



SHAYKH AL-BŪṬĪ'S FATWA
ON FOLLOWING A SCHOOL OF LAW

Does a muslim have to follow one of the four schools of law? He has to as long as he is incapable of independent reasoning [*ijtihād*] concerning the evidences for rulings and as long as he does not become a bigot in his following [*taqlīd*]. If he so desires he may follow one specific school of law [*madhhab*].

How then does bigotry manifest itself? It is when someone sees the evidence, understands it according to the scholarly criteria established for it—in which he attained expertise—yet he abandons that evidence for the sake of the school he ascribes to.

Is the gate of ijtihād open or closed today? It is wide open, as it has always been; and no one has the authority to close it. It had, and still has, its conditions and restrictions, and none can tamper with them.

Is this the time for stirring up arguments over minor religious matters like this one? When a minor religious issue becomes a sharp weapon in the hands of those who try to attack the basic principles upon which the religion is founded, it would be naïve to consider this a minor issue.

When saying that Ḥanafī *fiqh* (jurisprudence) is something alien to the Sacred Law is considered a minor issue; when there is a deliberate and planned effort to shake the confidence people have in the Imams of jurisprudence, calling them ignorant and describing their books as 'rusty' and yet we consider the matter to be a minor issue; well, then, according to that, all of [our] religion has become a minor issue...