

CHAPTER 1

Taqlīd and Taklīf

1.1 Introduction to Taqlīd

1.2 Choosing a Marjaʿ

1.1 Introduction to Taqlīd

OBJECTIVES

WE WILL:

- Identify what *taqlīd* is and why it is necessary.
- Recognize how to choose a *marja'* to follow.
- Recall common terms found in Islamic rulings.
- Select a *marja'* using the appropriate criteria.



FATIMAH AND SAKINA LEARN ABOUT TAQLĪD

FATIMAH: Class today made me so hungry! Let's go and grab some fish and chips before we go to the masjid!

SAKINA: Mmm...that sounds good! But we will have to make sure that the fish is allowed for us (*ḥalāl*) to eat.

FATIMAH: What do you mean? Why do we have to worry about fish being *ḥalāl*? Obviously it's *ḥalāl*! We are not going to eat pork or anything like that!

SAKINA: Yes, many types of fish are *ḥalāl*, but there are also some fish that we cannot eat. Islam has certain guidelines for which fish are *ḥalāl* and which ones are not, but I can't remember what the guidelines are right now. Maybe we should ask Shaykh Ali to help us better understand which ones are okay according to our *marja'*.

FATIMAH: But why do we need a *marja'* to find out what we can eat? I thought that as long as we follow the Qur'ān, the Prophet ﷺ, and his Ahlul Bayt ﷺ, then we are fine!

SAKINA: Well yeah, we have to follow the Qur'ān, and the Ahlul Bayt ﷺ, but we cannot always understand all of the laws directly from the Qur'ān, or the traditions (*ḥadīth*) of the Ahlul Bayt ﷺ because we are not experts in these things.

FATIMAH: Oh wow. I am still a little confused though. If Islam is for everyone, then how come only some people are experts?

SAKINA: Islam is for everyone, but not everyone is an expert in it! There is so much to know about Islam, just like healthcare. Everyone knows certain things about their health and their body, but not everyone can become a doctor, or an expert on the human body.

FATIMAH: Hmm, I guess that makes a lot of sense. But the rules cannot be all that complicated, can they? I thought Islam was an easy religion that follows our innate nature?

SAKINA: Well, I am pretty sure that Islam is not supposed to be a complicated religion, but I never really thought about that. How about we go to my house for some lunch and we can talk about it more with my mom?

FATIMAH: Sounds good to me. I love your mom's cooking!

At Sakina's House

SAKINA: Salām ‘alaykum, Mom!

FATIMAH: Salām ‘alaykum, Aunty! Thanks for having me over!

MOM: Wa ‘alaykum as-salām girls! Of course, Fatimah! I am always happy whenever you come over.

SAKINA: Mom, Fatimah and I were discussing some Islamic rulings, and we had a couple of questions that we could not figure out about following a *marja’*.

MOM: Oh, nice! We actually just had a class with Shaykh Ali at the masjid on this.

SAKINA: Well basically, we know that we have to follow the Qur’ān, the Prophet ﷺ, and his Ahlul Bayt ؑ. So if we read the Qur’ān, and some narrations (*ḥadīth*) of the Prophet ﷺ, then why do we need to follow a *marja’*?

MOM: Well, we have to remember a few things. First of all, a *marja’* is not reading the Qur’ān and *ḥadīth* the same way we are. They spend years and years studying Islam so that they are able to understand them very deeply and accurately. Once a *marja’* completes all of those years of studies, then he does his best to derive the necessary laws from the Islamic sources.

FATIMAH: How does he decide what the laws are?

MOM: A *marja’* has to study the Qur’ān, *ḥadīth* of the Ahlul Bayt ؑ, the Arabic language, history, biographies of the narrators, comparative law, and other sources, and he must also use his intellect and logic as well.

FATIMAH: So then what do we have to listen to a *marja’* about? Everything in life?

MOM: Well, not really. We have to understand our beliefs—*Aqā’id*—ourselves, like the belief in One God—Allah ﷻ, and that Allah ﷻ sent Prophets ﷺ to guide us, and that there will be a Day of Judgment. But our *marāji’* make sure that we know what Allah ﷻ expects from us in terms of our rules—*Aḥkām*. They try to research what Allah ﷻ wants us to do, and what we are not allowed to do. So, we need to be very careful not to follow our own opinions on these issues. Without guidance from our *marāji’*, we would be lost.

