A Course In Islamic Jurisprudence – Manhajul Fiqhil Islami
Manhajul Fiqhil Islami concerns the precepts of prayer, a brief discussion on Islamic jurisprudence, "Ijtihad", independent judgment, "Taqlid", following, and the different Islamic schools of thought, Islamic rules of transactions and social and civil laws in order to acquaint the readers with the fundamental precepts necessary in their daily life to enable them to perform their obligatory duties and protect themselves from getting involved in illicit actions. The book also explains the different viewpoints of Islamic laws existing among the Islamic schools of thought.

The Publisher's Foreword

Allah, the Almighty, has enjoined:

"Why should not then a company from every party from among them go forth that they may apply themselves to obtain understanding in religion, and that they may warn their people when they come back to them that they may be cautious". (9:122)

The essence of "Obtaining understanding" Tafaquh comprises a process of learning and knowledge in religious belief, thought, and Divine legislation.

But if the term "Fiqh", Islamic jurisprudence, is restricted to a particular definition not covering the above-mentioned general and expanded meaning, "Fiqhi" will be defined appropriately as absolute Islamic jurisprudent and the Divine laws such as: precepts of prayer, marriage, divorce, business, partnership, hiring, inheritance and so forth.

For purpose of organizing the social and devotional life of human beings, Islam calls upon man to the acquiring of understanding and learning of religious and legal precepts to such an extent that he would be able to perform his obligatory duties and protect himself from getting involved in illicit actions.

Thus, education in Islamic jurisprudence became an essential study at schools, colleges, and
universities in order to make students comprehend the precepts and laws of Islam so that they would follow accordingly, call the people to carry them out, and teach them properly and wisely.

In response to the practical needs of intermediate and secondary schools, the Department of Translation and Publication undertook the compiling and publication of (Manhajul Fiqhil Islami), a text book for teaching at schools. It is in two volumes: the present book concerns the precepts of prayer, a brief discussion on Islamic jurisprudence including references, "Ijtihad", independent judgment, "Taqlid", following, and the different Islamic schools of thought.

The second volume deals with Islamic rules of transactions and social and civil laws in order to acquaint the students with the fundamental precepts necessary in their daily life. The present book also explains the different viewpoints of Islamic laws existing among the Islamic schools of thought, included in the footnotes the details not essential for the students to learn but only as additional information.

Material included in this book has been based on authentic Islamic jurisprudence references. We appeal to the Almighty Allah to accept this humble endeavour. We hope that the teachers, professors and learned scholars on this subject who become acquainted with this book make their Valuable observations and viewpoints known to us. And finally all praise be to Allah, the Lord of the worlds.

**Instructions for Pronunciation**

The Arabic alphabet, 28 in number, are formed, with the help of the lips and the tongue, in the front, the middle, and the back of the vocal cavity. Generally, their sounds are, more or less, the same as those of the English alphabet, except for some consonants and vowels which are explained below;

1. The *Hamzah*, transliterated as (') sign, is pronounced like a glottal stop together with the three vowels:
   a. Which sounds like the (a) vowel of the English word (an), (‘i) which sounds like the initial vowel of (in) and (‘u) which sounds like (oo) vowel in the English word (oops) / ups /

2. The digraph (th) sounds in Arabic like the (th) sound in the English word (three).

3. The transliteration (h) nearly has the sound of (h), but is formed at the back of the throat, as in *Hajj*.

4. (kh) is like the sound of the German (ach), as in *Khumus*.

5. (dh) is like the sound of (th) in the English word (that), as in *Dhikr*.

6. (s) has the sound of a thick (s) formed near the back of the throat, as in *Sawm*. 
7. (d) is like the sound of (d) but formed by touching the upper incisor teeth with the tip of the tongue, as in *Wudu*.

8. (t) is formed by smacking the front of the tongue at the hard palate, in the place where the English (t) is formed, as in *Tahir*.

9. (’) This is also a deep throat letter formed at the back of the throat, as in ‘*Alim*.

10. (gh) is formed by touching the upper palate with the middle of the tongue. It sounds like the Parisian (r), as in *Maghrib*.

11. (q) is formed by pressing the middle of the tongue to the palate, and then letting it go with a burst, as in Qur’an.

**The Arabic Long Vowels**

1. (a) sounds like (a) vowel in the English word (far), as in *Salat*.

2. (u) sounds like the long (ue) vowel in the English word (true) as in *Sujud*.

3. (i) sounds like (ee) i n (feet), as in *Takbir*.

**The Arabic Short Vowels**

1. (a) sounds like the vowel (a) in the English word (cat), as in *Faqih*.

2. (u) sounds like the vowel (u) in the English word (put), as in *Ghusl*.

3. (i) sounds like the vowel (i) in the English word (fit), as in *Kafir*.

A Note: Whenever there is a double letter in a transliterated Arabic word, it is to be pronounced as two separate letters. For example: (hh) in *Mutahhir* is to be pronounced: *Mutah–hir*.

N.B.

Our brother teachers are requested to exert much effort to teach the non-Arab students how to pronounce the Arabic letters and words as best as they can. May Allah help them in their righteous efforts!
Directives to the Brother Teachers of the Subject “Islamic Education”

The brother teachers of the subject "Islamic Education" know that the subject of the "Islamic Fiqh" (jurisprudence) explains to the Muslim a way of action, and tells him about his commitments, and responsibilities. The things he is allowed to do and the things he is not allowed to do, in a defined legal manner. Consequently, teaching this subject requires actual practice, along with precise instructions.

The following are to be taught to the students through actual demonstration. Such as; As-Salat [Islamic prayer], the rituals of the Hajj [pilgrimage to Mecca], the Wudu (ritual ablution), the Ghusl [ritual washing of the whole body], Sajdatus-Sahw [compensatory prostration] Then the students are to be asked, to perform them accurately and completely. It is preferred, however, to teach these rituals during their relevant seasons.

That is, the precepts of As-Sawm [Fasting], Zakatul Fitrah (due-alms given on Eidul-Fitr) in the month of Ramadan, and Salatul-Eid. Also as the month of Dhul-Hijjah nears, the rituals of the Hajj should be taught. This would help the students in understanding the subject better, and to practice it correctly and effectively.

Brother teachers ought to be very strict in respect of the students’ observance of and adherence to performing their own Islamic duties, especially the performance of the Salat in the school, and following it up with them. They are requested not to ask the students to memorize the comparative precepts stated in the footnotes, as it would perplex them and complicate the subject–matter for them. These footnotes were added for their benefit only, should they want to know more about the subject–matter.

The respected brother teachers are also requested to express their remarks, which can be used to make this educational course a scientific and suitable subject, capable of giving our dear children an Islamic education, as well as preparing an educated generation who acts according to Islam as a Shari’ah, a system, and a way of life.

May Allah, the Most High, help us all to acquire knowledge and act accordingly, He is Hearing and Responsive.

The Author
Definition of the Fiqh [Jurisprudence]

The word "Fiqh" in the Arabic language, means "understanding", and the jurisprudent is called "Faqih" because he understands the Glorious Qur'an and the Pure Sunnah [sayings and practices of the prophet (s), and derives Islamic precepts and laws therefrom.

Having known the linguistic meaning of Fiqh, let us now understand what the "science of Fiqh" means. It means the science which studies different Islamic precepts and laws by reasoning and deduction, such as, the precepts concerning family, State, work, trade, companies and banks, as well as the precepts concerning the Salat, the Sawm, the Hajj and the Zakah, for the purpose of applying or practising them. The science of Fiqh is of great importance to Islam. That is why the Messenger of Allah (s) said, "When Allah wants a servant to be good, He makes him understand the religion".

The Primary Fundamental Sources of the Islamic Precepts:

We have said that this science (i.e. jurisprudence) teaches us different Islamic precepts and laws. In this lesson we want to know the basic sources from which the Faqih derives the Islamic precepts and laws, that is, where does he deduce the Islamic precepts and laws from?

To answer this question, we say: There are two fundamental sources for the different Islamic precepts and laws, the precepts and laws which regulate the actions of the individual, the life of the society and the state, such as the precepts of the Salat, Sawm, Hajj, Zakat, purification, family rules, land, judicature, Jihad, economy, wealth, politics, etc. These two main sources are:

1. The Holy Qur’an.

2. The Pure Sunnah of the Prophet (s).

So, we take all these precepts from the Holy Qur’an and the Pure Sunnah of the Prophet (s).

The Holy Qur’an

It is the constitution of the Muslims, the source of knowledge, law, ethics, and Islamic manners, which regulate the life of human beings, and show them the way to happiness. Muslims take the precepts of their religion, and the laws of their life, from it. It contains hundreds of verses which talk about diverse precepts and rules, and are regarded as the basic source on which the expert jurisprudents base their studies of the Islamic jurisprudence, taking from it, many of the laws and precepts, besides other concepts covering all the laws and systems of life.
The Pure Sunnah of the Prophet (s)

The second source of the Islamic Shari’ah from which we take the Islamic precepts and laws are the Traditions of the Prophet (s). Allah, the Most High, said: "And whatever the Messenger gives you, take it, and whatever he forbids you, abstain (from it)". The Traditions of the Prophet (s) are composed of his sayings, deeds and consents below we explain these three parts:

a. The Sayings: They are a collection of the oral sayings, speeches and statements uttered by the Prophet (s). The true sayings and statements which have reached us, are thousands in number, all of which form the legislative bases and rules. They supply us with the needed precepts and laws, such as, the precepts of purification (Taharah), worshipping, the social rules and regulations, such as the rules pertaining to property, trade, marriage, divorce, family affairs, land, work, judicature, government, etc.

b. Deeds: They are the actions done by the Prophet (s) and regarded as part of the Sunnah. They show us the religious precepts which we are to observe. Therefore, we take his deeds as examples from which we derive the precepts:

c. Consents: The Prophet (S.A) had often observed the people acting in the markets, gatherings, congregations, etc., but he said nothing against them. His silence in respect of such acts is regarded as his consent and, therefore, part of the Sunnah. Had these actions been contrary to Islam, he would have objected them. So, consent means, the Messenger’s approval of, and consent to the actions which he witnessed and did not reject.

Hence, the Prophetic Traditions are all the sayings, deeds, and the consents, which have reliably reached us from the Messenger of Allah (s)

Explanation

The scholars following the path of Ahlul–Bayt regard whatever [activities] had issued by the twelve Imams of Ahlul–Bayt [Imam Ali and his descendants (a.s.) whether a saying, a deed or a consent, as to be a continuation of the Traditions [Sunnah] of the Prophet (s), and as a source of the Islamic precepts, the opinion which is backed by Almighty Allah’s saying:

"...Allah only wants to keep away from you (uncleanness), O Ahlul–Bayt and purify you a (thorough) purifying." (33:33)

With reference to a Hadith from the Messenger of Allah (s), who advised and enjoined us to refer to the Book of Allah, and to his, Ahlul–Bayt (a.s.), and depend on their instructions for taking precepts, his, the honourable Companion, Jabir Ibn Abdullah Al–Ansari, quoting the Prophet (s), said: "O people! I have left with you that which will not let you go astray if you have recourse to it: The Book of Allah, and my offspring, my AhlulBayt."
Therefore the *Imami* jurisprudents broadened the scope of the term *Sunnah*, to include the sayings, conduct, and consents (approvals) of every one of the *Ahlul-Bayt* infallible *Imams* (a.s.). Because they are not regarded as merely confident narrators of the Prophet (s) to consider their sayings as an authentic proof for their being trustworthy in narration, but they have been appointed by Almighty Allah by means of the Prophet (s) to convey the actual Islamic precepts.

And they did not give their religious verdicts, except with their accordance to the actual Divine principles and teachings, perfectly as they are. They have received their teachings through Divine inspiration, like the case of the prophet (s) through revelation: or through the reception from the former infallible one. *Imam* "Ali (a.s.) in this regard said: 'The Messenger of Allah (s) taught me a thousand fields of knowledge, and every field opens to a thousand gateways of knowledge.'"

For this reason, their expounding of the Islamic precepts is not considered as mere narration of the Prophetic *Sunnah*, or relating it, nor is a kind of exerting of the personal opinion, or inferring the precepts from the textual sources of the *Shari'ah*. But they themselves are considered as an authoritative source for Islamic legislation. So their saying or utterance is *Sunnah*, and not mere narration of the *Sunnah*.

**How to Ascertain a True Tradition (Hadith)?**

Many hypocrites, intrigants and enemies of Islam, especially the Jews, intentionally fabricated false traditions, and ascribed them to the Messenger (s), or to the *Imams* of *Ahlul-Bayt* (a.s.), so as to divert Islam, corrupt the *Shari'ah* and disunite the Islamic *Ummah* (community). But the *Ulama* and the experts in studying the traditions began to scrutinize them, sorting out the false, interpolated and doubted ones. They collected the true traditions and narratives as a dependable basis for knowing the precepts of the *Shari'ah*.

