

1.1 Taqlīd

OBJECTIVES:

- Understand the importance of practical laws to practice Islam correctly.
- Understand the process of Taqlīd.
- Learn to utilize available resources to learn practical laws according to our **marjaʿ**.
- Analyze the importance of having **ulamā** that help us understand how knowledge of the Qurʾān and the Ahl al-Bayt (ʿa) apply to our daily lives.

AḤKĀM: the guidelines of ḥalāl and ḥarām

ʿULAMĀ: religious scholars

IJTIHĀD: the science of deriving laws

MUJTAHID: a scholar who is qualified to do ijtihād

MARJAʿ: a mujtahid whom others refer to for Islamic rulings

AḤKĀM: A MAP FOR PERFECTION

As Muslims, our purpose in life is to get closer to Allah, keep His love bright in our hearts, and tread the path to perfection. Out of His infinite wisdom, Allah has given us a map, or set of instructions, to follow, so that we know how to reach this goal. This map is called Islam, and everything in Islam is for our own benefit, guiding us on this path. The guidelines of ḥalāl and ḥarām are called **aḥkām**. Aḥkām are practical laws that help us practice Islam in the correct way to reach our goal.

WHY DO WE NEED ISLAMIC SCHOLARS?

Allah has given us two primary guides: the Qurʾān and the Ahl al-Bayt (ʿa). Yet, we do not have access to our present Imām (ʿaj) to ask him questions directly during this time. Therefore, our **ʿulamā**, or religious scholars, are our connection to the Maʿṣūmīn during this time. Scholars play a very important role in conveying the knowledge of the Qurʾān and the Ahl al-Bayt (ʿa) to us. That is why Imam aṣ-Ṣādiq (ʿa) has said, “The scholars are the heirs of the Prophets.”¹

There are different levels of scholars in Islam. Some scholars, after spending several decades studying Islam with qualified teachers, become “experts.” This means they reach a level of scholarship where they are qualified to do what is called **ijtihād**. Ijtihād is the science of deriving laws. This is similar to how doctors must go through many years of medical school before they can officially be called doctors. A **mujtahid** is a scholar who is qualified to do ijtihād, meaning that they can reliably deduce and infer an Islamic legal opinion from religious sources and evidence.

Mujtahids derive Islamic laws from three primary resources:

1. The Qurʾān
2. Ḥadīth and sunnah (traditions and actions of the Maʿṣūmīn)
3. Their ʿaql (intellect)

A mujtahid never *invents* or makes up Islamic laws. Ijtihād is a very precise and difficult process that requires a lot of knowledge and experience. As we can see above, the derivation of laws is based on authentic sources of evidence.

1. *Mīzān al-Ḥikmah*, P. 773

What is the difference between a mujtahid and marja'? A **marja'** is a mujtahid who can also be relied upon by others to provide an expert Islamic legal opinion. Simply put, a marja' is a mujtahid whom others refer to for Islamic rulings. So, all **marāji'** are mujtahids, but not all mujtahids are marāji', just like how all surgeons are doctors, but not all doctors are surgeons.

MUJTAHID



MARJA'



THINK ALOUD:

1. How might having the rulings of a marja' help us in our day to day lives?
2. Is having a marja' explain the rulings of Islam the same as having a doctor or surgeon explain health concerns when sick? How so?

A GLOSSARY OF TERMS

Before we begin discussing the process of choosing and following a marja' (Taqlid), let us review the meanings of some words we will come across when referring to the rulings of a marja'.

WĀJIB (OBLIGATORY): You must perform this action, and by not performing it, you have committed a sin. (Examples: praying, fasting)

MUSTAḤAB: This action is not wājib, but is loved by Allah, earns His pleasure, and strengthens a human being's faith. (Examples: reciting tasbīḥ, adhān)

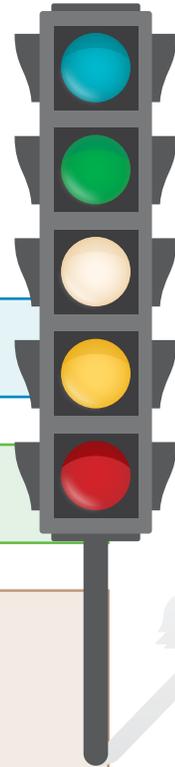
MUBĀḤ: By performing this action, you neither receive reward nor punishment. (Examples: drinking a cup of tea, taking a walk)

NOTE: These actions can often be turned into mustaḥab actions, such as drinking water for the sake of Allah in order to refresh ourselves for the sake of worshipping Him.

