198487 - How can the ordinary Muslim know who the scholars are?

the question

How do we know if someone is a scholar and how do we distinguish between what level a scholar is i.e. Mufti or not so we can put him at his level and not be unjust. What is the correct position towards Sheikh Ibn Baz, Ibn Uthaymeen and Al-Albani without doing ghuloo with regards to them.?

Detailed answer

Praise be to Allah.

We do not agree with the view of some of the scholars of usool al-fiqh who say that the one who is not specialised in Islamic sciences will not be able to make the effort to find out and select the scholars who are qualified to engage in ijtihaad, and distinguish them from others, especially when nowadays we are living in a time when knowledge and education have become widespread by the grace of Allah, may He be glorified, as many people now possess means that help to direct their thoughts and enables them to make choices.

Here we may point out some signs and indications that will help one in this regard. They are:

Firstly:

The sign of the scholar and faqeeh who is qualified to issue fatwas is that he is able to use as evidence the verses of the Qur’an and the hadiths of the Prophet (blessings and peace of Allah be upon him), distinguishing what is sound from what is not, what abrogates and what is abrogated, what is specific in meaning and what is general in meaning, and who understands the meaning and the context of revelation. That is because the true scholar is the one who gives precedence to the Holy Qur’an in his list of priorities, because it is the source of knowledge and fiqh, and is the basis of sharee‘ah and rulings.

Secondly:

Another sign of the scholars is that they are very religiously committed and have a good attitude, and they are also keen to follow the example of the righteous of the early generations, namely the Sahaabah and Taabiʻeen, and the leading scholars. So in general they do not drift away from their path, and every fatwa or word that they utter they attribute to one of the earlier leading scholars such as Abu Bakr, ʻUmar, Sufyaan, al-Awzaaʻi, Abu Haneefah, Maalik, ash-Shaafaʻi, Ahmad, al-Ghazaali, al-ʻIzz ibn ʻAbd as-Salaam, an-Nawawi, Ibn Taymiyah, Ibn al-Qayyim, Ibn Katheer, Ibn Hajar and other scholars of Islam concerning whose prominence in knowledge, devotion and sincerity the Muslims do not differ.

But if you find anyone nowadays who does not refer to these scholars or show any pride in them, and does not follow their general methodology in understanding the Islamic texts, then you should realise that he is not one of those who follow (the earlier generations) in truth; rather he is one of those who drifted away from their path and chose innovation.

What is referred to here is following the proper methodology in seeking knowledge, not blind imitation in every matter, major or minor, for the words of anyone may be accepted or rejected, except the Prophet (blessings and peace of Allah be upon him).

Thirdly:

One of the most prominent signs of the true scholar and sincere mufti, which we tell people about, is that they do not attribute themselves to a small group and they do not call themselves by a name or claim to follow something that is not part of the ummah; rather they attribute themselves to this ummah and regard themselves as part of it, past and present, throughout the entire history of Islam. As for the one who claims to belong to some specific group with specific beliefs, such as the Bareilawis, Deobandis, Qadianis and so on, or who distinguishes himself from the main body of Ahl as-Sunnah wa'l-Jamaaʻah, with some newly-invented name or some special way of worshipping, this is usually a sign of innovation and drifting away from the path of the Sunnah. If the belief he holds is the belief of the Muslims of Ahl as-Sunnah, then why does he need to

describe himself as being something other than them, or call himself by a name other than the name that Allah gave to them? Allah, may He be glorified and exalted, says (interpretation of the meaning):

“And strive hard in Allah’s Cause as you ought to strive (with sincerity and with all your efforts that His Name should be superior). He has chosen you (to convey His Message of Islamic Monotheism to mankind by inviting them to His religion, Islam), and has not laid upon you in religion any hardship, it is the religion of your father Ibrahim (Abraham) (Islamic Monotheism). It is He (Allah) Who has named you Muslims both before and in this (the Quran), that the Messenger (Muhammad (blessings and peace of Allah be upon him)) may be a witness over you and you be witnesses over mankind! So perform AsSalat (Iqamat-as-Salat), give Zakat and hold fast to Allah (i.e. have confidence in Allah, and depend upon Him in all your affairs) He is your Maula (Patron, Lord, etc.), what an Excellent Maula (Patron, Lord, etc.) and what an Excellent Helper!”

[al-Hajj 22:78].

However, for one to attribute himself to some da‘wah activities with the aim of working together as a group to achieve some practical goals, that is not what we mean here and there is no reservation concerning that. Similarly, attributing oneself to one of the four madhhabs is not what we are referring to here. Rather what we mean is attributing oneself to a set of beliefs of some group that has adopted some specific beliefs that are not part of the beliefs of Ahl as-Sunnah wa’l-Jamaa‘ah, and they unite on that basis and regard people as friends or enemies accordingly.

