

## Laymen Are Not Scholars!

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There are literally thousands of rulings derived from the Qur'ān and Sunna that pertain to a vast array of human activity, from rulings on the correct way to perform ṣalāh to what renders a sale-contract invalid, to how a state is to be run. To understand and elaborate these rulings is not and cannot be permitted for those who have not dedicated the many years required acquiring all the ancillary tools, which are the Islāmic Sciences - such as Arabic grammar, the science of ḥadīth ('ulūm al-ḥadīth) the science of Arabic rhetoric ('ilm al-balāgha), the science of Qur'ānic exegesis (tafsīr), the knowledge of jurisprudential principles (usūl al-fqh) etc. - and then of course actually developed them to the advanced degree of a specialist. This obvious fact should suffice in making a person realise that the layman should follow the scholars.

Thus, if one does not understand the Arabic language, it would be fanciful rather prohibited for him or her to assume that he can decide on a practical issue of the Dīn using a translation of Ṣaḥīḥ al-Bukhārī or the Holy Qur'ān, even if he may be considered exceptionally intelligent otherwise. The most glaring reason for this is that the majority of major ḥadīth collections have not been translated into English. How can a person come anywhere close to a reasonable judgement on a ruling of the Dīn, when he does not have the whole picture in front of him? Adding to this, the few translations which do exist can never reveal the sheer complexity of meaning and linguistic dimensions contained in the Arabic words. Without an appreciation of the depth of each and every word, syntactical implications etc. a person will easily miss a ruling latent therein, hence giving a skewed interpretation.

Take the example of the following verse: **“O believers, when you stand up to pray wash your faces, and your hands up to the elbows, and wipe your heads, and your feet up to the ankles....”** (Qur'ān 5:6) This verse contains many legal implications and rulings. Just one of them is as a consequence of the Arabic conjunction wāw (and). To the unsuspecting non-Arab, this is just to be translated as “and.” However, this wāw is much deeper than the “and” in English. Expert jurists like Imām Shāfī (إمام شافعي) and Imām Abū Ḥanīfa (إمام أبو حنيفة) differed on its function in a sentence. Imām Abū Ḥanīfa (إمام أبو حنيفة), supporting his view with many evidences, holds that it has the function of unrestricted joining (mutlaq al-jam'). Based on this, if a person said: “Zayd and (wāw) Bakr came to me” the meaning could be:

1. Zayd came first then Bakr,
2. Bakr came first then Zayd,
3. or both came together simultaneously.

This is the function of wāw according to Imām Abū Ḥanīfa (إمام أبو حنيفة). Other jurists held that the function of wāw is for sequence or order (tartīb). In other words, that which precedes the wāw is first in order. Thus, in the abovementioned example it can only be said that Zayd came first. This subtle difference in relation to a mere letter meant that according to Imām Abū Ḥanīfa (إمام أبو حنيفة), if a person washed the limbs of wudū in other than the order mentioned in the verse, his wudū is valid and there is no sin upon him. Imām Shāfī (إمام شافعي) however, based on his understanding of

this conjunction, declares it obligatory to adhere to the sequence mentioned in the verse: the face must be washed first, followed by the arms, then the head will be wiped and finally the feet will be washed. If this order is broken, the wudū is invalid and must be repeated. This is just one example among thousands which illustrates that interpreting the sacred sources is not for the layman. This also reveals the folly of those who argue that we agree that the issues of the Dīn are as complexed as you mention, but nonetheless, the layman will ask a scholar to merely present the various different meanings and arguments to the layman and then he will use his ability to choose the stronger position.

In reply, is it realistic to expect a layman unversed in the Islāmic sciences, who is busy bringing up his family, spending most of his waking hours earning a living for them and fulfilling his own and their religious and worldly needs, to be able to grasp the subtleties and linguistic complexities of these issues; and this being the case with the hundreds of issues he needs to act upon? For example, before he marries, rather than restricting his questioning of a scholar to what are the conditions needed to effect a valid marriage and what are the rights of the wife, he must analyse all the voluminous sacred sources to ascertain all the evidences.

If he were to do this, he would be without exaggeration taking on a mammoth task. Assuming he had all the Arabic sources in front of him and was a genius of the Arabic language, he would still have a formidable list of undertakings in front of him. He would have to seek out every text, verse and ḥadīth, to locate all the relevant evidences for every single aspect or ruling. Once he has gathered all the texts, he would need to sift out the weak or inadmissible evidences among them, based upon solid criteria. Then he would need to determine the meaning being established by the remaining texts by pondering and researching painstakingly. Furthermore, is that meaning clearly mentioned or is it understood by reason etc. (‘ibārat al-nas)s, iqtidā al-nas)s etc.)? Thereafter, he would have to assess the strength or value of the ruling of these evidences: is the text rigorously strong that it establishes an obligation, or is it of a lesser level establishing praiseworthiness or permissibility? Needless to say, to enable this he will need a criteria already formulated and backed by other evidences. This is because it is evident that the weight held by a point deduced from a text through reason will be of a different level to a point taken from the apparent meaning. Finally, he would have to give coherent responses to all evidences that contradict each other, in order to achieve reconciliation between the texts.

If he actually did this correctly, he would be unable to pursue any worldly occupation or living, as he would be a full-time scholar whose occupation is expertise in the sacred texts. Our Dīn however is a practical Dīn, to be lived and practiced by people from all walks of life, regardless of their preoccupations and abilities. It does not require people to leave their daily needs and restrict life to studying legal interpretation. Thus, as has always been accepted by the scholars of the umma, the duty of specialising in the detailed rulings of the Dīn is only upon one section of the community, which then acts as a guide for the rest, who turn to them and do the more easy and attainable job, of simply asking what are the laws of trade, what are the laws to do with marriage, what are the rulings to do with inheritance and so forth with every department of life. This is the duty and obligation of every muslim. As for the role of interpreting the sacred texts (nusūṣ)), it is the sole preserve of the scholars, as Allāh says, **“It is not for the believers to go forth altogether: why should not a party of every section of them go forth so that they may become learned in religion and that**

**they may warn their folk when they return to them, so that they may beware?” (Qur’ān, 9:122)**

Furthermore, it is impractical for a layman to go to a scholar and expect him to laboriously and patiently elaborate to him on every issue where scholars have differed, and having spent perhaps over an hour explaining the primal evidences alongside the often complicated supportive evidences of the differing scholars, to say to the layman, “Now you choose whichever you feel is the strongest opinion!” Those who live in the muslim community know very well that in the vast majority of cases when the layman poses a question to a scholar, the scholar will not even present the detailed evidence for the opinion he holds, let alone delve into the evidences of others. This is because he is aware that the layman is neither capable of weighing up between legal opinions nor is he obliged to do so. This has always been the way the Dīn was practised from the time of the Companions (رضي الله عنهم). (أجمع بين عنهم الله).

(Understanding Taqlid: Following One Of The Four Imams, Mufti Muhammad Sajjad)