FATIMAH: Wow! That sounds like a lot of hard work. They spend so many years making things easier for us to understand; and then all we have to do is ask them for the answer!

MOM: Yes, exactly. Oh, look at the time! You should get going! You do not want to be late for your volunteering shift at the masjid!

AḤKĀM:

practical laws that help us practice Islam in the correct way to reach our goal

IJTIHĀD:

the science of deriving laws

MUJTAHID:

a scholar who is qualified to reliably derive an Islamic legal opinion from religious sources and evidence

MARJA':

a mujtahid who can also be relied upon by others to provide an expert Islamic legal opinion

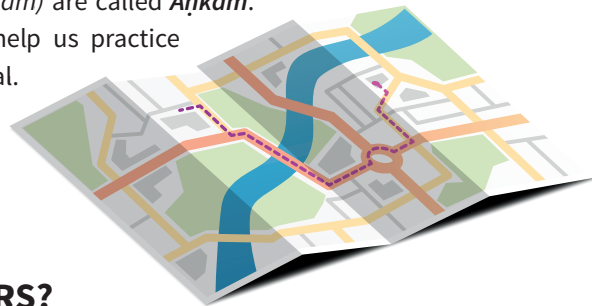
TAQLĪD:

to refer to a certain marja's ruling when it comes to our practical Islamic life

AḤKĀM: A MAP FOR PERFECTION

As Muslims, we are constantly trying to get closer to Allah ﷻ, to keep His love strong in our hearts, and to strive on the path to perfection. Out of His infinite Wisdom and Mercy, Allah ﷻ has given us a map, or a set of instructions and guidelines to follow, so that we will know how to achieve this goal. Everything in Islam is for our own benefit and leads us on this path. The guidelines regarding what is allowed and permissible (*ḥalāl*), and what is not allowed and forbidden (*ḥarām*) are called **Aḥkām**.

Aḥkām are those practical laws that help us practice Islam in the correct way to reach our goal.



WHY DO WE NEED SCHOLARS?

Allah ﷻ has given us two primary guides: the Qur'ān and the Ahlul Bayt ﷺ. After the final Prophet ﷺ passed away, Allah ﷻ sent 12 Imāms ﷺ to guide us; however since the last one is in occultation and we do not have direct access to ask him questions, we have been instructed to go to the '*ulamā*', or religious scholars, who are our connection to the *Ma'sūmīn* ﷺ during this time. Scholars play a very important role in conveying the knowledge of the Qur'ān and the Ahlul Bayt ﷺ to us. This is why Imām aṣ-Ṣādiq ﷺ said:

“The scholars are the heirs of the Prophets.”¹

There are different levels of scholars in Islam. Some of our highest scholars spend several decades studying Islam with qualified teachers, and then they become experts. 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 derive an Islamic legal opinion from religious sources and evidence.

1 Rayshahrī, Muḥammad, *Mīzān al-Ḥikmah*, P. 773.

Mujtahids derive Islamic laws from three primary resources:

1. The Qur'ān.
2. *Ḥadīth* and *Sunnah* (traditions and actions of the *Ma'ṣūmīn* ﷺ).
3. Their own '*aql* (intellect) and *ijmā'* (universal agreement of scholars).

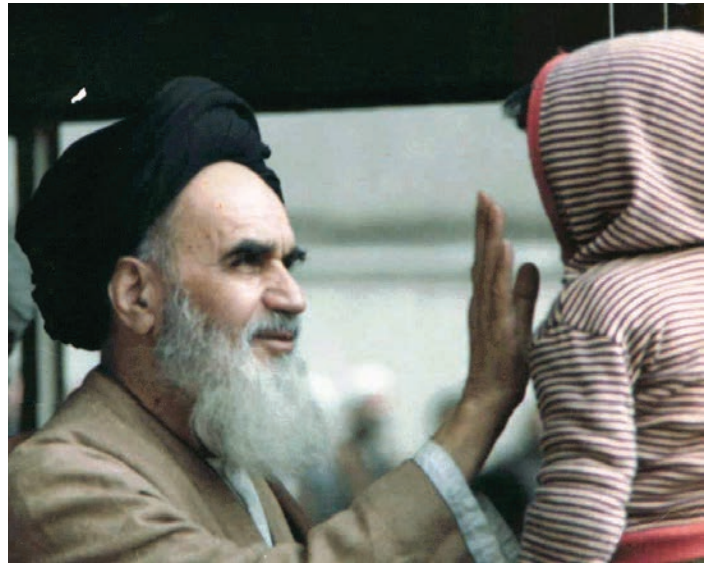
A *mujtahid* never invents or makes up one's own Islamic laws. *Ijtihād* is a very precise and difficult process that requires a lot of knowledge and experience. As we can see above, the derivation of laws is based on authentic sources of evidence.