In order to obtain a true *Hadith*, the *Ulama* follow two principal methods:

1. **Making sure of the truthfulness of the narrators through whom the Hadith has reached us**, i.e. ascertaining the truthfulness of the source. A *Hadith* usually reaches us through people who are called "the narrators", or "the sources" of *Hadith*. If they were found to be honest and truthful, and we became certain of their trustworthiness their *Ahadith* would be accepted as to be true. If they were considered liars, the *Ahadith* (traditions) which they narrated would be rejected.

2. **Making sure of the vocabulary and the phrasing of the Hadith and of the soundness of its meaning**, that is making sure of the soundness of the text of the *Hadith* and its conformity with the Holy Qur'an and the narrations proved to be true and authentic.

Having assured ourselves of the truthfulness of the narrators, their faith and loyalty, and of the soundness of the meaning of the tradition, we must believe in it as being correct, take it as a foundation for our acts, and derive from it our Islamic concepts and precepts.
The generous Messenger, Muhammad (s), the guiding *Imams*, (a.s.) after him, commanded us to compare the traditions and the narrations with the Holy Qur’an, to make sure of their being correct and true. He was quoted to have said: "Above every truth there is a reality, and above every rightness there is a light. Therefore, accept what conforms to the Book of Allah, and leave what does not conform to it."\(^3\)

The *Imam* Jafar Sadiq (a.s.) had directed us likewise by saying: "Everything should be referred to the Book of Allah and the Prophetic *Sunnah*. Every tradition which is not in agreement with the Book of Allah is [but] a forgery."\(^4\)

Consequently, we are not to believe every *Hadith* or tradition we read or hear, unless its truthfulness has been proved, and it does not contradict the Book of Allah. Accordingly, the *Ulama* subject all the *Ahadith* that are mentioned in the books of *Hadith* and other sources to examination, criticism and discussion. They take the trusted and truthful *Ahadith* and leave the untruthful ones.

**Discussion**

Question 1:

a. Define the *Fiqh*

b. What do we learn from the *Fiqh* lessons? Talk about it briefly.

Question 2:

a. Define the Prophetic *Sunnah*.

b. What are the divisions of the *Sunnah*?

c. Why do the *Ulama* following and committed to the path of *Ahlul-Bayt* regard the sayings, deeds and consents of *Ahlul-Bayt* (a.s.) as sources of the precepts?

Question 3:

a. Define the following: The text, the source.

b. Explain the *Imam* Sadiq (a.s.)’s saying: "Every tradition which is not in agreement with the Book of Allah is [but] a forgery."

c. Explain: whether we have the right to take any tradition ascribed to the Holy Prophet (s), or we should ascertain its truthfulness first? Why?

\(^1\) It is worth mentioning that the jurisprudents of the Islamic sects regard whatever [activities] had issued by the Prophet’s Companions to be of the Sunnah.

\(^2\) "Sahihut-Thirmidhi", vol. 2, "Sahih Muslim", on "The merits of the Imam Ali Ibn Abi Talib (a.s.)"


\(^4\) Ibid.
Every branch of science or of humanistic knowledge, such as medicine, physics, mathematics, botany, grammar, etc. is in need of its particular specialists and experts who study it, discover its laws, and teach the people how to make use of, and apply it. So, the scientific laws which we learn in schools have been discovered by the expert scholars and presented to the people.

Such is the science of Fiqh, the science of Islamic Jaws and precepts. It is also in need of the scholars who have specialized in studying and understanding it, in order to discover and derive its Jaws and precepts, from their original sources: the Holy Qu’ran and the Pure Sunnah, in the same way as the scientists of medicine and botany discover the laws of their branches, by studying the human body, and the plants and their relations with the other things.

The Qur’an and the Sunnah are the original sources from which the scholars derive the Islamic precepts, Jaws and concepts. Such scholars, or the Ulama who have specialized in studying the Islamic Fiqh, and who have discovered and inferred the Jaws and the precepts from the Holy Qu’ran and the Pure Sunnah, are called the Fuqaha [plural of Faqih] or the Mujtahids.

The process of discovering and inferring the Islamic laws and precepts from the Qur’an and the Sunnah is called Ijtihad. Therefore, Ijtihad is: Applying scientific methods for discovering and inferring the Islamic Jaws and precepts from their primary sources. Consequently, a Mujtahid or a Faqih is the scholar who is capable of discovering and inferring the Islamic laws and precepts from the Book and the Prophetic Sunnah.

For a scholar to reach the stage of Ijtihad [i.e. being able to infer the Islamic laws and precepts from the Book and the Sunnah] it is necessary for him to study the Arabic language, and comprehend it thoroughly, enable him to understand the meaning! of the Qur’an and the Sunnah, and know them and their interpretation, so as to be able to infer the precepts from the verses of the Qur’an, and tell the true traditions from the false ones which had been forged and fabricated by deceiving narrators, so that he may act according to the truthful, and discard the untruthful ones.

For this purpose the Mujtahids will have to study the lives of those who quoted and narrated the pure traditions, in order to know the trustworthy from the dishonest ones. The liars who tried to divert Islam, and to fabricate false traditions, are numerous. There are so many traditions and narrations quoted by some narrators, but they are no more than a pack of lies, detected by the scholars and exposed to us so that we may not be deceived by them.

The question, however, requires a comprehensive knowledge of Ilmu Usulil-Fiqh (the science which studies the general jurisprudential principles for deducing the religious precepts), in order to infer the Islamic religious precepts, since the science of the principles of Fiqh are the general rules which enable
the Fiqh to deduce the religious precepts.

**The Necessity of Ijtihad**

Human society is an ever-developing one. Man’s activities and relations are ever-increasing and spreading. Things which did not exist, can exist in diverse forms at certain times. Such as, banks, insurance companies, radio receiving sets, TV, and thousands of other things. So, we need to know the Islamic precepts and laws so as to know how to organize our acts, and distinguish between the Halal and the Haram. Had it not been for the presence of the Mujtahids in our society, who could then have inferred the Islamic precepts and laws from the Qur’an and the Sunnah?

Therefore, the presence of the Mujtahid jurisprudents is inevitable in order to look into every case to see whether it is Halal or Haram, according to the Qur’an and the Sunnah. Take, for example, the case of a fasting person who needs medicine, in the form of an intramuscular injection. Now, who can tell us whether this medical injection will nullify his fasting or not?

Especially since this medicine did not exist in the days of the Prophet (s). As such, we do not directly know its relevant precept. The only person able, nowadays, to infer the correct precept, is the Faqih, because he is an expert of the Islamic Shari’ah. The Faqih can tell us that this medicine does not nullify the Sawm, by informing us that the fasting person is allowed to use this medicine through the muscle.

**At-Taqlid**

Every Muslim has to know the precepts of the Islamic Shari’ah, and the necessary laws which he needs when he becomes a Mukallaf, such as the Salat, the Hajj, the Zakat, trading, marriage, divorce, etc. in order to apply them when required. But it is not possible for every one of us to study the Shari’ah as a specialist, so as to become a Faqih, knowing all the Islamic laws and precepts.

Therefore, it is Wajib on every non-specialized Muslim to refer to a Faqih whenever he wants to know and apply the precepts as he is told. This procedure of referring to a Faqih, to take the precept and laws from him and apply them is called "Taqlid".

So, Taqlid means, depending on, and following, the Fatwa [religious verdict] of a Faqih. It is obvious that Taqlid is a must. We know that a sick man refers to a physician, because he is specialized in treating the sick. The one who wants to build a house refers to an architect because he is well-versed in the art of architecture.

Thus, we commonly depend on the specialists in all the fields of life. For this reason, we depend on the Faqih and refer to him in the field of the Islamic precepts, because he is specialized in the Islamic jurisprudence and knows it well.
The Attributes of Marji‘ut Taqlid

The conditions which are required in the Marji of Taqlid [the Mujtahid referred to for Taqlid] to whom the Muslims may refer for Fatwa, are as follows;

1. Maturity of age.
2. Sanity.
3. Masculinity.
4. Legitimate birth.
5. Having faith, righteousness and fearing Allah.
6. Ijtihad.
7. The most knowledgeable Faqih among the living Faqihs.
8. To be alive.

Discussion

Q1. Define: Ijtihad, the Mujtahid or the Faqih, and Taqlid.

Q2. Explain briefly: "Ijtihad is necessary for the Islamic society."

Q3. Complete the following sentence: "A Faqih infers the Islamic precepts from the two fundamental sources. They are............. and ................

1. Some of the Islamic sects and groups allow the Muqalid to start his Taqlid with a deceased Faqih.

The Islamic Precepts

Definition of the Precept

Man, in his everyday life, does many different acts, and utters many different sayings. Looking into one's sayings and actions, we realize that some are good and useful to people, such as eating, drinking water, cultivating, manufacturing, as well as greeting and peace-making among the people, etc. Other actions we judge to be bad and harmful, such as lying, drinking alcoholic drinks, robbery, murder, cheating,
backbiting, etc.

Furthermore, we know that man is a sociable creature by nature, he enjoys social relationships with the members of his family, the society in which he lives and the world around him, such as relationships between a man and his children, parents, and wives, or the relationship between the Islamic State and the members of the *Ummah* and other countries, the relationship between an employee and his employer, a farmer and his land, a worker and his master, a seller and a buyer, etc.

Now, as man has connections with the other members of his society, he also has connection with his Creator, as He had created him, made him complete, favoured him with blessings and provided him with provisions, etc. In this way, man's life is a collection of actions, activities and human relations, which, naturally, need to be explained and regulated, in order to separate the useful from the harmful, and the good from the bad. Without such an organization, life and social relations would be a total chaos, a futile life endangering man and his interests.

In order to organize man's life, Allah, the Exalted, sent down the Divine laws and precepts, to save humanity from disorder and futility, and to protect its interests and make it worship Him. Therefore, the Islamic precepts are the Divine legislations and laws which organize man's life and define his different relations and responsibilities.

These precepts, as you have already been informed, are to explain man's actions and relations whereby the Islamic *Shari'ah* prohibits the bad and harmful actions which destroy human life, and hinder its development and progress, and enjoins the good deeds without which human life cannot proceed orderly. They also allow other deeds, preferring some of them to others, or leaving others out. Therefore, the prescribed Islamic precepts have been divided into five categories:

1. Obligation, i.e. The *Wajib*.

2. Recommendation, i.e. The *Istihbab*.

3. Undesirability, i.e. The *Karahah*.

4. Prohibitility, i.e. The *Hurmah*.

5. Permissibility, i.e. The *Ibahah*.

### Kinds of Human Actions

All the acts which can be done by man, whether good, such as the *Salat*, invocation, treating people with justice, seeking to acquire knowledge, eating, drinking of liquids like water, etc., travelling, marriage, farming, industry... and the like, or bad, such as lying, gambling, being unjust, cheating... and the like, are divided into the following five categories, according to the good or bad qualities of the actions:
The Obligatory [Al-Wajib]:

The obligatory duties are those which Allah has ordered us to do, promising to reward us, if we do them, and threatening to punish us, if we neglect them. These include, the Salat, the Hajj, the Jihad, enjoining the right and forbidding the wrong, defending the truth, administering justice.... and the like.

The Recommended [Al-Mustahhab]:

The recommended acts are those which, cause goodness but are not binding, and Allah, the Exalted, has encouraged us to do, promising to reward us for doing them, but there would be no punishment for neglecting them. Such as invocation, fasting during the month of Shabban, greeting people, performing the Friday Ghusl... and the like.

The Undesirable [Al-Makruh]:

The undesirable acts are those which cause evil and corruption, but are not binding, and Allah, the Exalted, has encouraged us not to do, promising to reward us if we avoid them, but there would be no punishment for doing them, such as urinating in stagnant water, sleeping between dawn and sunrise, and the smelling of fragrant plants by a fasting person, etc.

The Prohibited [Al-Haram]:

The Haram [prohibited] acts are those which Allah, the Exalted, has prohibited us from doing, threatening us with punishment if we do them, such acts as drinking alcoholic drinks, killing people, lying, betraying, cheating, and the like.

The Permissible [Al-Mubah]

The Mubah [permissible] acts are those which Allah, the Exalted, has left to our option to do or not to do, such as choosing the type and place of our lodging, work, food, drinking of water, etc., provided that they do not lead to committing Haram.

Thus, all the acts of man are subject to certain regulations and limits, prescribed by the Islamic Fiqh. There is no act, big or small, without there being an Islamic precept or a clear and open law for it. The aim is to preserve the welfare of humanity and to assure servitude to Allah, the Exalted, as referred to by a noble Hadith. Imam As-Sadiq (a.s.) is quoted to have said: "There is nothing unless it is described in the Book or in the Sunnah".

So, it is our duty to think about every act before doing it, so as to do what pleases Allah and what Allah has allowed us to do, and refrain from doing what He has forbidden us to do.
Discussion

Q1. Define the following: The Islamic Precepts, the Haram, the Wajib.

Q2. What do we learn from the Fiqh lessons? Explain briefly.

Q3. Explain the noble Hadith: "There is nothing unless it is described in the Book or in the Sunnah."

The Individual and Collective Wajibs

We know that there are obligatory duties which Allah has ordered us to do, and has prohibited us from neglecting them. Such obligatory duties like the daily Salats, Sawm, Hajj, enjoining the right, washing the dead, etc. have been enjoined upon us.