MAKRŪH: It is better not to perform this action, but performing it does not have consequences in the hereafter, although it may have spiritual consequences. Staying away from things that are makrūh attains reward. (Example: eating horse meat)

NOTE: Sometimes, when the word makrūh is used, it doesn't mean that the action is better not to perform. Rather, it means that doing this action will result in less reward. For example, praying ṣalāt al-jamā'ah behind an imām who is a traveler is makrūh, meaning that one will not receive as much reward as when the imām is not a traveler. But it doesn't mean that it is better to pray alone!

ḤARĀM: You must not perform this action, and if you do, you will have consequences in the hereafter. (Examples: lying, stealing)



Now let us discuss some other terms you may come across:

PĀK: You may come across this word in the English books of some marjaʿi. This is the Farsi or Urdu word for *ṭāhir*, or pure. It is used because often, the translators of these books have a Farsi background.

OBLIGATORY PRECAUTION: Let us look at an example.

Based on obligatory precaution, one should wait until the redness of the sky in the east - which appears after sunset - has disappeared, before performing the Maghrib prayer.

In the above example², the marjaʿ explains the rule regarding the time for Maghrib prayer. He rules that it is not sufficient to offer the maghrib prayer once sunset has occurred but rather that a person must, based on obligatory precaution, wait until the redness in the eastern sky has disappeared.

In this case, because of “obligatory precaution”, his follower can either follow what the marjaʿ has suggested or follow another marjaʿ who is of equal knowledge or who is the next most knowledgeable, if that second marjaʿ has a definite ruling that is not based on obligatory precaution.

RECOMMENDED PRECAUTION: In this case, the marjaʿ believes there is some evidence that may indicate that precaution is better taken in a certain situation, so he gives a “recommended precaution.” This precaution is only a recommendation.

For example:

When someone makes up a forgotten sajdah or tashahhud, he must cover himself in the same manner as when he performs prayers. And the recommended precaution is that he should cover himself in this manner when he performs sajdātā al-sahw as well.³

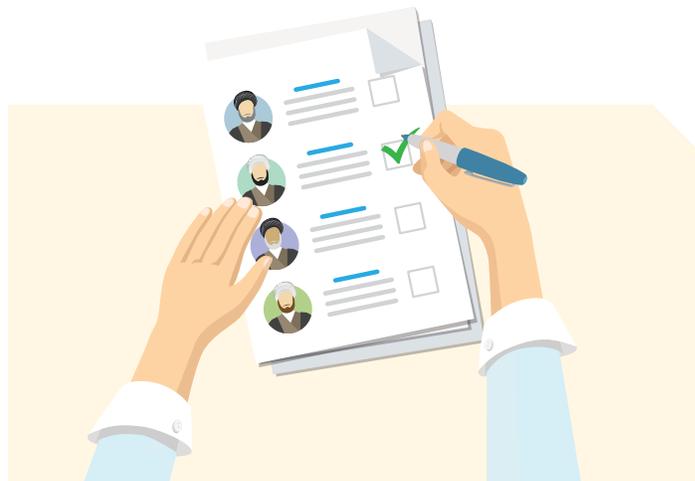
Here, Āyatullāh Sistani has a ruling that if a person is performing sajdah as-sahw, they do not cover themselves in the same as they do during their actual ṣalāh.

² Summarized and excerpted from Ruling #722 of Āyatullāh Sistani

³ Ruling #777 of Āyatullāh Sistani

However, it is a recommended precaution to do so.

In this situation, the follower of Āyatullāh Sistani has a choice of whether or not to act according to the recommended precaution.



HOW TO CHOOSE A MARJAʿ: THE PROCESS OF BEGINNING TAQLĪD

The process of choosing a Marjaʿ and then referring to them to find out the correct Islamic rulings is called **Taqlīd**.

As we learned previously, there are three main ways for us to know which marjaʿ to follow:

1. A person (e.g., a learned scholar of Islam) may have the qualifications of identifying a mujtahid themselves.
2. Other people (i.e most ordinary people) can ask two just and learned people who are qualified to identify the most knowledgeable mujtahid. An example of such a person may be a senior scholar in your community. If two such people confirm someone is the most learned marjaʿ, then we can follow this person as our marjaʿ.
3. If a number of people who are learned and qualified to identify a mujtahid state that a particular person is the most knowledgeable marjaʿ, then we can follow this person as our marjaʿ.



