

An Imaam Performed salaah behind a Ghayr Muqallid Imaam with the Intention of Nafl and then Led the Musallis in his Masiid

Q: Salaah-396: A Hanafi person performed the Asr salaah in a Masjid of The Ghayr Muqallideen and then led the Asr salaah in a Hanafi Masjid after Two Mithal. He claims that he performed the first salaah with the intention of Nafl. When some people doubted the validity of their salaah behind him, he told them that since the first Asr was performed with the intention of Nafl, he was still to perform the Asr salaah and the Asr salaah was therefore valid. However, some Muqtadis are still doubtful. Please clarify.

Answer: Since he performed the salaah behind the Imaam with the intention of Nafl salaah, his Fardh was still pending. The salaah he led was therefore valid. However, because of the doubts such an act creates, it would have been best for him to appoint another person to lead the salaah.

However, if he performed the salaah with the intention of Fardh, it would be necessary for the Muqtadis to repeat the salaah they performed behind him. And Allaah knows best what is most correct.

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Performing salaah behind a Ghayr Muqallid Imaam

Q: Salaah-397: There are some Hanafis here who perform their salaah Behind Ghayr Muqallid Imaam. Is their salaah valid?

Answer: There are many fundamental and other .differences between Muqallideen and Ghayr Muqallideen. The Ghayr Muqallideen do not regard The sabaha RADI. as criterion for what is right and wrong, they regard Taqleed as an act of Bid'ah whereas the rest of the Ummah considers it to be waajib (compulsory). In fact, they even go to the extent of saying that Taqleed is an act of Shirk. Amongst the other rulings about which they differ Is that they regard the twenty Rakaahs of taraaweih salaah as a Bid'ah of hadhrat Umar RADI. and they interpret three divorces in a manner that contradicts the Qur'aan and Ahadeeth. They also see the second Adhaan of Jumu'ah as a Bid'ah started by Hadhrat Uthmaan RADI. they say that it is Permissible to marry more than four wives and also claim That Mut'ah temporary marriages) are legal.

It is for this reason that our Ulema maintain that such people not be followed in salaah because an act of Ibaadah as important as salaah should not be tainted by any doubts whatsoever. If one has to perform salaah behind any of them for some reason, it should better be repeated later.

When asked the same question, Hakeemul Ummah Hadhrat Moulana Ashraf Ali Thanwi RAH. replied that the Ghayr Muqallideen are so varied in types, salaah behind some of them will be Makrooh and sometimes invalid. Because it is not possible to determine the type of Ghayr

Muqallideen in an? instant, it would be best to avoid performing salaah behind them.

In another Fatwa, he explains that if the Ghayr Muqallid's differences are restricted to rulings that have been deduced by the Mujtahiddeen (Ijtihaadi), following them would be like a Hanafi following a Shaafi'ee. This would therefore be permissible. If the Ghayr Muqallid is otherwise, most Ulema state that it would not be permissible to follow him in salaah because the utmost precaution is necessary in salaah. As for those Ghayr Muqallideen whose differences conflict with the consensus of the Ummah, following them would be like following someone who perpetrates acts of Bid'ah. Such differences include legalising marriage to more than four wives, legalising Mut'ah and reviling our pious predecessors. When there is no necessity to follow them, it would be Makrooh Tahreemi to do so and when there is a necessity, it would be Makrooh Tanzeehi to do so.

As for the Ghayr Muqallid whose condition is not known, it would be better to follow them if there is fear of conflict arising. One may then repeat the salaah afterwards. However, if there is no danger of conflict, one should not follow them so as not to deceive the common Muslim and so that such Ghayr Muqallideen do not become too bold.

Hereunder follows a Fatwa of Hadhrat Mufti Azeezru Rahmaan RAH.

"Q: Salaah-398: How is it to follow an Imaam who believes that: (1) Taqleed is not permissible and an act of Bid'ah; (2) Mina Ghulam and his followers are Muslims (3) the Madhaahib of the Muqallideen is not in the Qur'aan? Can one follow him in salaah and study the meaning of the Qur'aan from him? Answer: It is wrong to appoint as an Imaam someone who holds the beliefs stated in the question and it is not even correct to study the meaning of the Qur'aan under him.

Another Fatwa states:

"Q: Salaah-399: Zaid is a Ghayr Muqallid and says that following the four Imaams is Kufr and Shirk. Is he correct and is it permissible to follow him in salaah?

Answer: The statement of this Ghayr Muqallid is incorrect and a means of Deviation. It is not permissible to perform salaah behind him." The marginal notes on this fatwa state that such a person is a Faasiq and following a Faasiq in salaah is Makrooh Tahreemi. And Allaah knows best what is most correct.

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