We also know that a Wajib [a duty], is an act that is rewarded, and its doer is praised, and the neglector is punished and dispraised. The Wajibs Are of Two Kinds:

1. The Individual Wajib, or [Al-Wajibul-Ayni], is to be performed by every individual who has reached the age of consent, and nobody else may do it for him. Such as the daily Salat and the Sawm, as these and similar Wajibs are to be performed by every grown up person (Mukallaf) himself and he is responsible for them, that is why it is called: Al-Wajibul-Ayni., that is, it is the duty of the very person to perform it himself.

2. The Collective Wajib [Al-Wajibul-Kifa'i]: It is a duty, which Allah wants to be performed by any grown up person, not a particular one, as the important thing is to have the Wajib carried out, such as washing the body of the dead, performing the Salat over it, rescuing the drowned, enjoining the right and forbidding the wrong. Also undertaking judicature, accepting posts in the Islamic State and the professions needed by the Islamic society, such as medicine, engineering, and studying to become an authority in the Divine law and jurisprudence. When some people undertake these duties and perform them, the others will be exempted from them. If nobody offers to take these responsibilities or does not complete them, every mature member of the Islamic society would be committing a sin, and would deserve punishment, whereas the one who performs this Wajib will be rewarded. In this case, the one who does not perform it will not be punished, because others have done it, though he will be deprived of the reward.

But if a group of people carried out some of the collective Wajib, such as enjoining the right and forbidding the wrong, or the Jihad [holy war] for the sake of Allah, without being successful in removing the wrong, injustice and corruption, or in warding off the enemies' aggression against the Islamic
countries, the group which carried out the duty would be excused and rewarded.

While those who stayed behind and did not take part in this duty would be punished, because the group who undertook the task of enjoining the right and forbidding the wrong could not fulfil it, i.e. the \textit{Wajib} could not be carried out, therefore, those who lagged behind must be reckoned and punished for not taking part in it.

\textbf{Explanation}

The collective duties are considered individual duties, if they are confined to some of the people. For example, if somebody saw a man drowning, or exposed to a destructive danger, and there was no one else capable of saving the endangered man, it would be his individual duty to save him, and he would not be excused.

Another example of turning a collective duty into an individual one is this: Suppose that there was a town with only a single physician, or with an insufficient number of physicians, in this case, the task of medical treatment of the sick people would be an individual duty of those physicians, since it is exclusively their responsibility.

Similarly if there was only a single religious jurisprudent in a town, he would be responsible for issuing religious decrees and judicature, as being his \textit{Wajib Ayni}. In this way, a \textit{Wajib Kifa'i} turns into a \textit{Wajib Ayni} on the people, if it is confined only to them, and there is nobody else to do it.

Another example is the \textit{Wajib Kifa'i} of enjoining the right and forbidding the wrong, which becomes a \textit{Wajib Ayni}, if there was only one person present while a bad occurrence was happening, or only a few persons were capable of stopping it, or if resisting the wrong and calling for Islam was confined to a single person or a few people, then the \textit{Wajib} of enjoining the right and forbidding the wrong and calling for Islam would become a \textit{Wajib Ayni} in respect of that person or persons. This is how sometimes a collective duty changes into an individual one.

\textbf{Preparatories for the Wajib and the Haram}

\textbf{Preparation for the Wajib:}

We know that Islam enjoins some acts as \textit{Wajib}, such as the \textit{Salat}, the establishment of justice, \textit{Hajj}, seeking knowledge, being kind to one’s parents, enjoining the right and forbidding the wrong, \textit{Jihad} in the way of Allah, etc., and prohibits other acts, such as drinking wine, killing people, disbelief, injustice, spreading mischief in the land, usury, monopoly, usurping the wealth and the rights of the people, and insulting them, etc., so as to establish happiness, security and freedom, and protect human dignity, so that man may live in the shadow of truth, justice and peace, through obeying Allah, the Exalted.

Naturally, many of these Wajibs cannot be done without some preparatory procedures, i.e. the
Muqaddimahs. These are "the things on which the carrying out of the Wajib depends."

For example: Jihad is a Wajib, performing of which depends, at our present time, on preparing our armies, producing weapons and advanced war-tools. Therefore, organizing the Islamic armies and supplying them with the advanced weapons become a Wajib, too, as this is a Muqaddimah on which the Jihad for the sake of Allah depends.

Preserving security is a Wajib, too, in Islam. Now, preserving it necessitates the forming of a system of sincere and trustworthy security personnel, and providing them with developed and up–to–date means and instruments, enabling them to discover crimes and to pursue criminals. The existence of such an establishment of security personnel and equipment becomes a preparatory Wajib needed to preserve security. So, it would be incumbent on the State to provide for it.

The Wajib of "enjoining the right and forbidding the wrong" depends, sometimes, on the gathering of a number of pious people, forming a cooperative and united group. This gathering of a united group becomes a Wajib as a preparatory process for the realization of a religious duty.

Hajj, as we know, is a Wajib, but it cannot be achieved without travelling and making preparations for the journey, as the Muqaddimahs for the Hajj. So, these preparatory steps for the journey are among the Wajibs enjoined on the Mukallaf.

At–Taharah [purification], as we know, is a condition for the validity of the Salat. So, purifying the dress and the body from the Najasah [anything religiously regarded as impure], and performing ablution, or Ghusl of Janabah [one is regarded unclean after having sexual intercourse or a wet–dream, a case which requires a "Ghusl of AlJanabah" to purify the body] or performing the Tayammum [a kind of purification by dry soil, used in particular cases], are Wajib preparations, in other words Muqaddimahs.

Thus, a Muqaddimah is not a Wajib in itself, but it is a preparatory Wajib for the performance of the Wajib itself. That is, it is not an independent Wajib to travel to the holy city of Mecca, to purify the impure dress, to perform the Wudu, the Ghusl or the Tayammum, to install factories for weapons, to provide the means for establishing security... but these are preparatory steps on which the correct performance of the Wajibs depends, and thus, they are logically regarded like the Wajibs.

Explaining this, the Ulama have said; "The thing which is necessary for a Wajib (as a preparatory) is Wajib too." The Muqaddimah, therefore, is a Wajib for the sake of the Wajib, but is not a Wajib in itself. Some Ulama, call the Muqaddimah for the Wajib, (Fathudh–Dharai) that is, the essentiality of preparing the means and tools on which the performance of the Wajib depends.

Preparation for the Haram:

As we know that the Muqaddimah for the Wajib is Wajib, too, because the performance of the Wajib depends on the Muqaddimah, similarly the Muqaddimah for a Haram act is Haram, too, because it helps
one to commit a *Haram* act.

So, the *Muqaddimah* for the *Haram* is that which leads one to commit the *Haram*. For example, reading books of deviation is not *Haram* in itself. But if this reading affects the reader, it becomes a *Muqaddimah* for deviation and going astray, i.e. falling into the *Haram*. Therefore, it becomes *Haram* for that reason.

Selling grapes is not *Haram* in itself, but it becomes *Haram* if the grapes are sold for the purpose of making wine. Hiring cars is not *Haram* in itself, but hiring them to be used as tools for committing a crime is *Haram*, because it leads to a *Haram* act. Accepting a governmental post becomes *Haram* if it is regarded as an assistance to a despotic authority, although the post is not *Haram*, but *Halal* in itself.

Some *Ulama* call the prohibition of the *Muqaddimah* for the *Haram* "*Saddudh-Dhara'ī"* that is, closing the ways and means leading to committing *Haram* action. Thus, Islam prohibits all the *Muqaddimahs*; the approaches, and the reasons leading to committing a *Haram*, so as to protect the individual and the society against corruption and perversion. Therefore, we are forbidden to do things which may lead to committing a *Haram* act though they are *Halal* in themselves.

**Discussion**

Q1. Complete the following sentences:

a. The *Wajib* is divided into two kinds, they are:............and..........  

b. The *Muqaddimah* for the *Wajib* is ............... and the *Muqaddimah* for the *Haram* is ...................

Q2. Give examples for:

a. A *Muqaddimah* for the *Haram*.

b. A *Muqaddimah* for the *Wajib*.

c. The *Wajib Ayni* (individual duty).

d. The *Wajib Kifai* (collective duty).

**States (Stages) of Knowledge**

There are special terms which we use to explain particular meanings. It is necessary to understand these meanings, because they are related to our acts, and religious duties, such as the following words:

1. *Al-Yaqin* [certainty].
2. Ash-Shakk [doubt].

3. Az-Zann [most probable].

The Muslim Mukallaf is faced with the problem of learning the Shar'i precepts, or acquiring knowledge of the relevant subjects. In some cases, he may attain to certainty or conviction state (Al Yaqin, in others he may attain to a most probable state of guessing called (Az-Zann), or be may stay in a state of doubt (Ash-Shakk). Henceforth, every one of these knowledge states has its own Sharî [religious] precept specified in the Islamic Shari’ah. And now we are going to briefly explain these three terms:

**Al-Yaqin**

Naturally, people’s knowledge of things differ a great deal. Sometimes one obtains complete knowledge of something, without being mixed or having any doubt or uncertainty. Such as knowing that, this is wine, or that is usurped money, or this man is a just Imam of Jama’ah [the leader of a congregational Salat]. This is because one may positively know, or sense it, or because of having true evidence and testimonies proving the case. This is called the "Yaqin", (certainty).

So, "Yaqin is the full knowledge of something in the proportion of 100% without having any doubt or confusion”.

**Ash-Shakk**

Just as one becomes certain of something and obtains complete knowledge of it, one may sometimes doubt whether something is so or not.

For example, a state of mind in which one may doubt whether one had performed one’s Salat correctly or not, after having finished it. Is this clothing Najis [ritually impure] or not? Is this blood, or something else? Shall one regard it Najis (as blood) or not? Is this thing usurped, so as to avoid it, or not?

In such cases man is perplexed, as he has no certain knowledge whether to be positive or the contrary, to decide this or that. This stare of mind is called Ash-Shakk or doubt. That is, his knowledge of it is 50%, and his ignorance of it is 50%, too.

**A-Zann**

As one can be in a state of certainty, or a state of doubt, one may also become in a most probable state of guessing called Az-Zann. Az-Zann is to prefer one aspect to another. For example, we may put a guess, at, a percentage or more than 50% that something has or has not happened.

There may appear signs which convince us that this particular money is usurped. This cannot be a case of certainty, yet it has a share of certainty higher than that of "doubt". This state is called Az-Zann.
Consequently, man's knowledge is divided into three states or stages:

1. The state of *Al–Yaqin* (certainty).
2. The state of *Ash–Shakk* (Doubt).
3. The state of *Az–Zann* (most probable).

**The Rules of the Faqih**

Every science, such as grammar, physics, mathematics, etc., has general rules which are applicable to all cases under identical conditions. In grammar for example rules, the object is always in the accusative case, and the subject is always in the nominative case. So, we apply these two rules to all the nouns which are objects or subjects.

The science of *Fiqh*, which is the science of the Islamic laws and precepts, has also general rules and universal principles like other sciences. We apply these rules to define our religious duties in the subjects to which they can be applied.

We shall study, hereunder, some of the rules of the *Fiqh* to understand and apply them to their relevant subjects, so as to define our religious duties and whether they are performed correctly or incorrectly. So, the rule is a general precept which is applicable to identical cases: These rules are as below:

1. The rule of *At–Taharah*.
2. The rule of *Al–Faragh*.
3. The rule of *La Darara Wa La Dirar* [neither harm nor injury].
4. The rule of *Al–Istishab* (abiding by certainty)

**The Rule of Taharah**

The Islamic Law is based on feasibility, on removing perplexities and distress from human life, so that man may have a feasible and easy life, away from harmful psychological states, such as the state of uncertainty and suspicion. One of the precepts which removes the state of perplexities, distress, and uncertainty, and erases doubt and suspicion from the hearts, is the rule of *Al–Taharah*, which says:

"Everything is *Tahir* [not to be *Najis*] until you know it to *Beqadhīr* in itself."\(^1\) That is, things which you suspect their being *Tahir*, are judged to be *Tahir*. So, when we doubt whether something is *Tahir* or not,
we are to regard it as Tahir, since originally things are Tahir, except what the Islamic Shari’ah judges says to be Najis.

Example: If somebody doubts whether his clothing, bed or anything else had become Mutanajjis [anything which is originally Tahir, but had been touched by a Najasah is called Mutanajjis] or not, or if he doubts whether an object is Tahir or Najis, he is to take it as Tahir, as long as his doubt is still there, and he is not sure of its being Najis. So, he can perform his Salat wearing the doubted clothes, or use any doubted article without judging it to be Najis.

**The Rule of Faragh**

A man may perform a ritual act, such as the Salat, then, after completing it, doubt the correctness of his Salat; doubting, for example, whether he did or did not perform the Ruku [a basic part of the Salat] or whether he stood with his face or his back to the Qiblah [in the direction of Mecca] or whether he was Tahir or not during the Salat. In such cases he is to regard his Salat correct and need not repeat it, nor perform it later on as Qada.

