

Shia Scholars

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

The topic of the following discussion deals with the Shi'ite view of religious scholars. I will attempt to illuminate the differences and similarities between Sunni and Shi'a.

The Shi'a in matters of jurisprudence and legal effort to interpret new issues offer three alternatives to the believer:

First, IF the believer is competent and capable according to Islamic requirements to analyze the texts, then he can exert his own judicial effort to interpret the issue and abide by his own ruling.

Second, the concept of (Ihtiyat--Cautiousness) can be used. Ihtiyat really means that when in doubt, do that which is not doubtful. The Prophet (S) said: "Leave the one which makes you doubtful and prefer the alternative which does not cause you to be doubtful." For example, in performing Ihtiyat, the believer might be faced with a scenario where he is traveling and he is not sure whether to shorten the prayer or not. He performs Ihtiyat, and prays the prayer as usual without shortening it.

Then he prays it shortened. This way, he has fulfilled the obligation no matter what the judicial opinion is. Keep in mind that Ihtiyat is only to be performed when you really don't know what to do.

Third, the concept of (Taqlid--Imitating or Following) would be used. Taqlid is where a believer who is not qualified according to Islamic mandates to perform Ijtihad (the effort by scholars to interpret new issues) will follow what a learned scholar issues as permissible or prohibited. For example, I am qualified to render Islamic injunctions regarding issues that face every believer; moreover, I do not possess a high level of fluency in the Arabic language such that I can interpret the texts that deal with these issues.

As such, I follow a scholar and adhere to all that he says. The Scholar that a believer follows is a matter of choice, not compulsion. He cannot be less than a Mujtahid, however. Also it is necessary to follow a Mujtahid who is the most knowledgeable among others and must be righteous in every aspect of the

definition of righteousness, otherwise he should not be followed.

These qualifications should be investigated by the follower personally, or he/she can take the opinion of two just and trustworthy persons in order to know which Mujtahid is the most knowledgeable (provided that he does not find two other just friends who tell him/her in the contrary of the first two). As a result people may follow different Mujtahids based on their investigations on the qualifications of Mujtahids.

Moreover, Mujtahid has to be alive when you decide to follow him. You cannot follow a dead scholar to begin with. However, if you follow a scholar and he dies after you have already decided to follow him, you may stay his follower with some conditions, but you must consult with the dead scholar's Wakeel -- Agent. Every Mujtahid in Shi'a has several agents in many countries to address the questions of his followers. Some scholars, however, are in the opinion that one can not continue with a dead Mujtahid.

Others say that one is allowed to continue to follow his previous Mujtahid if nothing new comes up or if he does not forget the fatwa of the dead Mujtahid. If you look carefully at this condition, you will see that people have to eventually choose a live Marja' since confusing and debating issues will come up sooner or later, and this is what Marja' is for. It is important to understand that you cannot begin your Islamic life by following a dead scholar, but you can remain a follower of that scholar if he dies and you were one of his followers before his death and meet the above conditions.

The Prophet (S) said:

"Whosoever Allah (SWT) wishes to grant him a favorable bounty, He (SWT) will teach him the Fiqh (Deep-Rooted Religious Knowledge) of religion."

As such, being a scholar in religion and reaching the level of Ijtihad, thereby earning the title of Mujtahid, is NOT an easy task, nor is it achievable by every individual.

Now, for the Sunnis, they also acknowledge the concept of Taqleed, but they understand it differently. For the Sunnis, Taqleed is following any one of the Four Schools of thought -- Shafeea'i, Hanbali, Maliki, and Hanafi. If you follow one of these Mujtahids, who died more than 10 centuries ago, then you must adhere to their mandates which vary significantly in many issues. Some Sunnis will shop around and take from here and there.

The Sunnis also believe that the differences among the four schools of law are a mercy from Allah (SWT). Dr. Tijani narrates a story of a girl who loved a man, but her father refused to allow the marriage for some unknown reason. The girl, who was never married before and was 25 years of age, ran away with the man and got married. Her father, a Maliki Sunni, took her to court before a Qadi--Judge to arbitrate the matter. When the girl appeared, she said: "My father wants to force me into a marriage which I do not desire; and it is my right under the Hanafite school to choose my husband even though I have never been married before."

The Qadi agreed with the girl and granted her her request to marry the man of her choice. The Judge, a personal friend of Dr. Tijani, told Dr. Tijani that as the girl's father was leaving the court, he said: "That dog has become a Hanafite!!!" Moreover, the father has disowned his daughter as a result of that marriage.

