113687 - Shaykh al-Albaani (may Allaah have mercy on him) was a great muhaddith and a mujtahid faqeeh

the question

A common person should follow a sheikh who he feels assured towards. This sheikh should be known for his knowledge and righteousness. I know that sheikh Al-Albany is a great scholar of hadeeth (which no one can deny) and my heart is assured towards his approach in fiqh; because he cares about following the sunnah accurately, but it seems that many people do not follow his opinions in fiqh, why? Does he have grave mistakes in terms of fiqh? Can I depend on his as my reference in fiqh?.

Detailed answer

Praise be to Allah.

Firstly:

Allaah has created people of different levels in terms of understanding, and He has raised some above others with regard to knowledge and faith. Real life bears witness to that. Hence people are of varying degrees with regard to ijtihaad and taqleed.

Shaykh Saalih al-Fawzaan (may Allaah preserve him) said:

People fall into four categories:

The first category is those who are able to make ijtihad in absolute terms, by referring directly to the Qur’aan and Sunnah and deriving rulings from them, and they do not follow any other scholars (taqleed).

This is the highest status, but this only applies to the one who fulfils the known conditions of

ijtihaad, by having knowledge of the Book of Allaah and the Sunnah of the Messenger of Allaah (peace and blessings of Allaah be upon him), and by having knowledge of Arabic in which the Qur'aan was revealed, and by having knowledge of al-muhkam and al-mutashaabih (clear, unambiguous texts and ambiguous texts), al-naasikh wa'l-mansookh (texts which abrogate others and texts which are abrogated), al-mutlaq wa'l-muqayyad (texts with absolute meanings and texts with limited meanings), al-khaas wa'l-'aam (texts with specific meanings and texts with general meanings). He should also have knowledge of how to derive rulings, meaning that he should be qualified. Such a person may engage in ijtihaad. This category includes people like the four imams – Abu Haneefah, Maalik, al-Shaafa'i and Ahmad – as well as Sufyaan al-Thawri and al-Awzaa'i. To these people Allaah gave the ability to engage in ijtihaad.

The second category is those who cannot engage in ijtihaad in absolute terms, but they are able to weigh up the opinions of scholars and determine which is more correct, because of their knowledge of which opinions are based on evidence and which are not.

Such a person must follow that for which there is evidence, and shun that which goes against the evidence. This action is called tarjeeh (weighing up what is more correct) and is also known as al-ijtihaad al-madhhabi (ijtihaad based on the study of different views).

The third category is those who cannot engage in tarjeeh. Such a person is regarded as one of the muqallideen (those who follow other scholars), but if he knows that some opinion has no supporting evidence then he does not follow it. But so long as he does not know and it is not clear to him that it is contrary to the evidence, there is nothing wrong with him imitating and following the opinions of the trustworthy scholars.

The fourth category is the one who is unable to do any of the above; neither ijtihaad in an absolute sense nor weighing what is more correct nor following a specific madhhab, such as the ordinary Muslim, for example.

Such a person has to ask the people of knowledge, as Allaah says (interpretation of the meaning): "So ask of those who know the Scripture, if you know not" [al-Nahl 16:43]. So he should ask the

one who be believes is most trustworthy and the scholar in whom he has the greatest confidence, of those whose knowledge and actions he trusts, and follow his fatwa.

These are the categories of people with regard to this issue.

What a person should do is know what level he is at, and he should not put himself in a higher position than he deserves. Indeed, the matter is more serious than that. He should fear Allaah, because it is the matter of halaal and haraam, of Paradise and Hell, so he should not indulge in matters that he does not have the knowledge and skill to deal with. End quote.

I'aanah al-Mustafeed bi Sharh Kitaab al-Tawheed.

Secondly:

We do not know anything of Shaykh al-Albaani (may Allaah have mercy on him) except that he was one of the prominent scholars the field of ijtihaad and fatwas. He is one of the imams of our era in this regard. His books, tapes and halaqahs bear witness to that. The imams of fatwas and ijtihaad praise his knowledge and refer to him, and quote his words as evidence. The one who says that he was a muhaddith but not a faqeeh is mistaken. Rather he was an experienced faqeeh who adhered to the rules and guidelines of knowledge. It is not known that he had his own principles on which he based his understanding of Islam, rather he followed the same path as the imams of knowledge among the righteous salaf, and his knowledge of hadeeth qualified him to base his determination of which view is more correct on the ahaadeeth which he believed to be saheeh (sound).

The scholars of the Standing Committee for Issuing Fatwas said of Shaykh al-Albaani:

This man is well known to us for his knowledge and virtue, his veneration of and service to the Sunnah and his support of Ahl al-Sunnah wa'l-Jamaa'ah in warning against fanaticism and blind following. His books are very useful, but like any other scholar, he is not infallible; he makes mistakes and gets things right, but we hope that in matters where he got it right he will have two rewards, and in matters where he got it wrong he will have the reward of ijtihaad, as it is proven

that the Prophet (peace and blessings of Allaah be upon him) said: “When the judge issues a ruling, if he strives to work it out (ajtahada) and gets it right, he will have two rewards, and if he issues a ruling and strives to work it out but gets it wrong, he will have one reward.” Agreed upon. End quote.

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd al-Razzaaq ‘Afeefi, Shaykh ‘Abd-Allaah ibn Ghadyaan, Shaykh ‘Abd-Allaah ibn Qa’ood.