The same rule is applicable to the Wudu, and or the Ghusl, after having performed them, one is not to doubt whether these were correctly done or not. One is to consider his Wudu or Ghusl as correct and need not repeat it. Therefore, the rule of the Faragh is: "Actions doubted after their completion, are deemed correct".

**The Rule of La Darara Wa La Dirar**

Islam is a Divine Message which achieves for the people's interests and protects them against harm and corruption. This aim is found in the Wajibs: and the Harams, as well as in the Islamic rules, regulations, morals, manners, dealings, and teachings. The Prophet (s) had confirmed and explained this principle by saying: "La Darara Wa La Dirar [Fil–Islam]"3, i.e. neither harm nor injury is permitted in Islam.

The Imam Muhammad Al-Baqir (a.s.) narrated that: "Sumrah Ibn Jundub had a yielding date-palm in a farm. The house of Al-Ansari was built at the entrance of the farm, and Sumrah used to pass through it on his way to his palm-tree, without asking Al-Ansari's permission.

AlAnsari talked to him, telling him to ask for his permission before entering, but Sumrah refused. So AlAnsari came to the Messenger of Allah, complaining and telling him the story. The Messenger of Allah (s) summoned Samrah, informed him about Al-Ansari's complaint, and told him: "When you want to enter ask for permission". Samrah refused.

So the Prophet (s) asked him to sell the tree to AlAnsari, and he offered him a price, and began increasing it until he reached a very high price, but the man continued to refuse. The Messenger of Allah (s) said: "If you give it up you will instead have a tree in Paradise." He still refused. At this point the
Messenger of Allah (s) told Al-Ansari: “Go, dig out the tree and throw it to him as there is neither harm nor injury” “La Darara Wa La Dirar”

This narrative shows us how the Messenger of Allah (s) prevented Samrah from harming his neighbour and injuring [his feelings] by unexpectedly passing through his house without first getting his permission. So, the Messenger of Allah (s), prohibited him from inflicting harm and injury to his neighbour.

It also confirms that a man is not allowed to use his rights, or property, in such a way as to cause harm to others. This general rule greatly and legally contributes to the organization of the relations among the interests of the individuals and groups, so that nobody may be harmed or injured. From this rule we also infer a number of precepts connected to religious rituals, business deals, social relations, and individual duties. Some examples are given below:

1. We are exempted from duties enjoined upon us by Allah, if these are expected to cause harm to our health, wealth or life, which we could not endure, unless such duties are confined to defending Islam, the truth, and one’s life, as in the Jihad and enjoining the right and forbidding the wrong.

We know that Allah, the Exalted, has ordered us to fast. But if fasting is harmful to a person's health, he would be exempted from it, and instead, he is to offer a redemption. The Wudu, and the Ghusl for Taharah from Hayd [menses], or Janabah are Wajib (compulsory) on the Mukallaf for the purpose of performing the Salat. But if using water for the Wudu or the Ghusl is harmful to a particular person, whether it is harmful to his health, or whether difficulty arises in obtaining water, such as the water being too expensive and thus badly affecting his financial position. Here, he would be exempted from performing the Wudu or the Ghusl, replacing them by the Tayammum.

2. Another example showing prevention of harm to others is as follows: A man may dig an irrigation canal on his farm, drawing away a large quantity of water from a communal source, thus, causing a loss of water to other farms, which in return means damage to the crops. This procedure is Haram because it harms others. For he should only draw away enough water, so as not to cause harm to others.

3. Suppose there was a merchant in the market having a very large amount of money. If he sold his goods at a low price aiming at causing bankruptcy to other smaller merchants, his act would be Haram, because he has no right to allege that he is free to handle his property as he likes, and nobody has the right to prevent him from doing so, because such a procedure causes harm to others. This also applies to anyone else who misuses his rights in a harmful way to others, thus committing a Haram.

Hence we can understand that all legislations of the Islamic Shari’ah are for our benefit, because causing harm to oneself or to others is Haram in Islam, and is never allowed. Nobody is allowed to use his property, wealth or rights in a way causing harm to other people, as was explained by the Messenger of Allah (s) in the episode of Samrah Ibn Jundub and Al-Ansari.

The Prophet (s) prevented Samrah from passing to his property in a way injuring his neighbour. Seeing
him insist on passing, he forced him to abandon his property, preventing him from using it in a way causing harm to others.

**Al–Istihab (the seeking for a link)**

It is a *Shari* rule which has vast application in our daily life. Istishab means the judgment of the Islamic Legislator (*Shari*) to the *Mukallaf* to practically stick to whatever [state] he was certain of, then he became doubtful of the remaining of the state or condition.6

For example: If someone was certain that a certain land is usurped, then he doubted the disappearance of the state of usurpation, in this case he should keep to of remaining usurped, then refrain from using it.

Another example: If anyone was certain of the purity of his clothes, then he had doubt about that purity, he should adhere to the state of purity of his clothes. *Imam Ja'far Al-Sadiq (a.s.)* explained this rule by saying: "Whoever was certain of something, then he doubted it, he should keep to his certainty, as the doubt cannot invalidate certainty."7

**Discussion**

Q1. If you doubted whether a *Najasah*, such as blood or urine, had fallen on your clothing, would your clothing be *Tahir* or *Najis*? State the rule on which you depended in answering this question.

Q2. State what the following rule is called: "Actions doubted after their completion are deemed correct."

Q3. Complete the following phrases:
   a. "*Al Yaqin* is the knowledge of something in the proportion of ............................"
   b. "*Ash–Shakk* is the knowledge of something in the proportion of.............................."
   c. *Az–Zann* is the knowledge of something in the proportion of .................................

Q4. Relate to your friends the story of Samrah Ibn Jundub, explaining to them the Prophet's saying: "La Darara Wa La Dirar".

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1. Qadhir in itself means: Najis in itself.
2. Quoted from the Imam Ja'far Ibn Muhammad As-Sadiq (a.s.)
5. Ulama have different opinions about the rule of Istishab, whether it is a jurisprudential rule or one of the Usuli rules. And we have defined it as a scientific rule of the Shari'ah, regardless of its connection to either of the two fields of religion.
At-Taklif [imposition of Obligation] and its Conditions

**Introduction**

By His grace and mercy, Allah Almighty has created mankind on the earth, and sent the prophets and messengers, to communicate them His Divine messages and *Shari’ahs* (Divine laws) to do kindness, and to organize their human life, and to delineate and show them the upright path of guidance which achieve for them felicity in this world and the Hereafter.

These Divine *Shari’ahs* have carried [conveyed] to man diverse assigned duties, like the belief in Allah, *Salat*, *Hajj*, enjoining the right deed and forbidding the wrong (indecent) deed, purification, establishment of justice among people, *Jihad*, (hard struggle for the just right), giving the *Zakat* (due-alms), and so on.

Now, we want to tell who the *Mukallaf* person is, who is responsible for obeying and observing the Divine commands and prohibitions communicated by our Prophet Muhammad (s), and what *Taklif* means. The answer is:

1. The *Mukallaf* is a person who is mature, sane and capable [of performing required ritual actions].

2. *Taklif* means that man is responsible and answerable for observing the belief in Allah, and His messengers and prophets, following our Prophet Muhammad (s), the Last of the prophets, obeying the required commands and prohibitions after possessing capability for practising them. So, by this he would be deserving either the reward or chastisement for obeying or disobeying the Divine commands and prohibitions.

**Conditions of Taklif**

*Taklif* has specific conditions required of the *Mukallaf* so as to be responsible and answerable for his deeds:

1. Puberty: The person must reach the age of puberty, so as to be considered *Mukallaf*: So no *Taklif* is assigned to the minors in the duties like, *Sawm*, *Hajj*, *Jihad*, etc. but Almighty Allah has assigned the father to being in charge of educating habituating them on observing the religious duties, and giving up or abstaining from committing sins; and calling harmful them to account, or even punishing them on doing the *Haram* and harmful deeds.

So, the minor remains responsible for some of his misbehaviours done in his minority age, after reaching the puberty, age 1, like damaging the belongings of the others. So, he has to compensate them for
whatever he had damaged.

In fact, when the minor obeys the religious commands, and abstains from committing sins, his deeds will be accepted, and he will be rewarded for them, even though he is not Mukallaf (responsible) for performing such deeds, so long as he comprehends the meaning of his action and intention.

2. Sanity: It is another condition of Taklif and responsibility, so there is no Taklif and responsibility on the dull-witted [mentally ill], the mentally retarded, or the insane [mad] person to deal with the matters which he cannot fully comprehend or perceive.

The insane may come to his senses on certain occasions, and perceive or be aware of some binding duties. In this case he would be responsible for observing them on that occasion only. This applies also to the dull-witted or the mentally retarded man; when he perceives or fully becomes aware of them, as he would be responsible and answerable for observing them.

3. Capability: In this regard Almighty Allah says in the Holy Qur’an:

"Allah does not burden any soul but to the extent of its capacity."(2:286)

This holy verse (Ayah) manifests the justice and kindness of Almighty Allah towards His servants, as he does not burden them above their capacity or capability. So the human being is not responsible for performing any duty unless he possesses ability or capability for doing it.

For instance, the sick person for whom fasting may do or cause harm, is exempted from it, but he has to offer a ransom for it. But if he were unable to offer it, it would be remitted from him, and he should ask for Almighty Allah's forgiveness. And the one who is incapable of performing the Salat in standing position, can perform it in sitting position. And so the person who has no financial or physical capabilities for performing the Hajj, it would not be incumbent upon him, and so on.

Sometimes it happens that man may face two binding duties, once a time, and cannot perform both of them together, he, then, has to perform the more important of the two. For instance, while this person is performing the Salat a fire flares up (erupts) near him, so then he has to undertake the more important action of the two duties. If supposedly the fire may cause a great damage, as burning people and precious things, for example, and there is nobody over there other than him to put out the fire, he has to discontinue the Salat, and hurry up to put the fire out; otherwise he should carry on his Salat.

**Signs of Bulugh (puberty)**

We have already mentioned that puberty (Bulugh) is one of the conditions required for Taklif. Now we want to tell you of the signs of puberty. Puberty is fully realized when a person has attained the following signs:
1. Discharging or emission of the semen which is a sign of maturity and puberty.

2. When the male completes fifteen years of age, according to the lunar calendar, and it is a religiously favourable and commendable precaution for the young boy who has completed thirteen years of age, and entered the fourteenth, to consider himself as a Mukallaf or responsible. As for the female, she must complete nine lunar years of age.2

3. Growing of the rough pubic hair, whereas the smooth hair is not counted a feature of puberty. So, with any of these signs or specifications which are attained by the male or female person before any other features, the person will be Mukallaf or responsible to Almighty Allah after having possess sanity and capability.

**Islam and Taklif**

Not only the Muslim, but human being is charged with the assigned Divine duties. That is to say Islam is not a condition for being Mukallaf. Every sane human being who attains the puberty is addressed by the Islamic message, and is responsible for believing in it, and observing its precepts whether he is a Muslim or a disbeliever.

Therefore the disbeliever is also responsible for carrying out the assigned Divine duties, like the Salat, fasting, Zakat, abstaining from drinking alcoholic drinks, and the immoral conduct, etc. And he will be called to account and punished for not observing them.

So, the Zakat is taken from the Kafir (disbeliever) though he would not be rewarded for it. However, if the disbeliever has converted to Islam, he is not to redress or assigned perform what he had missed of the lapsed obligatory duties relating to the period before his conversion.

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**At–Taharah [Purification]**

The Islamic Shari’ah takes care of all aspects of the human life, including that of Taharah [purification]. It makes the Taharah incumbent on every Muslim, ordering him to purify himself and to get rid of the Najasat, for the purpose of performing particular ritual acts, such as the Tawaf [circumambulation] around the Ka'bah [in Mecca], the Salat, etc. For, the existence of Najasah on the body, the dress or the place of the Sujud, would render the Salat Batil [invalid].

The Najasat are defined, counted things, such as urine, faeces, blood, etc. Islam orders them to be
removed, and the Muslim is to purify himself from them, in order to carry out the ritual *Taharah*. As getting rid of the *Najasah* realizes the religious *Taharah* for worshipping, it also preserves general health, helps in protecting the body against diseases and harmful microorganisms.

*Taharah* keeps the Muslim in good appearance and creates in him the love of purification and bodily cleanliness, which leads to having a pure heart and a clean conscience, and self-free from sins and wrongdoings.

**What are the Najasat (Impurities)**

The *Najasat* are defined, harmful objects. Islam commands us to remove them, and their places must be washed and purified. It makes this removal and purification a condition for the validity of some worshipping rituals. These *Najasat* are:

1&2. Urine and faeces: They are either of human beings or of animals whose meat is *Haram* to eat. As to the fish, insects, worms and the *tahlil* meat animals, such as sheep, chickens and the like, their urine and faeces are *Tahir*.

3&4. Dogs and pigs, except the sea types, with all their parts are *Najis*.

5. Intoxicants which are originally liquid, including beer. 1

6. The *Maytah* [carrion] of human beings and animals, as well as parts amputated from living human and animal bodies, such as legs, ears, pieces of meat, etc. As to the maytah of insects, fish and worms, they are not *Najis*, but dirty.

