ 1

part of our categorical Faith. How He encompasses everything is beyond the limit of our finite minds.

Allah Ta'ala declares:

“And He is with you wherever you are.”

The above Aayat also asserts the Presence of Allah Ta'ala to be everywhere. We do not know the kaif or manner and nature of His presence. This is the belief of the illustrious Soofiyah whom the Salafiyyah (Salafis) target with slander. The scope of this treatise does not permit a detailed rebuttal of the Salafi slander levelled against the honourable Soofiyah and Mashaaikh of Tasawwuf. Our purpose here is simply to provide the essential dalaail and basis for the Math-hab and Maslak of the Hanafiyyah, Soofiyah and Jumhoor Ahlus Sunnah wal Jama'ah.

Shaikh Shamsud Deen Ramli Shaafi'i (Rahmatullahi alaihi) in his Fataawa cites an incident of a person who offensively questioned a Soofi [Saint, Buzrug]: “Where is Allah?” The anti-Math-hab Madinah University students rudely pose the same question to Musallis in Masjid-e-Nabawi. The Buzrug gave the following apt reply: “Be gone! Are you searching with your eyes where? Allah Ta'ala declares: ‘And He is with you wherever you are.’”

Rasoolullah (Sallallahu alaihi wa sallam) said: “If you send a rope down to the bottom-most earth, it will come to Allah.”

The Hadeeth clearly rebuts the Salafi view of Allah Ta'ala being confined to the skies. As stated earlier, Allah Ta'ala is free from time, place, direction and limit.²⁹

Hazrat Ali (Karramallahu wajhahu) sums up the Aqeedah [Tenet of Faith] of the Ahlus Sunnah as follows: “I recognise my Rabb with that which He Himself has made me recognise Him. He cannot be perceived

²⁹ The aforementioned was a summary of pp. 23 and 52 of Imdaadul Fataawa, V.6.

with the senses and He cannot be judged according to humans. He is near in His absence, yet far in His presence. He is above everything, yet nothing will be said to be below Him. He is in front of everything, yet nothing will be said to be in front of Him. He is in everything unlike one thing in another. Thus, Glory to that Being Who is such whilst nothing else is like that.”³⁰

A poet said it very beautifully:

تو خیال میں تو آتا ہے سمجھ میں نہیں آتا

“We can think about You, but we cannot fully comprehend You.”

Salafis question Allah Ta'ala's Omnipresence by disgorging the following profanity: “Is He in the toilet when you are in the toilet?” Allah Ta'ala instructs us to respond to the drivel of the ignoramuses in the following manner:

سَلَامٌ عَلَيْكُمْ لَأَنْتَبَغَى الْجَاهِلِينَ

(Salaam to you! We do not quarrel with the juhala.)

In short, Allah Ta'ala's Presence is everywhere, i.e. He is Omnipresent, in a manner He knows best.

11. Tawassul and Shirk

11.1 It is reported from Mus'ab Bin Sa'd from his father that he [Sa'd] was under the impression that he held distinction over the other Sahaabah of Nabi (Sallallahu alaihi wa sallam) [by virtue of his leadership]. Upon this Nabi (Sallallahu alaihi wa sallam) declared: “The nusrat [aid] of Allah Ta'ala with this Ummat is by virtue of its weak ones, their du'as and their sincerity. (Thus, leaders are in need of them, not vice versa).

³⁰ Fataawa Ramli on the Margins of Al-Fataawal Kubra, V.4 p. 267

Bukhari documented the above Hadeeth with these words: “You are aided and sustained purely by virtue of your weak ones.”

The above Hadeeth evinces the following two points:

- The virtue of the weak and helpless. Hence you will observe that the Ahlullah give prior attention to the needs of the weak over the needs of the rich and the heads.
- Proof of Tawassul of the chosen servants of Allah Ta'ala personally and through their external and inward deeds. Accordingly, these three agencies are indicated by these words: “by virtue of its weak ones, their du’as and their sincerity.” The word ‘weak ones’ indicates person, the word ‘du’as’ indicates external deeds and ‘sincerity’ indicates inner action.