QUR'ĀNIC CONNECTION

'*aql* عَقْل (intellect, reason, common sense)

- Arabic Root Word: ع ق ل 'a-q-l
- Root Meaning: 'to tie up, to restrain'
- Occurrences in the Qur'ān: 49 times
- Related Words: تَعْقِلُونَ (*ta'qilūn*) which means 'to use reason, to understand'
- Reference for this word *ta'qilūn*: Noble Qur'ān, Sūrah az-Zukhruf (43), Verse 3.



Āyatullāh Khomeini: an example of a scholar who dedicated his entire life to understanding, teaching, and applying Islam

MUJTAHIDS VS. MARĀJĪ'

What is the difference between a *mujtahid* and a *marja'*? We mentioned above that a *mujtahid* is a scholar who is qualified to do *ijtihād*—meaning that they can reliably derive an Islamic legal opinion from religious sources and evidence. A *marja'* is a higher level of a *mujtahid* because they can also be relied upon by other people to provide an expert Islamic legal opinion, and whom others can refer to for Islamic rulings. Thus, all *marāji'* are *mujtahids*, but not all *mujtahids* are *marāji'*, just like how all surgeons are doctors, but not all doctors are surgeons.

MUJTAHID

a scholar who is qualified to reliably derive an Islamic legal opinion from religious sources and evidence



MARJA'

a higher level mujtahid who can also be relied upon by others to provide an expert Islamic legal opinion



WHAT IS TAQLĪD?

Taqlīd means ‘to refer to a certain *marjaʿ*’s ruling when it comes to our practical Islamic life.’ Let us look at an example to understand how important *taqlīd* is.

Imagine someone is playing in the school playground and finds some money. What are they supposed to do with it? Can they keep it, or do they have to try to find the owner of it, or should they give it to charity? In order to know the correct answer, one needs to refer to a *marjaʿ*. We can go to the *marjaʿ*’s website and see what he says about the rules of finding money on the ground, or ask a reliable scholar about the ruling. If we follow the ruling that he has given, then we will be performing *taqlīd*. However, we must be cautious that in a world in which everything is available on search engines, it is essential to gain the correct knowledge from proper sources.



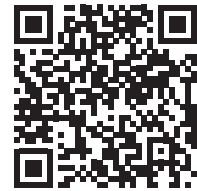
There are many situations we come across every day for which we need to refer to a *marjaʿ*, therefore they play a very important role in our lives.

There are some obvious rules in Islam that everyone knows about—like the very need to say our daily prayers, and to fast in the month of Ramaḍān—for which *taqlīd* may not be necessary (because they are so obvious, although there are still some intricate rulings that one may have to refer to their *marjaʿ*). But for most issues—like how many times to say the *Tasbīḥāt al-Arbaʿah* in the third and fourth *rakaʿāt*, or other details about exactly how to pray, fast, and do different things properly in many other areas of our life—we will all need to do *taqlīd*. The one case where someone does not need to follow a *marjaʿ* is if they have studied and become an expert themselves. But imagine if everyone had to derive the detailed rulings themselves from reading and researching the entire Qurʾān and all of the *aḥādīth*! This is no easy feat! For example, the *aḥādīth* have been written in different contexts, and sometimes may even contradict one another. In the same way that we consult a health expert’s opinion when we are sick, or a dentist when we have a toothache, or a mechanic for our car problems; similarly, we turn to a *marjaʿ* to help us understand Islamic issues, such as knowing exactly how to pray, fasting rules, eating regulations, and so on.

Activity 1.1a: Scenario

Ahmad is on a road trip with his family. It is time for *ṣalāh*. He remembers hearing that if a person travels outside of their hometown, they have to shorten their prayers. However, he does not know the exact details of the rulings, and how far out of town he has to be for the rules to apply.

ISLAMIC LAWS



1. Go to <https://www.sistani.org/english/book/48/2248/>
2. Find the section of Islamic Laws titled “Prayers of a Traveller.” Click on this link and answer Ahmad’s question about praying while out of town. What is the shortened prayer called, and how many miles from his hometown does Ahmad have to be in order to begin shortening his prayers?