Note: Every small thing or part separable from the pure (*Tahir*) animal or human body, such as the pimples, shells, scales and dry skins are considered *Tahir*. And also the parts of the dead body, which are originally lifeless like the horn, tooth, hair, wool, feather, etc, are all considered *Tahir*. But as to the impure animal which is *Najis Ayni*, i.e. impure in itself, like the dog or the pig, every part of it is *Najis* (impure).

7. The semen, whether of human beings, birds or other animals, whose blood gushes out when slaughtered.

8. Blood, whether of human beings, birds or other animals whose blood gushes out when slaughtered, is *Najis* But the blood of insects, worms and fish as well as animals whose blood does not gush out when slaughtered, is *Tahir*.

The blood which remains in the slaughtered animal after the gushing out of the usual amount of blood by slaughtering, is *Tahir*, if no *Najasah* has touched it, such as the knife by which it was slaughtered.

9. The *Kafir* [disbeliever] other than the *Kitabi* [one who follows a Divine (revealed) religion]. As to the
Kitabi, such as a Christian, he is Tahir, in the opinion of some Faqihs. But when we want to mix with him in having food and drinking water, we have to be sure of his purity (Taharah) from the outer Najasat, such as [eating] pork, [drinking] wine and from urine, etc.

10. The sweat of the Jallalah animals. These are the animals which are accustomed to eat human faeces. These are the Najasat from which one is to cleanse oneself by Tahir (pure) water in obedience of Allah's command, in order to become pure and clean for the performance of one's worshipping rituals, and to preserve one's health.

**The Difference between the Najasat and Qadharat [Qadharat]**

The Najasat differ from the Qadharat (filthy things or filth) in a way that the Najasat are, as was formerly mentioned, particular materials, whose existence on one's body or clothing renders the Salat and the Tawaf around the Ka'bah Batil (invalid). Whereas the filthy or dirty things do not render the Salat and the Tawaf Batil, if they exist on the body or the dress.

Nevertheless, Islam dislikes filth, and persuades people to get rid of it. The Noble Prophet (s) censured the dirty person and described his appearance as to be ugly. He said: "How bad a dirty servant [of Allah] is!"

The Prophet (s) encouraged cleanliness and good appearance. He said: "Islam is clean, so be clean." Islam wants the Muslim to be clean and Tahir.

**How does the Najasah Spread**

The aforementioned Najasat do not affect other Tahir things, except through humidity which causes the Najasah to infiltrate and transfer from the Najasah to the Tahir object. But by touching dry Najasah, the Tahir object, such as the body, the dress or the utensils, will not become Najis.

**Discussion**

Q1. Fill in the blank: The Najasah does not infiltrate from a Najis or a Mutanajjis object to the Tahir objects, except through infiltrable..........................

Q2. Put the sign √ befors the correct statement and the sign X before the incorrect one.
   a. Fish blood is Najis.
   X b. The faeces of birds and sheep are Tahir.
   √ c. A dead sheep is Tahir.

Q3. Answer the following questions.
a. Why do we clean ourselves from the *Najasat*?

b. How does the *Najasah* spread?

1. Some jurisprudents consider beer to be Tahir, though it is Haram.
2. Human Maytah is considered Najis by the jurisprudents—who follow the teachings of Ahlul-Bayt (a.s.), and the followers of Abu Hanifah.
3. Exceptional is the semen of the animals whose blood does not gush out when slaughtered. This is accepted by all sects except the Shafi’is, who take only the semen of dogs and pigs to be Najis. While the Hanbalis regard the only Najis semen to be that of the animals whose meat is lawful to eat.
4. Some jurisprudents see that the sweat of the Jallalah animals is all Tahir, except that of the Jallalah camels which is Najis.

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**Al–Mutahhirat [The Purifiers]**

In the past lesson we learned about the *Najasat* (impurities), which are to be cleansed so that one becomes Tahir [pure] for the *Salat*. In this lesson we will learn about the *Mutahhirat* (purifiers) which do away with the *Najasah* and make us Tahir. These *Mutahhirat* are:

Water, earth, the sun, *Istihalah* [transformation], changing, Islam, consequentiality, the removal of the very *Najasah* from man’s inside and the body of the animal, absence, the going (losing) of two-thirds of the heated or boiled substance, the *Istibra* of the *Halal* animal and transfer. Each one of these make the *Mutanajjis* Tahir in its own particular way.

**Al–Ma’ut–Tahur (The Pure Purifying Water).**

It is the pure water which purifies us and the things from the *Najasah*, and makes purity from the *Wudu* by means of *Ghusl* or *Wudu*. It is the absolute or the natural water which is free from *Najasah* or any additional substance. Allah, the Exalted, says:

"*And We sent down purifying water from the sky*" (25:48)

Islam is the religion of purification and cleanliness (*Nazafah*). It rejects filth and *Najasah*. Hence, it makes it *Wajib* (obligatory) to purify our bodies, clothes and places of our *Sujud* from the *Najasat*, such as urine, faeces, blood, dogs, pigs, *Maytah*, etc. It is also *Wajib* to perform the *Wudu* before the *Salat*.

We cleanse the *Najasah* and remove it with water. We perform the *Wudu* with water, too. The water, with which we purify ourselves and perform our *Wudu* is stipulated ac; follows:

1. It must be natural water, such as rain, river, sea, well, or tap water, which is in our houses and towns, and the like. Whereas the unnatural water, like the water we extract from the plants and fruits is not
allowed to be used for Taharah.

2. It must be absolute, that is, free from any added substance changing its colour, taste or smell, such as perfume, soap, pigments, fruit juice, and the like. So, if water is mixed with perfume, pigments, or fruit juice to the extent of changing its quality, it must not be used to perform Wudu or Ghusl nor to be used to purify our bodies, clothes or utensils from Najasah.

3. The water with which we perform the Wudu or Ghusl, or purify ourselves from Najasah, must be Tahir and mixed with no najasah. If a drop of urine or blood dropped in a jug of water, for example, or if a dog drank from the small basin from which we perform the Wudu, the water would become Najis and we must not use it to perform the Wudu or Ghusl or purify ourselves from the Najasat.

4. The water with which we intend to perform the Wudu must be Halal, that is, neither stolen nor usurped, as Allah, the Glorified, prohibited us from taking people's properties without their consent. He does not like us to steal water or usurp it to perform the Wudu or the Ghusl.

How to Purify Thing with Absolute Water

1. Water purifies things which have become Mutanajjis with urine, by rinsing them twice, if the quantity of the water is little\(^1\), such as a quantity to fill a jug. But the utensils need to be rinsed three times with it.

2. If water is plentiful, such as river, sea or tap-water, etc., it purifies the object from the Najasah simply by removing the Najasah with it, and there would be no need for rinsing it twice or more.

3. If a rat\(^2\) died in a utensil, it should be rinsed seven times with water so as to purify it. As to other Najasat, such as blood and faeces, the Mutanajjis objects can be purified by merely removing the Najasah with water. There will be no need to rinse them twice.

4. If a dog drank from a utensil it must be "washed" once with Tahir soil mixed with some water, then it should be rinsed twice\(^3\) with water, and it may also become Tahir if rinsed once with plenty of water.

5. When we wash things with little water to make them Tahir, the water must be wrung out of wringable objects twice, after the first rinsing, and also after the second one if the object became Najis because of urine. And the water remaining during and after rinsing a Najis object, is Najis.

The Earth

Dry and Tahir earth\(^4\) makes the sole of a foot or a shoe Tahir, if it's Najasah was caused by walking. It becomes Tahir by merely removing the Najasah by rubbing them on the earth or walking on it.
The Sun

The sun purifies the earth and other big, immovable objects, such as doors, windows, fruit-trees and vegetables in the farms, etc., which may have become *Mutanajjis*, provided that the *Najasah* is removed first, and the *Mutanajjis* thing is moist when exposed to the sun and dried by its rays.

**Al–Istihalah [Transformation]**

If a *Najis*, or *Mutanajjis*, thing is transformed into a different material with different characteristics inasmuch as to become something else, it becomes *Tahir*. Such as faeces turning into ashes by fire, or urine transforming into vapour, etc. This is called *Istihalah*.

**[Al–Inqilab] Change**

It happens when the nature of something changes into something else, by itself or by industrial process, such as when wine changes into vinegar. This wine that has changed into vinegar is *Tahir*.

**Islam**

It means that when a *Kafir* embraces Islam he becomes *Tahir* together with his belongings.

**Consequently**

As a consequence of embracing Islam, his things which were considered *Najis* due to his previous state of *Kufr* (disbelief), become *Tahir*. That is, when a *Kafir* to Islam all his belongings, such as utensils, clothes and other things owned by him become *Tahir*. As such, the minor children of a father, a mother or a grandfather embracing Islam will, consequently, become *Tahir*, too.

Similarly, the vessels of wine consequently become *Tahir*, if the wine in them changed into vinegar. Likewise, the hands of the one who gives the *Ghusl* to a dead, the place on which the dead is lain while being washed, and the clothes the washer wears, become *Tahir* as a result of the dead becoming *Tahir*.

**The Removal of the *Najasah* from Man's Inside**

For example, if the inside of a man's mouth becomes *Najis* due to bleeding, it will become *Tahir* as soon as it stops bleeding, and there would be no need to rinse it with water.

The body of an animal becomes *Tahir* by the removal of the *Najasah* from it without having to wash it. For example, the *Mutanajjis* beak of a bird becomes *Tahir* as soon as the *Najasah* and its moisture are removed from it; likewise is the body of an animal and the bloodstained mouth of a cat.
Muslim's Absence

It means that when a Muslim—known to be careful about the Taharah if his body, clothes furniture and belongings become Najis, is absent for a period enough for him to make Tahir what had become Najis, and we saw him usually perform what requires Taharah, such as the Salat, by using what we knew to be Najis, we take him to have purified his belongings.

The (Losing) of Two-Thirds [of the Heated or Boiled substance]

Some Faqih try to believe that the vine-juice remains Najis if it is boiled, unless two-thirds of it evaporates, and hence it becomes Tahir, as well as its container.

The Istibra of the Jallal Animals

If the Halal animals, such as camels, cows and sheep, stopped eating man's faeces, their droppings and urine become Tahir.

[Al-Intiqal] Transfer

If a Najis or a Mutanajjis is transferred into another material and becomes part of it, it becomes Tahir, such as man's blood sucked by a mosquito.

Discussion

Q1. Count and write the Mutahhirat which make things Tahir and remove the Najasah.

Q2. Define the absolute and the mixed waters, stating which one is not to be used for purification.

Q3. How would you purify the following Mutanajjis objects?
   a. A solid thing, such as a wall.
   b. A dress that is Mutanajjis by urine.
   c. A basin in which a dead rat has been found.
   d. A utensil licked by a dog.

Q4. Answer with "Yes", or "No".
   a. Can the muddy earth purify the sole (of the foot)?
   b. Would wine become Tahir if it changed into vinegar?

Q5. Give an example for a Mutanajjis which becomes Tahir by consequence.
Q6. If a person’s mouth bled, then the bleeding stopped inside the mouth, must he wash the inside of his mouth with water before performing the Salat? Why?

Q7. You have a friend committed to the precepts of the Shari’ah. You saw him using a utensil which was Mutanajjis two days ago during which he was absent. Tell the judgement concerning that utensil.

Q8. What is the judgment concerning the blood coming out of the body of a mosquito which had sucked it from a man’s body? Explain in details.

1. The “little water” is a quantity less than a “Kurr”, that is, less than 27 cubic span in volume, or 357, 200 c.cm. As to the “Plentiful water”, it is that which amounts to 11 ”Kurr” or more, such as the river water, the tap water, the pool and the reservoir with the capacity of a “Kurr” or more.

2. A large wild rat is meant here, not the domestic small rat or mouse.

3. Malik says that if a utensil was licked by a dog, it should be rinsed seven times, not because of the dog being Najis, but as a ritual. The Shafi’is and the Hanbalis say that it must be rinsed seven times including dry wash with soil.

4. By "earth" we mean its general comprehensive meaning including soil, rocks, sand, bricks, gypsum, etc.

5. The Hanafis say that it becomes Tahir, whether it has been dried by the sun or by the wind.

Al-Ghusl [Ritual Ablution for Purification]

The Ghusl is enjoined by Islam to effect purification. It is of two kinds:

The Mustahabb Ghusls, such as the Ghusl on Friday, whose performing period extends from dawn to noon; the Ghusls on the Eids: The Eidul-Fitr [The first day of the month of Shawwal, after a month of fasting. the month of Ramadan], and Eidul-Adha on the 10th of the month of Dhul-Hijjah after having finished the Hajj rituals, whose performing period extends from after the dawn to noon; and other such occasions. The Wajib Ghusls, such as:


2. Ghuslul-Hayd, which is a Ghusl enjoined on women at the end of their menstrual periods.

3. Ghuslul-Nifas, which is a Ghusl enjoined on women after all childbirth bleeding has stopped.

4. The Ghusl of Ghuslul-Mayyit, which is enjoined on the one who touches a human corpse after becoming cold and before giving it Ghuslul-Mayyit. If the body was touched while still warm, or after giving it the Ghusl, no Ghusl would then be required from the one who has touched it.

