



On Taqlid: Ibn al Qayyim's Critique of Authority in Islamic Law

By Abdul-Rahman Mustafa

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Abdul-Rahman Mustafa offers a deft new translation of a large extract from the book *I'lām al Muwaqqi'in 'an Rabb al 'Alāmin*, by the thirteenth-century Islamic scholar, Ibn Qayyim al Jawziyya. The *I'lām* comprises an extensive discussion of the subject of taqlid, or legal imitation. It is one of the most comprehensive treatments of Islamic legal theory and even today serves as a manual for lawyers, judges, and muftis.

In the portion of the *I'lām* translated here, Ibn al-Qayyim introduces the nature of taqlid and divides it into several categories. He then provides an account of a debate between a critic of the view that taqlid of a particular school or scholar is a religious duty and this critic's interlocutor. Among the topics discussed are the different kinds of taqlid, the differences between taqlid and ittiba', the infallibility of religious scholars, the grounds on which one legal opinion might be preferred over another, and whether or not laymen can be expected to perform ijtihad. Ibn Qayyim's legal theory is a formidable reformulation of traditionalist Hanbalism, a legal-theological tradition that has always maintained a distinctive character in Islamic history and that is now growing more influential due to modern interest in the Wahhabi movement and in Ibn Taymiyya, whose legal and theological thought was edited and refined by his student, Ibn Qayyim.

In his introduction to the translation, Mustafa critically reviews the scholarship on taqlid and outlines Ibn Qayyim's legal theory and the importance of taqlid within it. Taqlid continues to generate controversy amongst educated Muslims and particularly academics, as Salafi interpretations of Islam, which are generally 'anti-taqlid,' come into conflict with the generally 'pro-taqlid' stance of traditional schools such as the Hanafis. Mustafa's translation of a classic account of Islamic legal theory and strong critique of the dominant legal culture is a timely contribution to an increasingly heated debate.



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Editorial Review

Review

"This study and translation of Ibn Qayyim's important work on the principles of jurisprudence comes at an opportune time for students of medieval Islamic studies in general and Islamic law in particular. Focusing on one of the most critical and hotly debated issues of Islamic law, i.e., ijtihad and taqlid, this book is an important contribution to the field. Mustafa offers a very accurate and lucid translation of the relevant sections of Ibn Qayyim's lengthy work, *I'lam al Muwaqqi'in 'an Rabb al 'Alamin*. Included in the volume is a valuable introduction to acquaint the reader with the ongoing debate, showing the intricate relationship between taqlid and ijtihad and how the two interacted and complemented each other."--Ibrahim Kalin, co-editor of *Islamophobia: The Challenge of Pluralism in the 21st Century*

"Islamic reformers in the nineteenth and twentieth centuries have constantly criticized and condemned blind 'imitation' (taqlid) of the past juridical decisions as regressive. Abdul-Rahman Mustafa's authoritative rendering of an important medieval critique of the doctrine must be welcomed by students of Islamic legal tradition. In this annotated and highly accessible study of the institution, we have a comprehensible exposition of different levels of 'imitation.' While the jurists 'follow' the established legal authorities by engaging in a fresh interpretation of the inherited juridical corpus, ordinary people 'follow' the established practice by developing a sense of loyalty to a specific legal madhhab (rite). The traditionalist worldview of capturing the idealized prophetic paradigm, however imagined, has remained an important part of Muslim religiosity."--Abdulaziz Sachedina, Frances Myers Ball Professor Of Religious Studies, University of Virginia

About the Author

Abdul-Rahman Mustafa has lived and was educated in Saudi Arabia, England, Pakistan, and the United States. He has studied at the London School of Economics, Oxford, and Georgetown. Before that, he was a Professor of Islamic Law in Pakistan and taught for the University of London external LLB program and also at a traditional *madrasa*. He is currently working on a number of projects exploring the relationship between law and theology in Islam as well as revivalist movements in the Middle East and South Asia.

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