Now, Dr. Tijani questions where is that mercy that the Sunnis claim when the Scholars are at different poles of an argument? We have seen, at least in the above true story, that due to the difference of opinion between Malik and Abu Haneefa, a daughter was disowned and insulted by her own father!

As we have seen, the difference between the Sunnis and Shi'a in relation to Taqleed is not that great. There are, however, a few differences: First, while the Sunnis will allow a believer to follow a dead scholar, at least initially, the Shi'a will not.

Second, the Mujtahid in the perspective of the Shi'a is also a legitimate ruler of the affairs of the Muslims. He is also a general agent of al-Mahdi. (As I mentioned before, there is no special agent from Imam Mahdi in this time. All Mujtahids are his general agent without being able to contact with him.) Mujtahid also receives the shares of Zakat (The Alms) and Khums (20% of excess wealth--I have also addressed this topic in a previous article.) from the believers and is in charge of distributing it and doing what he feels is necessary for the Ummah's (Nation) best interest.

Given the above, it is most apparent that a Shi'ite scholar has far more power and influence than a regular Sunni scholar. The Sunnis have accused the Shi'a, on many occasions, of elevating these scholars to the level of spiritual leaders that have been appointed by Allah (SWT).

Needless to say, these scholars are not sinless or infallible, they are simple human beings who have passed the tests of belief and have reached an elevated spiritual stage of belief and learning that entitles them to be scholars who should be followed and obeyed. It is a given fact that you will blindly follow, for example, an individual with a Ph.D. in Computer Science at your early stages of learning how to program a computer. Why? Because he is more learned and experienced than you are. Is he a spiritual leader?

Of course not! He is simply a mentor and a person who is more qualified than you are at this stage. As such, you surrender to him in an effort to learn from his vast knowledge. Similarly, that's how the Shi'a view their scholars. We do NOT consider them infallibles. They may make mistakes every now and then, but surely less than us.

It should be noted that for the Shi'a there are TWO stages to the concept of Taqleed or Following a scholar. The First stage was during the lives of the Twelve Imams, which lasted for approximately 350 years after the death of the Prophet (S). During these years, the believers followed the Imams themselves. After those 350 years, there began the period of the occultation of the final Imam, al-Mahdi (as). It is in this period that the Twelve Imams instructed the believers to follow the righteous scholars; that initiated the second stage of Taqleed.

As a final note, I would like to state my personal opinion about the Wahabis.

The Wahabis, on the other hand, which are situated primarily in Saudi Arabia, Qatar, and a few other places, have rejected the four schools of thought and any Ijtihad. They claim that they follow al-Salaf al-Saleh-- (The Righteous First Group). By that they are alluding to the companions.

Their reasoning is that the companions did not need a scholar, so they too don't need one either. However, their sect is full of shortcomings. For example, they might make the above claims, but they don't adhere to them.

They are followers of Muhammad Ibn Abdul al-Wahab, a so-called scholar that propagated his beliefs about 200 years ago. His motives were primarily political, and he is not a scholar by any stretch of the imagination.

Furthermore, all their teachings are based on Ibn Taymiyah's interpretations. Ibn Taymiyah, in turn, had based all his teachings on those of Ibn Hanbal. Indeed, the Wahabis identify themselves as Hanbalis, not Wahabis, among strangers (people who they don't trust yet.); but among themselves they admit to being Wahabis. As such, no matter how we look at it, the Wahabis are still followers of scholars, NOT the companions, as they claim. What's more, the companions did not need a scholar because they had the Prophet (S) himself as a teacher; why would they need a scholar to teach them the religion when they enjoyed the company of the Vehicle of the Message himself (S)?

In conclusion, you have now seen how the Shi'a view the reality of an ever-changing life: they adapt to it by maintaining an open-minded approach, and by leaving the doors of Ijtihad (the effort by scholars to interpret new issues) wide open to address new and perplexing issues that face the Ummah (Nation).

And you have seen how the Sunnis are still stuck in the 10th century trying to implement laws and regulations that are both outdated and obsolete. If Ijtihad is forbidden, then why they allow it for their four Imams, but forbid it for the previous or later generations? Why just four schools?

It is this fact, among others, that should evoke a nerve of curiosity within you to question: Are the Shi'a really Kufar, given the above? Are they not the true followers of the Prophet Muhammad (S)? Does it not make sense to leave the door of Ijtihad open? Question and reflect, and remember that the Prophet (S) said: "Knowledge is a locked closet whose key is the Question!"

Wassalam.

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