5. Ghuslul-Mayyit.

6. Ghuslul-Istihadah, which is to be performed in the medium and big Istihadahs, according to the details stated in the books of Fiqh.
7. The *Ghusl* incumbent by making a vow and the like.

**How to Perform a Licit Ritual Ghusl**

When one does *Al–Hadathul–Akbar*, and has, therefore, to perform the *Ghusl* to become *Tahir*, or when someone wants to perform a mustahab *Ghusl*, one of the following two methods of performing the *Ghusl* is to be followed:

1. The *Tartibi Ghusl*, which is to wash the body part by part, as below:
   
a. Start washing the head and the neck thoroughly.

b. Then wash the right side of your body from the neck down to the end of the foot. Then, likewise, wash the left side of your body. 

2. The *Irtimasi Ghusl*, which is to immerse the whole body in water so as to wash it all at once, in a river or a pool.

**Some Conditions of the Valid Ghusl**

There are certain conditions which should be observed when performing the *Ghusl*.

1. Intention. This is expressed by saying to oneself: "I perform. The *Ghuslul–Janabah* (for example) for the pleasure of Allah."

2. Should there be any *Najasah* on the body, such as blood, urine or the like, it must be removed and its place should be purified before starting the *Ghusl*.

3. Should there be an obstructive thing on the body preventing water from reaching the skin, such as cosmetic materials, bandages, and the like, they must be removed before the *Ghusl*.

4. The water intended for the *Ghusl* is to be *Tahir*, absolute and nothing should have been added to it in a way that cause any change in its quality, such as soap, rose water, and the like.

5. It is also necessary that this water must be *Mubah*, not usurped. Similarly, the place of the *Ghusl* must be *Mubah* and not usurped either.

Having learnt about the *Wajib Ghusls*, their causes and necessities, we shall hereunder give more explanation concerning the particular precepts of the *Janabah* and the *Hayd*.

**Al–Janabah**

The *Janabah* is a state of impurity caused by two reasons:
• The ejaculation of semen, disregarding the cause of the ejaculation.

• Sexual intercourse, even without ejaculation.

This last one is true for both sexes. When either of these causes happens, the state of Janabah happens, and, consequently, the Mujnib [one who is in the state of Janabah] is to perform Ghuslul–Janahah before doing any ritual act for which one must be purified from the Janabah, such as Salat and Sawm, etc.

**Acts a Junub Must Not Do before Ghuslul–Janabah:**

There are certain ritual acts which are not to be done by the Junub person. There are also other acts which will be Batil if done by him or her, as the validity of all these acts depends on Ghuslul–Janabah, that is, if the Junub person performed Ghuslul–Janabah and became Tahir, he/she would be allowed to do the following acts, which would be then valid:

1. The Salat, except Salatul–Mayyit, would be Batil if performed by a Junub person, as he must first purify himself by Ghuslul–Janabah, and then he may perform the Salat.

2. The Wajib Tawaf around the Ka’bah, is dependent on the Taharah.

3. The Sawm of the month of Ramadan and its Qada. That is this Sawm would be Batil if he got up in a state of Janabah intentionally or forgetfully. But the wet dream would not make the Sawm Batil.

4. The Junub is not allowed to touch the script of the Holy Qur’an, nor the names of Allah, the Glorified.

5. The Junub is not allowed to enter the mosques, or stay in them. He however, is allowed to pass through them, except Al–MasjidulHaram [the Ka’bah] and the Masjid [mosque] of the Prophet (s) in which the Junub is neither allowed to stay nor to pass through.

6. The Junub is not allowed to recite the "Sajdah" verses of Al–Aza’im Surahs of the Qur’an [The verses which obligate their reciter to prostrate to Allah directly after reciting them]. Al–Aza’im, Surahs are: ALM As–Sajdah, Fussilat, An–Najm and Al– Alaq.

N.B. It is Makruh for the Junub person to eat or drink unless he has first performed a Wudu, rinsed out his mouth or sniffed up water. It is also Makruh for him to sleep before performing Wudu or Tayammum instead of the Ghusl.

**Discussion:**

Q1. The Ghusl is making Taharah with water. Count the different Ghusla which are made incumbent upon us by Islam.
Q2. How do you perform a Wajib or a Mustahabb Ghusl?

Q3. Count the conditions for a correct Ghusl.

Q4. Mark the correct statement with the sign √ and the incorrect with X.

a. There is no need to perform the Ghusl by the one who has touched a still warm dead body of a human being.

b. The Mujnib (Junub) is allowed to enter a mosque.

c. The Mujnib is allowed to touch the Holy Names of Allah.

d. Performing Ghusl with mixed water achieves the Taharah from Al–Hadathul–Akbar.

1. Most of the Ulama of the Ahlul–Bayt Sect regard the Ghusl of Massul–Mayyit to be Wajib, while the other Islamic sects do not see it as Wajib.

2. Al–Hadathul–Akbar is the state which requires purification by a Ghusl, such as the Janabah, the Hayd, the Istihadah [Irregular menses], the Nifas and MassuMayyt. As to Al–Hadatul–Asghar, it is the state which requires, for its removal, purification by Wudu, such as the discharge of urine, and feces, hrca king wind or the sleep which anects the seeing and hearing senses.

3. The four Islamic sects do not demand the Ghusl to be in a certain manner. They only demand that the water should cover the whole body, making no difference whether one is to start downwards or upwards. The Hanafis add obligatory mouthrinsing and sniffing.

4. The Hanbalis do not regard “the intention” to be obligatory for the correctness of the Ghusl.

5. In respect of Sawm, the Junub person has to perform Guslul–Janabah, in case the state happens before dawn.

6. The four Islamic sects make no difference between the Massul–Mayyit and other Salats as far as the Ghusl is concerned, it is needed for all.

7. The Hanafis say that the Tawaf of the one who makes a Badath during it is correct, though he is regarded to have committed a sin.

8. The four sects do not necessitate Ghuslul–Janabah for the correctness of the Sawm.

9. Some of the Faqihs see that it is a Mustahabb precaution that one should not get up in an intentional state of Janabah in the Wajib Sawms (other than the Sawm of Ramadan and its Qada). Others believe that all the Wajib Sawms in general would be Batil, precautiously, if one got up in a state of Janabah.

10. It is unanimously accepted that the Junub should not stay in the mosque, but they differ in respect of permissibility of his passing through it. The Malikis and the Hanafis say: “It is not allowed except in the case of necessity”. The Shafi’is and the Hanbalis say: “Passing through the mosque, without staying, is allowed.”

11. The Malikis say: “It is Haram for a Junub to recite any part of the Qur’an except very little for the purpose of proving an argument. The Hanbalis say nearly the same. The Hanafis say that it is not allowed, except if the Junub is a teacher of the Qur’an, teaching it word by word. The Shafi’is say: “It is Haram, even a single letter of it, except in praise of Allah, such as reciting the Basmalah [saying: Bismi Llahir–Rahmanir–Rahim] when eating.”
Foreword

Allah, the Exalted, created the male and female, granting each one particular characteristics, and making their bodies especially to be suitable for the task assigned to either of them in life. Therefore, He constructed the woman's body to be suitable for pregnancy and childbirth.

With His wisdom and might Allah assigned women to bear children within a defined period of years that is between nine and fifty. A female who has completed nine years is regarded as mature and fit for pregnancy [if she has started her menses]. The woman who has passed over fifty reaches the state of menopause or "change of life". It is called "Sinnul Yas" i. e. the age of despair in which she has little hope of becoming pregnant.

Females at the age of nine or more, experience their menses once every month, because of a Divine wisdom, and for the well-being of the woman's body in respect of pregnancy and childbirth. This discharge of blood from the woman's womb is called Hayd (menstruation) or menstrual [monthly] period.

Therefore, Hayd is the blood discharged from the womb of a mature woman whose age does not generally exceed 50 years. The blood is mostly thick, warm, and black or red, which flows out strongly.

It is, thus, obvious that the lowest age for a female to start Hayd is nine years, and it continues till the age of 50. During the said years, each woman has menstruation within a fixed period every month: In which blood is discharged from her womb, because of a Divine wisdom, and for the benefit of the woman's body and pregnancy.

The Duration of the Hayd

Women differ in respect of the duration of their menses. Some have it for three days and some others for more i. e. four to ten days. However, the longest duration is ten days, and the least period three days. Therefore, the womb's blood that continues for less than three days is not Hayd and does not call for the observation of the Hayd rules. Similarly, the blood which lasts for more than ten days is not Hayd, either.

Ghuslul-Hayd

As we know that the woman Hayed during her menstrual period is not allowed to do certain ritual acts, such as the Sawm, the Salat, the Tawaf around the Ka'bah, etc. These acts would not be acceptable, until after performing Ghuslul-Hayd, which is incumbent on a woman after her Hayd period has come to
an end, so as to resume performing her religious duties which requires a state of *Taharah*. The manner of performing the *Ghusl* has already been explained in a previous lesson, which may be referred to

**Ahkam (Precepts) about the Hayd**

During *Hayd* a woman should observe certain regulations, such as:

1. The Hayd is not allowed to touch the script of the Glorious Qur’an nor the Names and Attributes of Allah.

2. She is not allowed to enter *Al-Masjidul-Haram* nor *MasjidulNabi*, even to pass through any of them.

As to other mosques she is allowed to pass through, i.e. entering from a door and going out from another, as one passes in the street. She is also allowed to enter a mosque to take something out of it, but she is not allowed to enter it for any other purpose, or to stay there.

3. She is not allowed to place anything inside a mosque, even from outside as extending her hand through a door or a window to put something in it.

4. She is not allowed to recite even a part of the four *Surahs* is of *AlAzaim*. These *Surahs* are: *Al-ÂLaq*, *An-Najm*, *ALM As-Sajdah*, and *Fussilat*.

5. The husband is not allowed to have sexual intercourse with his wife during her *Hayd* period. He is to wait until her period is over, and she has performed the *Ghusl*.

6. The divorce of a *Hayed* is invalid if the husband has already gone into her, provided that the husband is present at the time of divorce, and she was not pregnant.

7. The *Hayed* is exempted from the *Salat* as it is not *Wajib* upon her and it would be *Batil* if she performed it. She is also exempted from performing the *Qada Salat* after her period is over.

8. The fasting of a *Hayed* is *Batil*, and she is exempted from fasting during the month of *Ramadan* on the days of her period. But she will have to settle the lapsed days later on.

**Discussion**

Q1. Why is the Hayd called "menstrual [monthly] period"?

Q2. Mark with the sign √ the correct rule (*Hukm*), and with the sign X the incorrect one:
   a. The shortest "monthly period" is three days.
   b. The shortest "monthly period" is two days.
   c. The longest "monthly period" is ten days.
d. The longest "monthly period" is seven days.

e. If a woman has her "period" during the month of *Ramadan*, she will be exempted from fasting during the days of her period, and she will have to settle that later on, after the month of *Ramadan*, by fasting as many days as the lapsed ones.

Q3. Answer the following:

a. Is the *Hayed* allowed to recite the four *Surahs of Al-Azaim*?
b. Is it incumbent on the *Hayed* to perform the *Salat* during her period, or is she to perform the lapsed *Salats* later on after *Tahir*?
c. Is the *Hayed* allowed to enter a mosque and stay there for a while?

1. The menopause time is disputed. The Hanbalis say: "It is fifty years". The Hanafis say: "It is fifty-five years". The Malikis say: "Seventy years" The Shafi’is say: "As long as a woman is alive, there is the possibility of her having her period, though it is expected to stop after the age of sixty–two."

2. The Hanbalis and the Shafi’is say: "The shortest is one day and one night, and the longest is fifteen days." The Malikis say: "No limit for its shortest, but its longest is fifteen days for the non–pregnant woman.

3. All four sects prohibit the divorce of the *Haid*. Yet, if is happened, it would be Valid, but the divorcing party would he considered a sinner.

**Ghuslul-Mayyit [Ritual Ablution of the Dead Person]**

We have formerly learnt how to perform *Al–Ghuslul–Wajib* such as the *Ghusls* of *Al–Janabah* and of *Al–Hayd*, as well as *Al–GhuslulMustahabb*. We have realized that they follow an identical process. Now we want to learn the precepts pertaining to *Ghuslul–Mayyit*, i.e. the ritual washing [ablution] of the dead before burial:

1. The body of a dead Muslim, old or young, even the miscarried fetus, if it has completed four months

2. The dead is to be washed with three kinds of water. It is given a complete *Ghusl*, like the *Ghuslul–Janabah*, with each kind of the said waters, as below:

   a. First, it is to be washed with a water mixed with powdered side.

   b. Then, it is to be washed with a water mixed with camphor.

   c. At last, it is to be washed with absolute (natural) water.
d. By these three *Ghusls* the body of the dead becomes *Tahir*.4

N.B. A martyr, who has been killed in a battle for defending Islam and the Islamic sanctuaries, needs no *Ghusl* and no *Kafan* [shroud]. He is buried without being washed or wrapped in a shroud, so as to meet Allah stained with the blood of honour and martyrdom, and to be, on the Day of Resurrection, a blood-stained witness against those who killed him and warred against justice and faith.