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

1.2 Choosing a Marja'



At the Masjid

HAMIDAH: Salāmun ‘alaykum, Sisters! How is everything?

SAKINA: ‘Alaykum salām, Sister Hamidah. We have a question about *taqlīd*.

HAMIDAH: Sure! What would you like to know?

SAKINA: Well, long story short, we are trying to figure out how you pick a *marja'*. How do you know who you should follow?

HAMIDAH: Well, there are certain guidelines to help us define who can be a *marja'*. A *marja'* must have the following qualities: he must be mature (*bāligh*), sane (*‘āqil*) which means that his mind is healthy and sound, a twelfth Shī‘ah born of legitimate birth, and living. He must also be just (*‘ādil*), brave, and God-conscious (*muttaqī*); and last, but definitely not least, he needs to have the knowledge and intellectual ability to derive laws.

FATIMAH: That is a lot of qualifications!

HAMIDAH: Yes, and there is more! He must be obedient to the commands of Allah ﷻ, and be someone who is aware of the conditions of the time.

FATIMAH: Conditions of the time...like, he has to know what is happening around the world today?

HAMIDAH: Yes, exactly!

SAKINA: How would you define a ‘just’ *marja'*? What does that mean?

HAMIDAH: Good question! When we say that a *marja'* must be just, it means that he must have good character, and perform those things which are obligatory (*wājib*), and stay away from those things that are forbidden (*ḥarām*).

FATIMAH: Wow! If he can fulfill all of that, then he is definitely someone we should listen to!

SAKINA: So, who is a *marja'*? How do we find him?

HAMIDAH: There are many different *marāji'* at the present time. Most of them study in cities like Qum and Najaf, the global centers of Islamic studies.

FATIMAH: Do we have to follow the rulings of all of the *marāji'*?

HAMIDAH: You must follow the one who is the most knowledgeable.

FATIMAH: So, who might that be?

HAMIDAH: Well, right now the *marāji'* who are among the most knowledgeable ones, and followed by a majority of the world's Shī'ahs are: Āyatullāh 'Alī Ḥusaynī Sīstānī, Āyatullāh 'Alī Ḥusaynī Khamenei, Āyatullāh Nāṣir Makārim Shīrāzī, Āyatullāh Waḥīd Khurāsānī, Āyatullāh Mūsā Shubayrī Zanjānī, Āyatullāh Muḥammad Ishāq Fayyāḍ, Āyatullāh Muḥammad Sa'īd Ḥakīm, and Āyatullāh Bashīr Ḥusayn Najafī. But, we all have to go through the right process in order to identify which one to follow.

FATIMAH: How do you do that?

HAMIDAH: You can ask your parents if you are certain that they have done their research on who is the most knowledgeable. But it is best to consult our scholars, such as Shaykh Ali, just like you would ask a doctor to refer you to a good specialist.

FATIMAH: What does researching a *marja'* mean? Like, seeing how many years he studied?

HAMIDAH: It is much more than just about the amount of years that they studied. The scholars who are close to these *marāji'* have a better idea about who might be the most knowledgeable one from them all. If there are multiple *marāji'* who are all equally knowledgeable, then we can pick anyone from among them.

SAKINA: Okay, so once we identify the most knowledgeable *marja'*, how do we find out about his rulings?

HAMIDAH: There are a few ways that you can find out. You can look in a book of his collected rulings, for example in his Islamic Laws book. These days, our *marāji'* have official websites with the rulings published on them. But whatever resource you use, you must be certain that they are the accurate rulings of the *marja'* whom you follow. You should also make sure that you have understood the law correctly by checking it with someone who has proper knowledge in case there are some rulings that might be difficult to comprehend.

FATIMAH: Can we email our *marāji'*?

HAMIDAH: Yes you can, most of them have representatives who will answer your emails, and even reply to your texts as well.



THINK, PAIR, SHARE

Sr. Hamidah defined a just *marja'* as "someone who must have good character, and perform those things that are *wājib* and stay away from those things that are *ḥarām*." Why is the character of a *marja'* whom we follow so important? Do you think having a leader of good moral character and just actions really makes a difference in the life of a follower? Why or why not? Pair up with another student and discuss your thoughts. Write down one question or thought you would like to ask/share with the class.