11.2 A detailed elaboration of this mas-alah is as follows: There are 3 interpretations to Tawassul of creation.

The First Interpretation—To make du’a to a created being and to beseech it, as was the practice of the Mushrikeen. This is haraam, bil Ijma’ [through the Consensus of the Ummat].

In so far as this being Shirk-e-Jali [Conspicuous Shirk which expels the perpetrator from the fold of Islam] or not is concerned, the gauge for this is whether this person [who makes Tawassul in this way] believes in that created being or object to be mu-athir-e-mustaqil [independent in realizing and creating the desired effect] or not. If he does, then this is Shirk-e-Kufri [i.e. clear-cut kufr and shirk expelling the perpetrator from the fold of Islam]. Example: To perform Salaat, or keep Roza [Sowm] or render any Ibaadat which is exclusive to Allah Ta'ala for a creation of Allah Ta'ala is shirk and kufr.

Similarly, if the act is a salient feature of the kuffaar, like Sajdah to an idol or wearing the Hindu holy-thread [or the Christian cross] then it is Shirk-e-Kufri.

If this is not the case [i.e. the mutawassil or person making Tawassul does not regard the medium of Tawassul to be mu-athir-e-mustaqil and nor is the act a salient feature of the kuffaar], then it will be sinful [not kufur]. Example of this is to prostrate as a form of greeting.

The meaning of mustaqil bit ta-theer is that Allah Ta'ala has assigned this work to that creation [in the opinion of the mutawassil] in such a way that it is not dependent on the special will of Allah Ta'ala in implementing and producing work, although [he believes that] Allah Ta'ala has the power to dismiss that creation from its power and the work entrusted to it [in his misbelief].

The Second Interpretation—To request creation to make du'a. This is permissible with regard to such a creation from which du'a can be requested. This possibility is not proven in any way in regard to a deceased. This form of Tawassul is peculiar to a living being.

The Third Interpretation—To make du'a to Allah Ta'ala through the barkat [blessing] of a chosen creation [i.e. someone enjoying proximity to Allah Ta'ala]. The Jumhoor have approved of this. Ibn Taimiyyah and his muqallids proscribe it.

The reality [and implication] of this third interpretation is: “O Allah! This certain person—or this particular deed of ours or this particular deed of so-and-so person—is accepted and loved by You. And we are associated and connected with that bandah [servant]—or deed—or by our practice of the deed. And You have promised Your Mercy (Rahmat) on such a person who has this association and connection. Therefore, we ask You for that (promised) Rahmat.

This then is the reality of Tawassul. If only someone can point out to me what Shar'i or rational error is there in this concept? Yes, if in the interest of safeguarding the Deen of the public [from transgressing the limits of the Shariah] it is prohibited, then we too will stand with Ibn Taimiyyah. But, our discussion is on the Mas-alah per se. In this regard,

the Haq is with us, Insha Allah. Treasure this explanation for it reveals the nature of Tawassul and Shirk in which many scholars and intellectuals are perplexed.³¹

11.3 The muqallids of Ibn Taimiyyah—the Salafis—consider Qazi Showkaani to be an Authority as well. It will serve the Salafis well to peruse Qazi Showkaani’s answer to the question of Tawassul appearing in his work ‘Ad-Durrun Nadheed’. Qazi Showkaani fully agrees with the Jumhoor on the permissibility of Tawassul.

وَمَا عَلَيْنَا إِلَّا الْبَلَاغُ

وَالْحَمْدُ لِلَّهِ أَوْلَىٰ وَأَخْرَأَ وَظَاهِرًا وَبَاطِنًا

³¹ Bawaadirun Nawaadir, pp. 706—709, with slight amendments