**Explanation**

The martyr who is not to be ritually washed must have died in battle or shortly after it, but before being attended to by the Muslims while still in his last breath of life.

**Discussion**

Q1. How are the dead washed, and what different kinds of water are to be used for the *Ghusl*.

Q2. Is a martyr who falls in battle to be ritually washed? Why?

1. The Hanbalis say that the *Ghusl* is *Wajib*. The Hanafis say: "If it is delivered alive then dies, or if it falls dead but with complete physical constitution, it must be washed, otherwise no *Ghusl* would be needed.

2. Powdered leaves of the *Nabq* or lote-tree

3. A strong-smelling substance extracted from the *camphor-tree*.

4. The other four Islamic sects; the Hanafis, the Malikis, the Shafi’is, and the Hanbalis say that the *Wajib* *Ghusl* is that which is done by pure water, while the other two *Ghusls* are *Mustahabb* (Look up "Al-Fiqh Alal-Madhahibil-Khamsah" by Shaykh Muhammad Jawad Maghniyyah, p. 57).

**Al-Wudu [Ritual Ablution before prayers]**

1. When we want to perform a *Salat*, whether *Wajib* or *Mustahabb*, we must make a *Wudu* for that *Salat*. Before doing so, we must remove any thing, from the specified *Wudu* parts of the body, which prevents the reach of water to their skin; such as the stinking materials, paints, cosmetics, etc.

2. If there is *Najasah* on any of the parts of the *Wudu*, we have to purify that part before performing the *Wudu*.

3. Intention is a basic condition for the valid performance of the *Wudu*; otherwise it would be incorrect.

**How to Perform the Wudu**

The Glorious Qur’an, in the verse No. 6 of *Suratul-Maidah*, tells us how to perform it. It says:
"O you who believe! when you rise up for the Salat wash your faces and your hands as far as the elbows, and wipe your heads and your feet up to the ankles."

Allah, the Glorified, commanded us to perform the *Wudu* for the *Salat* so as to stand in His presence, purified, invoking upon Him and asking His forgiveness.

The *Wudu* consists of six consecutive steps:
1. Washing the face vertically from the hairline clown to the chin, and in breadth from the tip of the thumb to the tip of the middle finger.
2. Washing the right arm from the elbow till the tips of the fingers.
3. Washing the left arm from the elbow till the tips of the fingers.
4. Wiping the top of the head down to the hairline with the wet fingers of our right hand.
5. Wiping the back of our right foot with our wet right hand, from the tips of our toes up to the ankle.
6. Wiping the back of our left foot with our wet left hand, from the tips of our toes up to the ankle.

**The Desirable Norms of the Wudu**

There are some acts which we call: "The desirable norms of the *Wudu*: "They are *Mustahabb*, not *Wajib* acts. Performing them is better for us because they please Allah, the Glorified, and He rewards us on them. The Noble Messenger of Allah (s) used to perform them. Some of them are as follows:
1. Saying: "*Bismillahir-Rahmanir-Rahim*", before starting the *Wudu*.
2. Reciting some *Mustahabb* invocations.
3. Rinsing the mouth with water.
4. Sniffing water.

**Invadilators of the Wudu [Things Which Render It Batil]**

We have learnt that the *Wudu* effects our *Taharah*, and that the *Salat* would be invalid if performed without *Taharah*. There are, however, other occurrences which render the *Wudu Batil* and require it to be re-performed. Examples:

1. Urination and defecation: If urine or faeces have been discharged from a person’s body, his *Wudu* will become *Batil* and he will have to repeat it. If this happens during the *Salat*, it will also become *Batil*, and will have to stop it repeat the *Wudu* and then repeat the *Salat* once again.

2. Breaking wind: If a person break wind his *Wudu* will become *Batil*, and he will have to repeat the
Wudu if he has to perform a Salat. Should one breaks wind during the Salat one would have to stop his Salat, repeat his Wudu, and then repeat the Salat.

3. Sleep: If a person, who has performed the Wudu, slept and his sleeping overcame his senses of hearing and sight, his Wudu would become Batil, and he would have to repeat it if he wanted to perform a religious duty which requires the Wudu like Salat.

4. Whatever causes mental disorder like unconsciousness, intoxication, and madness.

Discussion:

Q1. If a Mutawaddi [the one who has performed Wudu] slept, should he repeat his Wudu for his next Salat or not? Why?

Q2. Are mouth-rinsing and sniffing water desirable traditions or Wajibs when making Wudu?

Q3. After finishing the Wudu, one noticed that his nose was bleeding. Would his Wudu become Batil or not?

Q4. Explain how you would teach an interested person how to perform the Wudu, if he asked you.

Q5. A person has performed his Wudu while there was a thick patch of glue on his hand. Would his Wudu be correct or not? Why?

1. The Faqihs of the four sects have unanimously given the option to wash the arms starting from the elbows or from the fingers, but they differ in respect or the tradition. Some say it should be started from the fingers, while the Shafi'is say that it differs, whether one ladles water with one's hand or pours water on one's hand. They say that if one has ladled water by one's hand, one is to start from the front of the limbs. But if one has poured water down, as from a tap or a pitcher or somebody else has had to help one to perform the Wudu, one would have to start from the elbows in washing the arms, and from the ankles in respect of the feet. (Look up: Abdur-Rahman Al-Juzayri’s *Al-Fiqha’Ala Al-Madhahibil-Arba’ah* vol. 1, p. 56, quoted from *Al-Haqa’iq Fil-Jawami Wal-Fawariq*). The Imami Shi’a say that it is Wajib to start from the elbow, while the other sects say it is allowed to do so... As-Suyuti, in his interpretation of the Qur’an. "AdDurrul-Manthor", vol. 2, commenting on Suratul-Ma'idah, verse No. 6, concerning the Hanafi” says: "Ad-Dar–Quimi and Al–Bayhaqi in their ‘Sunan’, quoting Jabir Ibn Ahdullah, said: ‘The Messenger of Allah (s) used to pour water on his elbows for performing the Wudu.

2. The Muslims unanimously say that it is Wajib to wipe the head in the Wudu, as is stated in the Qur’an explicitly, but they differ in respect of the place of the wiping and its width. The Malikis and the Hanbalis say that the whole of the head is Wajib to wipe. The Shafi’is say that it is necessary to wipe the head even a little part of it. The Hanafis say that the supposed part is a quarter of the head. The Imami Shi’a say that the Wajib is only a part or the front of the head. It is stated in Muslim’s “Sahih” and elsewhere in respect of the Hadith narrated by Al-Mughirah (r.) that. "The Prophet (s) performed the Wudu wiping his forelock or (forepart of his head) while he still had his turban on.” Ahu Dawud (r.) quotes Anas’s narration that. "The Prophet (s) inserted his hand under his turban and performed the Mash (wiping) on the forepart of his head without removing the turban”. No need to say that Allah's saying and wipe your head” does not mean that the whole head should be wiped. There are more similar verbs, such as: -I hit Zayd’s head... or I beat him on the head... or “I beat Zayd.” I beat him on the hand”. In all these linguistic meanings the hitting or the beating was effected on a part of the said organs. The same is true in respect of the said verse, too (Look up) “Ar–Rawdatun-Nadiyyah Fi Sharhid–Duraril–Bahiiyyah” by AbutTayyib Al–Qanuji Al–Bukhari. vol. 1, p. 38). The four sects said: “Both feet, including the insteps must be
washed once. The Imamis say they must be wiped with the moisture of the Wudu, starting from the tips of the toes up to the insteps, which are the "Arches of the feet the difference concerning performing wiping or washing the feet stems from misinterpreting verse No. 6 of Suratul-Ma'idah: "O you who believe! When you rise up for the Salat wash your faces and your hands as far as the elbows, and lightly wipe your heads and your feet up to the ankles." The clause "your feet" was read as in the genitive case, as well as in the accusative case. So those who say that the feet must be wiped, regard the clause to be in the genitive case, while those who say that they must be washed, regard the clause to be in the accusative case. Al-Fakhrur-Razi's opinion supports performing the wiping while Muhammad Ibn Jarir Al-Tahari Al Hasan Al-Basri, Al-Juba'I, Ath-Thawri and Al-Uwza'I, who are of the great Sunni Ulama, leave it to one's option to choose either to wash or to wipe. Others say that both are to be performed. Abo Dawod narrated that Ibn Abbas had said: "Do you want me to show you how the Messenger of Allah (s) used to perform Wudu? Then he related the narrative ending it by saying: "Then he wiped his feet with his hands".

3. The mouth-rinsing and the sniffing are Wajib, in the opinion of the Hanbalis

Wudu–Ul–Jabirah

Accidents may happen to a person causing a wound or a fracture to the parts or his body used in the Wudu and he may be obliged to cover the injured part with a plaster, a bandage or a splint (which is called "the Jabirah"). So, how can he perform his Wudu? The answer is as follows;

1. If he can remove the Jabirah and perform the Wudu he should do so.

2. If he cannot remove the Jabirah, but can immerse the limb in water without incurring any harm, he should perform his Wudu in this way.

3. If he cannot follow the said two methods, he should wash the parts which can be washed, and, when it comes to the Jabirah, he is to pass his hand on it. If there was a Najasah on the Jabirah, such as blood, that could not be removed then he is to cover the Najasah with a piece of cloth and wipe it with his hand.

4. Should the Jabirah be on the foot and completely covering it all the Wudu is to be replaced by the Tayammum.

5. Should the Jabirah be on the face or the hand covering it both Wudu Ul–Jabirah and the Tayammum should be performed successively.

6. If the Wudu parts were infected with a disease that caused swelling, or allergy, and one had to wrap them in bandages which were not to be removed, nor to be immersed in water, so rubbing them would not suffice, and one would have to do the Tayammum.
Discussion

Q1. How should the Wudu be done by;
   a. A person with a Jabirah which he can remove?
   b. A person with a Jabirah which he cannot remove?
   c. A person with a Jabirah bearing Najasah?

Q2. Mark the correct statement with the sign √ and the incorrect with the sign X.
   a. One whose Jabirah covers his hand is to do both the Wudu and the Tayammum.
   b. One whose Jabirah covers his foot completely is to perform the Wudu.
   c. One who has wrapped a Wudu part with a bandage because of swelling, is to do the Tayammum instead of the Ghusl or the Wudu.

1. Al-Jabirah is a splint which is tied to an injured or broken arm or leg to keep it in the right position while it heals, like plaster, gypsum, etc.

At-Tayammum

When it becomes difficult to use water for the Ghusl and Wudu, it will be Wajib to perform the Tayammum with Tahir (pur and clean) earth, like soil, sand, pebbles, rocks or any part of the Tahir earth. It is also allowed to perform the Tayammum with anything from which dust may rise if beaten, such as carpets, textiles, etc., in case one could not perform the Tayammum with earth.

The Tayammum was enjoined to replace the Ghusl or the Wudu which in certain cases is allowed by the Qur’an, verse 6, SuratulMaidah:

".....and if you are junub [unclean] make yourselves Tahir [pure] And if you are sick or on a journey, or one of you comes from the closet (w.c.), or you have touched the women, and you find no water, then perform the tayammum with clean good soil by wiping your faces and hands with some of it. Allah does not desire to put a burden on you, but He wishes to purify you and perfect His grace upon you so that you may give thanks."(5:6)

The Cases in Which the Tayammum Is Allowed

1. In case we could not obtain water, or its price was too expensive and would badly affect our budget, or trying to obtain it would be humiliating and disgraceful, or if the amount of our water was only enough
to be used for drinking, in a manner that we would face thirst if we used it for the *Wudu* or the *Ghusl*. In such a case we would be allowed to perform the *Tayammum* and keep the water to preserve our lives; when, for instance, we are travellers in the desert, or soldiers in the warfront.

2. In case using water would be harmful to us because of some illness, or very severe coldness, etc.

3. In case the time left for performing the *Wajib* is too short to allow a *Ghusl* or a *Wudu*.

4. When the water we have is only enough to remove a *Najasah* from the body, we remove it and do the *Tayammum* for the *Salat*, as we are not allowed to keep the *Najasah* and use the water for the *Wudu*.

5. Performing the *Tayammum* gives us the right to perform other ritual acts which require *Taharah*, though this is true as long as the excuse for the *Tayammum* is still there. And when it is no longer there, one will have to perform the *Ghusl* or the *Wudu* before performing such ritual acts which require *Taharah*.

**How to Perform the Tayammum**

The aforementioned paragraph told us about the cases in which we must perform the *Tayammum*. Hereunder we learn how to perform it;

1. The intention: One is to inwardly express the intention that: "I perform the *Tayammum* for the pleasure of Allah the Exalted."

2. To hit the earth with the palms of both hands together, wipe the forehead with them, starting from the hair-line of the head, continuing to the top of the nose and the eyebrows. Then, the back of the right hand, from the wrist to the tips of the fingers, is wiped with the palm of the left hand, then the same thing is done to the back of the left hand with the palm of the right hand.