THINK ALOUD:

1. Do you know the name of a marjaʿ or more than one marjaʿ?
2. Do you know which shaykh you can ask to recommend a marjaʿ to you?

ACCESSING THE RULES OF A MARJA': PUTTING TAQLĪD INTO ACTION

Once we have selected a marja', we need to know how to find out the rulings in regards to our questions. There are a few ways of doing this:

- Referring to that marja's book of Islamic laws — this is usually available in the libraries of most Islamic centers or can be bought online
- Referring to the marja's website — here, we can refer to the online version of the rulings from the marja'
 - ▷ Books on rulings are usually categorized, and we can find the topic we are looking for and click on the link (e.g. if I am travelling and want to learn about how to shorten my prayer, I click on the link that says 'Prayers of a Traveller')
 - ▷ Below are the web pages for the book of rulings for some of the marāji':

Āyatullāh Sistani:

<https://www.sistani.org/english/book/48/>

Āyatullāh Khamenei:

<https://www.leader.ir/en/book/32/Practical-Laws-of-Islam>

Āyatullāh Makarem Shirazi:

<https://makarem.ir/main.aspx?lid=1&typeinfo=30&catid=9001>

- Referring to the Q & A section of their website. Again, this usually has categories. For example, if I want to know about what type of music is ḥarām, I can click on the link 'Music' or 'Musical instruments'.
- Referring to the marja's application ("app") on our smartphone. An example is **iSistani**, the app for the rulings of Āyatullāh Sistani.
- Asking a qualified shaykh in our community. Our shaykhs can often explain rulings to us, and if they do not know, they can refer to the marja' themselves and come back to us with an answer. Often, when we have difficult questions, this is the best way to get a correct answer. Another way of asking qualified shaykhs in our community is by referring to Q&A websites run by our qualified scholars. Some examples are listed in the sidebar.
- We can also learn the rulings of our marja' by:
 - ▷ Hearing it from a person we trust knows the verdicts of the marja'
 - ▷ Hearing it from the marja' himself



www.moulanaonline.com

www.askthesheikh.com

www.islamquest.net

CONDITIONS OF BEING A MARJA'

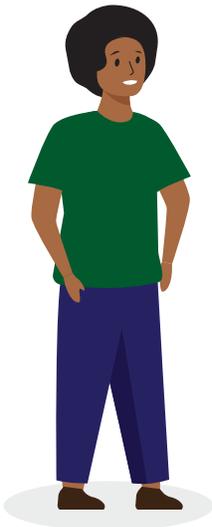
In order to become a marja', a person must meet nine requirements and be:



1. Male
2. Sane
3. Shī'ah Ithnā al-'Asharī (a Shī'ah who believes in all of the 12 Imams, as opposed to certain Shī'ah who only believe in some of the Imāms)
4. Of legitimate birth
5. Mature (*Mukallaf*)
6. Just⁴
7. The most learned on issues where the marāji' have different opinions
8. Al-'Aql (meaning he is in sound mind and is not suffering from any kind of memory loss like Alzheimer's disease and dementia)
9. Living (for those who choose a marja' for the first time)

TAKLĪF

Once we reach the age of **taklīf**, we must start following the rules of Islam. Taklīf is the age at which we become responsible for all the actions we perform. This is the time in our lives when Allah (swt) is inviting us to the honor of worshipping Him. Allah (swt) says that at this time, we are able to get to know Him and serve Him with all our actions. We usually try to impress and do as much as we can for a best friend or someone we think is extremely important. What about trying to impress and serve the One who created us, protects us, and guides us so caringly throughout our lives?



When we become responsible for our actions, we have to do the wājib (obligatory) things and stay away from the ḥarām things. At this age, the angels start to write down all our good and bad actions. The record of our actions will be shown to us in the next world. When we reach the age of taklīf or bulūgh, we are known as **mukallaf** (for a boy) or **mukallafah** (for a girl).



REFLECTION: What might be a good way to prepare for this time in your life? What's something you would like to do to ensure you're making responsible choices that are in line with Islamic teachings?

⁴ A person is said to be just when he performs all those acts that are obligatory upon him and refrains from all those things that are forbidden to him. The sign of being just is that one is apparently of a good character, so that if enquiries are made about him from the people of his locality, his neighbors, or those with whom he lives, they would confirm his good conduct. In addition, given the sensitivity and significance of the position of being a marja', in addition to being just, a marja' is required to have full control over his desires and restrain from worldly aspirations, based on obligatory precaution.