CHOOSING A MARJA'

Now that we have understood the importance of referring to a highly qualified scholar, it is essential to also understand how to choose a *marja'*. There are three main ways for us to know which *marja'* to follow:

1. A person (such as a learned scholar of Islam) may have the qualifications to identify a *mujtahid* on their own.
2. One 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 that someone is the most learned *marja'*, then one can follow this person as their *marja'*.
3. If a number of people who are learned and qualified to identify a *mujtahid* state that a particular person is the most knowledgeable *marja'*, then we can follow this person as our *marja'*.

SOME IMPORTANT DEFINITIONS

After we have found a *marja'* to follow, when we want to find out whether we should perform a certain action or stay away from it, we need to refer to our *marja'*'s website or book to find out what his ruling is on that particular issue. When we look at these resources, we can then check our understanding with someone knowledgeable because sometimes it is possible to misunderstand a ruling. There are also some words that we will come across while doing this, which we need to know the meanings of:



WĀJIB (OBLIGATORY): This is an action that must be performed; if a person performs it, then one will be rewarded; but if someone neglects to do it, then they have committed a sin and will be punished accordingly.

Examples: praying our daily ṣalāh, fasting in the month of Ramaḍān, observing the necessary ḥijāb, etc.

MUSTAḤAB (RECOMMENDED): This is an action that is not compulsory (wājib), but it is very much loved by Allah ﷻ, earns His pleasure, and strengthens a human being's faith. If a person performs it, one will be rewarded immensely by Allah ﷻ, but there is no penalty if it is not performed.

Examples: doing dhikr, saying adhān before the daily prayers, greeting another person by saying salām, etc.

MAKRŪH (DISLIKED): This is an action that is better if not performed, but by performing it, one will not have any punishment in the hereafter; however, there may be spiritual consequences. Staying away from things that are makrūh attains reward.

Examples: eating horse meat, overeating, wearing black shoes, etc.

Note: Sometimes, when the word makrūh is used, it does not mean that the action is better not to perform. Rather, it means that doing this action will result in less reward than usual. For example, praying Ṣalāt al-Jamā'ah behind someone who is a traveler is makrūh, meaning that one will not receive as much reward as one would receive if the imām was not a traveler; but it does not mean that it is better to pray alone!

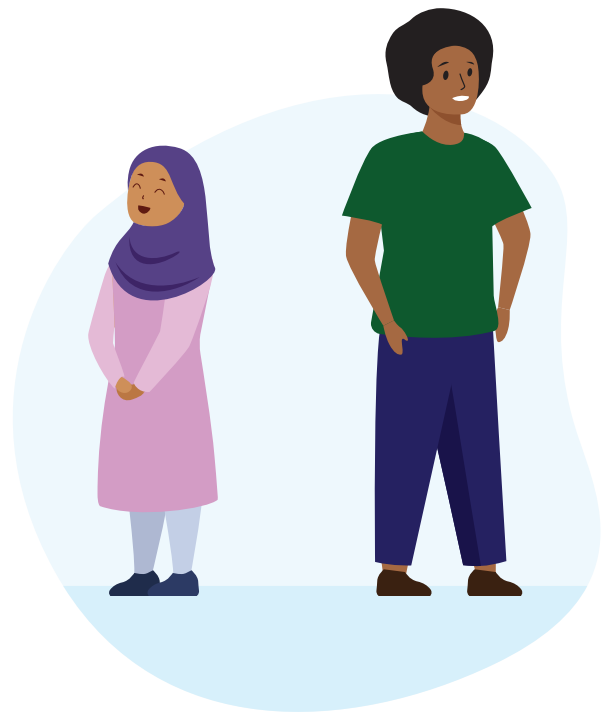
ḤARĀM (PROHIBITED OR FORBIDDEN): This is an action that must not be performed at all, and if a person does it knowingly, then they will have to face the punishments in this world or the hereafter (unless one sincerely repents, and with Allah's Mercy the sin is forgiven).

Examples: lying, stealing, eating pork, etc.

MUBĀḤ (PERMISSIBLE): This is an action which a person is allowed to perform, and one neither receives a reward, nor a punishment.

Examples: sleeping, eating, walking, etc.

These actions can often be turned into another category depending on certain criteria. For example, drinking water or going for a walk for the sake of Allah ﷻ so that one can take care of oneself and be able to worship Him can become a mustaḥab action. Or if a person eats too much food and gets sick, this could be makrūh or maybe even ḥarām.