Fataawa al-Lajnah al-Daa’imah (12/324, 325)

They testified that he (may Allaah have mercy on him) was one of the scholars, and that he was one of the mujtahideen. Everyone who is fair minded knows that Shaykh al-Albaani (may Allaah have mercy on him) was well versed in fiqh and ijtihaad, and we can see evidence for that in three things:

1.

The testimony of the scholars to that effect. This has been compiled in the book Hayaat al-Albaani by Shaykh Muhammad ibn Ibraaheem al-Shaybaani (may Allaah guide him).

2.

His well-written books of fiqh, some of which are unprecedented and without equal. It is sufficient for us to mention as an example his book Ahkaam al-Janaa’iz (the rulings on funerals), which is very well-written and is indicative of his profound understanding of the Sunnah, and is supported by his understanding of the fiqhi principles that were followed by the salaf or early generations of the ummah. We may also add to that Aadaab al-Zafaaf (wedding etiquette) and Tamaam al-Minnah fi’l-Ta’leeq ‘ala Kitaab Fiqh al-Sunnah (a commentary on Fiqh al-Sunnah).

3.

His tapes which are widely available worldwide, of which one thousand are in circulation; those which have not yet been produced contain 5000 hours of audio material. All of these tapes are

recordings of just some of his halaqahs, so how about if all of his halaqahs had been recorded!?

Thirdly:

Finally we should point out some important matters:

1.

Shaykh al-Albaani (may Allaah have mercy on him) was a human being, who got things right and made mistakes. No one should believe that his words are infallible. We have not found anyone who claims this explicitly, but we find many who believe it implicitly.

2.

It is not permissible for any follower of Shaykh al-Albaani to continue to follow the shaykh's view if it becomes clear to him that the opinion of another scholar of virtue is stronger; rather he must follow the truth wherever it is and whoever it is with. Shaykh Muhammad ibn Saalih ibn 'Uthaymeen (may Allaah have mercy on him) was asked:

What is your advice to a beginner seeker of knowledge? Should he follow one of the imams of the madhhabs, or should he not?

He replied:

Allaah says (interpretation of the meaning): "So ask the people of the Reminder if you do not know" [al-Anbiya' 21:7]. If this is a new student who does not know how to weigh up the evidence, then he has no choice but to follow a scholar, whether he follows a former imam who is now deceased or a contemporary imam – one of the scholars who is still alive – and asks him, which is better. But if it becomes clear to him that this opinion is contrary to a saheeh hadeeth, he must follow the saheeh hadeeth. End quote.

Al-'Ilm p. 115

3.

Shaykh al-Albaani (may Allaah have mercy on him) did not introduce anything new into Islamic rulings and he often stated that he did not say anything that had not been said before. So the one who criticizes the Shaykh by saying that he came up with odd views and fatwas should fear Allaah and those who are fanatically devoted to the Shaykh should also fear Allaah.

4.

It is not in accordance with the methodology of Shaykh al-Albaani (may Allaah have mercy on him) – or of any of the imams –to look at the verse and hadeeth and then derive from it whatever rulings one wants! Rather the Shaykh (may Allaah have mercy on him) often complained about those who did that. He said: We were suffering from blind following (taqleed) and now we are suffering from a free-for-all! And he stated that blind following of the earlier scholars is far better than this free-for-all; rather for the ordinary Muslim, following a scholar is obligatory and this free-for-all is haraam.

5.

The one who follows the Shaykh (may Allaah have mercy on him) has to realize that the Shaykh himself criticized blind following and enjoined seeking knowledge; he called on people to learn and said that the Muslim should follow the evidence from the Qur'aan and Sunnah. If the Shaykh (may Allaah have mercy on him) told people not to follow Abu Haneefah, Maalik, al-Shaafa'i and Ahmad blindly, he was more emphatic in telling them not to follow him blindly.

6.

The ordinary Muslim who agrees to follow Shaykh al-Albaani (may Allaah have mercy on him), or any other scholar of the past or present, should not issue fatwas or argue with others. If those who follow a Shaykh or scholar adhered to this, the ummah would be spared many of the bad things that we hear of here and there.

7.

The one in whom Allaah instils love of knowledge and the ability to weigh up the evidence and to

know which is more likely to be correct is not permitted to be a blind follower of Shaykh al-Albaani or anyone else.

Shaykh Muhammad ibn Saalih al-'Uthaymeen (may Allaah have mercy on him) said:

The one who has no knowledge and no ability to engage in ijtihaad must ask the scholars, because Allaah says: "So ask the people of the Reminder if you do not know" [al-Anbiya' 21:7].Allaah does not enjoin us to ask them except for the purpose of following their opinions. This is taqleed (following). But with regard to taqleed what is forbidden is adhering to a specific madhhab by following it in all cases and believing that this is the way to Allaah, so one follows it even if it goes against the evidence.

But the one who has the ability to work things out (ijtihaad), such as the seeker of knowledge who has an abundant share of knowledge may engage in ijtihaad on the basis of the evidence, and follow the one who he thinks is correct, or is most likely to be correct.

As for the ordinary Muslim and the beginner seeker of knowledge, they should strive to follow the one who they think is closer to the truth, because of his abundant knowledge, strong religious commitment and piety. End quote.

Al-'Ilm, p. 205

And Allaah is the Source of strength.