Fourthly:

There is nothing wrong with taking academic certification into account, and taking it into consideration, especially postgraduate certification in a particular specialty from a prominent university that is recognised throughout the Muslim world in that specialty. In fact it is often important – when asking about a specific problem or issue that needs research and examination – to ask about who has specialised in this issue in his postgraduate studies, and written a Masters or PhD thesis on it. Such research is often well done, because of the care and attention of the

universities concerned, the supervision of specialist professors and the fact that the writer was subjected to debate and discussion concerning everything he wrote in it.

But that does not mean that everyone who has a degree in sharee‘ah from any university has reached the right level of knowledge that qualifies him to issue fatwas concerning religious issues. That is not what we are referring to here. We have seen very many people who have such degrees but they are not well versed in knowledge or in fiqh, and they are not qualified to issue fatwas, because they fell short and did not persist in acquiring more knowledge.

Rather what is meant is that this sign may be regarded as secondary evidence, after verifying that he has a degree, or as corroborative evidence that may be added to other signs.

Fifthly:

One of the most important signs that we advise people to pay attention to is that this mufti or scholar should be someone who became famous for his sincerity and knowledge among the academic elite and specialised circles, not only among ordinary people. Rather scholars and specialists should testify to his understanding and skill, and they should acknowledge that he is well versed and his views are well-founded. Here we will quote as evidence what the scholars of hadith have said about ways of proving that a narrator is of good character. Ibn al-Salaah said: His sound character may be proven when two other scholars state that he is of good character, or because it is widely known. If a person is widely known to be of good character among the scholars of hadith or other scholars, and he was widely praised for his trustworthiness and honesty, there is no need for a statement from specific people testifying to his good character. This is the correct view according to the madhhab of ash-Shaafa‘i (may Allah have mercy on him), and it is the principle that is adopted in the field of usool al-fiqh.

End quote from Muqaddimat Ibn as-Salaah (p. 105)

Being famous for knowledge in academic circles is a sufficient sign to make one turn to that scholar and ask him about issues that are not clear in one’s mind.

But all that we have mentioned above is no more than signs that come under the heading of indicators; they are not means of being certain. Certainty is only possible for those who are specialists in the same field of knowledge.

Ibn as-Salaah (may Allah have mercy on him) said:

The ordinary person (who follows a scholar) must definitely research matters in order to know whether the one he is asking is qualified to issue fatwas, if he does not have previous knowledge of that. It is not permissible for him to ask for fatwas anyone who claims to have knowledge, even if he is involved in teaching or preaching, or any other position of knowledge, just because he claims to have knowledge.

It is permissible for him to ask for a fatwa from one who is widely known among the people to be qualified to issue fatwas.

According to some later scholars, his being famous for issuing fatwas, when it is widely known, does not give certainty concerning him unless there is some tangible evidence. Being widely known among ordinary people is not something reliable, because it could be based on confusion and pretence.

It is also permissible to ask a person who one has been told is qualified, but one should not be content nowadays to ask someone just because he gives fatwas or is known to deal in that, but is not known to be qualified to do so. See: Adab al-Mufti wa'l-Mustafti (p. 158). Also quoted by an-Nawawi in al-Majmoo' (1/54) and Ibn Taymiyah in al-Mustadrak 'ala Majmoo' al-Fataawa (2/259) for more information, please see fatwa no. 145071

With regard to Shaykh Ibn Baaz, Shaykh Ibn 'Uthaymaan and Shaykh al-Albaani (may Allah have mercy on him), they are very famous and well known among the scholars and those who specialise in Islamic knowledge, and they are among the best examples that explain the signs discussed above. They combined all the characteristics of knowledge, goodness and virtue, by Allah's leave, and many people attested to that. On our website there are several answers speaking of them, among which is fatwa no. 113687.

Among the most important reference books which give detailed biographies of them, and highlight the praise of the scholars for them and their high status in the current era are the following books:

1.Imam al-‘Asr by Naasir az-Zahraani

2.Ash-Shaykh Ibn Baaz by Maani‘ al-Juhani

3.Al-Injaaz fi Seerat al-Imam ‘Abd al-‘Azeez ibn Baaz by ‘Abd ar-Rahmaan ar-Rahmah

4.Al-Jaami‘ li Hiyaat al-‘Allaamah Muhammad ibn Saalih al-‘Uthaymeen by Waleed al-Hasan

5.Ibn ‘Uthaymeen al-Imam az-Zaahid by Naasir az-Zahraani

6.Hayaat al-Albaani wa Athaaruhu wa Thana’ al-‘Ulama’ ‘alayhi by Muhammad Ibraaheem ash-Shaybaani

And Allah knows best.