THE AGE OF RESPONSIBILITY (TAKLĪF)

A person needs to start following the rules in Islam, as outlined by a *marja'*, when one reaches the age of responsibility—known in Arabic as *taklīf*. The age of *taklīf* is the age when an individual becomes responsible for all of the actions that one performs, at which time one must fulfill all of the obligatory actions (*wājibāt*), and stay away from all of the forbidden things (*muḥarramāt*). A person who has reached the age of responsibility (*taklīf*) or maturity (*bulūgh*) is called a *mukallaf*—for a boy, or *mukallafah*—for a girl. At this point, the angels begin to record ALL of our actions—whether good or bad—in our book of deeds, which will be shown to us in the next world.

A person who has reached the age of *taklīf* has attained a great honor! One may ask: Why? It is at this time in our life that Allah ﷻ is inviting us to attain the honor of worshipping Him. Allah ﷻ 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, provides everything for us, and guides us so caringly throughout our entire life?

Activity 1.2a: Common Terms

Match the rulings from Āyatullāh Sīstānī's website on the right side column to the correct term on the left:

WĀJIB

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- *Ruling 1077.* The following things are recommended when performing *sajdah*:
 1. Saying *tabbīr* before going into *sajdah*. For someone who performs prayers while standing, this should be performed after one has raised one's head from *rukū'* and has stood perfectly straight.
 4. When in *sajdah*, a person should join one's fingers together, and place them in line with one's ears such that the tips of the fingers face *qiblah*.

ḤARĀM

•

- *Ruling 1627.* Some things which are disapproved for a fasting person to do include:
 4. Smelling aromatic plants.
 8. Having one's teeth extracted, or doing anything that causes blood to come out of the mouth.

MUSTAḤAB

•

- *Ruling 1707.* Fasting on Eid al-Fiṭr and Eid al-Aḍḥā is unlawful (not permitted). Furthermore, if one does not know whether it is the last day of Sha'bān, or the first day of the month of Ramaḍān and fasts with the intention of it being the first day of the month of Ramaḍān, then it is unlawful.

MAKRŪH

•

- It is obligatory for a follower to learn the rulings which are of daily importance.

Activity 1.2b: Reviewing what you know

1. Do you know the name of a *marja'* or more than one *marja'*? List the name(s) below.

2. Can you think of a scholar whom you can ask to recommend a *marja'* for you?

Activity 1.2c: Selecting a Marjaʿ

Using the steps we discussed, let us work together to select a *marjaʿ* whom you can follow in your life.

1. Talk to your parents, a scholar, or any knowledgeable person to help you identify who the most knowledgeable *marjaʿ* of the time is:

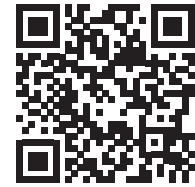
2. Do some research on the life of the *marjaʿ* you will be doing *taqlīd* of. Write about a story, or fact about his life that interests you. Be sure to cite the resources you use for your research.

Now that you have picked a *marjaʿ*, get familiar with where and how you can find his rulings. Most *marājiʿ* have an Islamic Laws book, as well as a website for easy reference to rulings, or a section on questions and answers. You can also submit your own questions through these sites. Here are the websites for three *marājiʿ*; if your *marjaʿ* is not listed, then see if you can find his website or book—ask your teacher or scholar for help if you are having trouble.

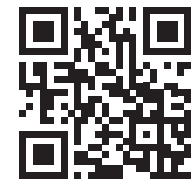
- <http://www.sistani.org/english/> (This is the website for Āyatullāh Sīstānī. *Jurisprudence Made Easy* is a good book to start with; Islamic Laws is more detailed and can be used as a reference when needed).
- <https://www.leader.ir/en> (This is the website for Āyatullāh Khamenei).
- <https://www.makarem.ir/> (This is the website for Āyatullāh Nāṣir Makārim Shīrāzī. Click on English)

3. Once you locate a website or a book, find an answer to a question that you may have had, or look up a topic that your teacher suggests such as: *ḥijāb*, music, *najāsah*, etc. Pay attention to the detail and the depth of the answers which have been given by your *marjaʿ*. Do you think that the *marjaʿ* came to these answers or rulings easily? Explain why or why not.

www.sistani.org



www.leader.ir/en



www.makarem.ir/