**Discussion**

Q1. Explain Allah’s saying: "...and if you find no water, perform the *Tayammum* with clean earth, by wiping your faces and hands with it..."

Q2. Count and explain the cases in which we have to perform the *Tayammum*.

Q3. How would you judge somebody who performed the *Tayammum*, while there was *Najasah* on his hand, would his *Tayammum* be valid or Batil?
The Adhan and the Iqamah

Before starting the Salat, two Mustahabb acts may be done: The Adhan and the Iqamah. The performance of the Adhan is Mustahabb in two cases:

1. At the beginning of the time of the Salat, so as to make an announcement of the arrival of its time, as it is heard from the Muadhdhin at the arrival of the times of the morning and noon Salats, etc.

2. It is Mustahabb before performing the Salat, as a preparatory act, even if its time has passed for a while, say, for an hour or more.

The Adhan is the call to the Salat, stressing its importance and high position, so as to draw the attention of the unmindful, and remind the people. When one hears the call of the Muadhdhin, one should leave for a while one's work or occupation, and incline towards Allah with a humble heart, eager for worship and supplication.

The Adhan is one of the most commendable acts in Islam. Every word of it has its own particular meaning, and every phrase forms a certain idea in the soul of the Muslim and leaves its effect in his conscience.

Phrases of the Adhan

1. "Allahu Akbar" (4 times). It means that Allah is greater than any description and comprehension.

2. The Shahadatan [the two testimonies] which are: "Ashhadu An La Ilaha Illa-Llah" (twice), and "Ashhadu Anna Muhammadan Rasulu Llah" (twice).

Their meaning is admitting the Oneness of Allah, and believing in Muhammad (s) as Messenger of Allah.


4. "Hayya Alal-Falah" (twice). It means: Come to success in salvation, as there is nothing like the Salat leading to it.

5. "Hayya Alla Khayrul- Amal" (twice). It means: Come to the best of acts most loved by Allah, the Exalted.

6. "Allahu Akbar" (twice)

7. "La Ilaha Illa-Llah" (twice)
The Iqamah

It is a *Mustahabb* exultation of Allah, by which we remember Him and glorify Him, and prepare ourselves and hearts on coming to perform the *Salat* before Allah with humbleness and servitude.

**Phrases of the Iqamah**

1. "*Allahu Akbar*" (twice).

2. "*Ashhadu An La Iliha Illa-Llah*" (twice).

3. "*Ashhadu Anna Muhammadan Rasulullah*" (twice).

4. "*Hayya Alas–Salah*" (twice).

5. "*Hayya Alal–Falah*" (twice).

6. "*Hayya Ala Khayril–Amal*" *(twice)*

7. "*Qad Qamatis Salah*" (twice).

8. "*Allahu Akbar*" *(twice)*

9. "*La Ilaha Illa–Llah*" (once).

**Discussion**

Q1. If you are asked to call to the *Salat*, how will you do it? Explain.

Q2. What is meant by: "*Hayya Alal–Falah*", "*Allahu Akbar*", and "*Hayya Ala Khayril–Amal*"? Explain briefly.

Q3. What difference is there between the *Adhan* and the *Iqamah*?

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1. Some Ulama of different sects say that the phrase: Hayya Ala Khayril–Amal "Wa" included in the Adhan on the days of the Messenger of Allah (s). Among these are: Al–Qushachi, at the end of the chapter on Imamah or his "Sharhut–Tajrid", which he wrote on theology. He is a well–known Sunni scholar. AllAllamah Al–Halabi also a well–versed Sunni scholar, in his "Sirat Ibn Umar", chapter on the beginning of the Adhan, vol. 2, p. 110, says: “Abdullah and the Imam Zaynul Abidin used to say in the Adhan, after "Hayya Ala Khayril Amal". (Look up “Al–Haqa’iq Fil–Jawami Wal–Fawariq" by Ash–Shaykh Habib Ibn Ibrahim, vol. 2, p. 145. The four Islamic sects do not recite this phrase in their Adhan and Iqamah. Some of them have added the phrase “As–Salat Khayrun Minan–Nawm” [the Salat is better than sleep], which the Shafi‘i refused to have it added, saying that it was not an original part of the Adhan. Some other Faqihs have also refused to recognize it. Ibn Rushd, in "Bidayatud–Mujtahid", vol. 1, ed. 1935, says: “Others said that “As–Salatu Khayrun Minan–Nawm” should not be said, because it was not of the traditional Adhan…” In “Al–Mughni”, by Ibn Qudamah, vol. 1, p. 408, 3rd ed. it is said: “Ishaq said that this was something innovated by the people. Abu Isa said: This is the addition which had been loathed by the Ulama, and it was what caused Ibn Umar to leave the mosque on hearing it.” (Look up “Al–Fiqh Alal Madhahibil–Khamsah"
As-Salat

Allah, the Exalted, said:

"As-Salat is a timed ordinance for the believers". (4:103)

As-Salat is a daily worship, fixed in its time, and Rak’ahs [units], during which a Muslim stands before Allah, the Glorified, five times every day, admitting His Oneness, worshipping Him, invoking His help, forgiveness and guidance.

Therefore, the Salat is a means of purifying the soul from sins and disobedience, reforming behaviour, and teaching man to do good and avoid evil deeds. The Messenger of Allah (s) described the Salat as to be like the water which purifies man of the Najasat and filth; by saying:

"If there is a river running at the foot of one's house, and uses it to wash one's body five times a day, would there remain any dirt on his body?" They said, 'No.' He said, 'So the Salat is like a running river. When you perform a Salat, your sins, which you might have committed between this Salat and the one before, would be washed off."  

When a person performs his Salat, standing before Allah, the Glorified, reciting Suratul-Fatihah in praise of Allah, glorifying Him, asking Him for guidance and righteousness, renouncing those who had gone astray and those who have incurred upon themselves the wrath of Allah, he is actually educating himself and making himself accustomed to righteousness, loving good and staying away from evil and evil doers. Therefore, Allah, the Exalted says:

"Recite that which has been revealed to you of the Book and perform the Salat, as indeed, the Salat forbids abomination and evil, and certainly the remembrance of Allah is [even] greater, and Allah knows what you do." (29:45).

Thus, the Salat enjoins on us to do the right and forbids us to do the wrong. It teaches us to love Allah, and wish good for the people. When the Musalli raises his hands in invocation, for example, during the Salat, and says: "O our Lord! Forgive me, my parents, and the believers, on the Day of Judgment", he actually, invokes goodness for himself, his parents, and his fellow believers.
The *Salat* purifies the heart from arrogance and pride. When a Muslim bows in his *Ruku*, and prostrates in his *Sujud*, as a sign of his submission to Allah, saying: "*Subhana Rabbiyal- Azimi Wa Bihamdih*" in his *Ruku*, and "*Subhana Rabbiyal-Ala Wa Bihamdih*" in his *Sujud*, he is actually announcing his submission to Allah's greatness.

He is admitting man's weakness before his Creator, renouncing pride and arrogance. He feels himself equal to his other brothers, because he submits and prostrates to Allah as they submit and prostrate to Him, and stands with them in a single row for the *Salat*.

As-Siddiqah, Fatimah- Zahra (a.s.), the daughter of the Holy Messenger (a.s.) had explained this point by saying: "He made the *Salat* [a means of] doing away with arrogance".

The *Salat* reforms the individual as well as the society. The love of goodness grows and develops in both, as well as the hatred of evil, injustice, pride and arrogance. It attaches people to Allah, so that they remember Him, do not forget His Name and His Oneness, obey Him in worship and servitude, deny the tyrants and renounce the lost and the wrongdoing. The *Musalli* does feel this when he recites, in his *Salat*, Suratul- *Hamd*:

"*In the Name of Allah, the Beneficent, the Merciful. Praise belongs to Allah, the Lord of the worlds, the Beneficent the Merciful, the Master of the Day of Judgment. You (Alone) we worship, and You (Alone) we ask for help. Guide us to the right path, the path of those whom You have favoured, not (the path) of those upon whom Your wrath is brought down, nor of those who have gone astray.*" (1:1-7)

Similarly, the Messenger of Allah (s) explains the significance of the *Salat*, and renounces those who do not perform it, saying: "The one who belittles his *Salat* will not get my intercession".

In another narration we read: Allah His Messenger and the believers renounce the one who neglects the *Salat*. The *Hadith* says: "Do not neglect the *Salat* deliberately, because the one who deliberately neglects it, will be renounced by the religion of Islam." Therefore, the Holy Qur’an warns us:

"*So, woe to the Musallis who are unmindful of their Salat...*" (107:4&5)

It also speaks of those who neglect their *Salat*, of their punishment in Hell, and of the reason for their entering it. It says:

"*What has brought you into Hell?’ They said: ‘We were not of the Musallis.*" (74:42&43)

The Holy Messenger (s) said: "Between *Kufr* [disbelief] and *Iman* [belief] is nothing but the negligence of the *Salat*". Hence the importance of the *Salat*, and its greatness in Islam, as it represents the identity of the Muslim, distinguishing him from the disbeliever.
Kinds of the Salat

The Salat in Islam is of two kinds:

1. The Mustahabb Salats: Such as Salatul-Layl [the Salat of the night], the Nafilahs [supererogatories] of Salatus-Subh [morning], Salatuz-Zuhr [noon], Salatul-Asr [afternoon], Salatul-Maghrib [after sunset (evening)] and of Salatul-Isha [after evening].

These Salats have been very much recommended and made lovable to us by Islam. But they are not incumbent upon us and Allah will not punish us for neglecting them. Yet, they are of the great deeds which bring the believer nearer to Allah, and encourage the returning to Him and to please Him.

2. The Wajib Salats: These are the Salats which Allah, the Exalted, has enjoined upon every Mukallaf. They are the most important Rukns [pillars] on which Islam has been built. We had formerly talked about their significant importance. The compulsory Salats incumbent upon us are:

- The daily Salats (in five times).
- Salatul-Ayat.
- Salatul-Eid.
- Salatul-Jumu’ah.
- Salatul-Mayyit.
- Salatut-Tawaf (in Hajj and the Umrah).

Discussion

Q1. Explain the Messenger’s (S.A) saying: "Between Kufr and Iman is nothing but the negligence of the Salat".

Q2. Tell which of the following are Mustahabb Salats and which are Wajib Salats: Nafilatus-Subh, Salatul-Layl, Salatul-Ayat, Salatul-Mayyit and Salatut-Tawaf.

Q3. Explain the saying of Al-Batul, Fatimatuz-Zahra (a.s.) the daughter of the Messenger of Allah (s): "He made the Salat a means of doing away with arrogance."

Q4. The Salat forbids the doing of evil and wrong; so, what do you think of the Salat of somebody who does not keep away from evil and wrong?

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1. Al-Hurrul-Amili’s "Wasa’ilush-Shi’ah”. Kitabu-Salat, vol. 3, p. 7, 5th ed. And it is narrated with nearly similar wording by Al-Bukhari in his Sahih, Kitabu
The Daily Salats [Prayers]

Allah, the Exalted, has enjoined upon us that we should perform the Salat five times a day as follows:

1. **Salatus-Subh**, consisting of 2 Rak’ahs.
2. **Salatuz-Zuhr**, consisting of 4 Rak’ahs.
3. **Salatul-Asr**, consisting of 4 Rak’ahs.
4. **Salatul-Maghrib**, consisting of 3 Rak’ahs.
5. **Salatul-Isha**, consisting of 4 Rak’ahs.

**Some Conditions of the Validity of the Salat**

The Salat which we perform must meet certain conditions in order to be correct and acceptable. These conditions are:

1. The body and the clothes of the Musalli must be ritually pure and cleansed from any Najasah.
2. Making the Taharah from the Hadath before performing the Salat, as it would not be valid without Taharah. So, we have to perform the Wudu to attain the Taharah from Al-Hadathul-Asghar, or we have to perform the Ghusl to attain the Taharah from Al-Hadathul-Akbar, such as the Hayd or the Janabah, if needed.
3. The ground on which we place our forehead for the Sujud must be Tahir. So, in order that our Salat be correct, we must prostrate on a Tahir place, such as a Tahir ground, a Tahir mat made of straw, and the like.
4. The spot on which we perform the Salat must be Mubah (permissible), as to perform it on a usurped land makes it Batil.
5. We know that stealing and usurping the properties of the people is Haram, according to the Islamic teachings. So, if somebody has usurped or stolen a dress, or if he has usurped some money or stolen it and bought with it a dress, his Salat, in that dress, would be incorrect and Batil.
6. The Qiblah. In a correct Salat we must stand facing Al-Baytul Haram, the Qiblah [in Mecca]. All Salats are to be performed, while facing the Qiblah:

7. Covering the private parts.

8. The men are not allowed to wear a natural silk dress during the Salat, nor are they allowed to wear anything made of gold. As to the women, they are allowed to wear both natural silk and gold jewellery.

**A Woman's Dress in the Salat**

The dress of a woman in the Salat must cover her body, head, hair and neck, with the exception of her face, hands and feet.

**Discussion**

Q1. How many Rak’ahs are Salatus-Subh and Salatul-Asr?

Q2. If a woman performed her Salat bare-headed, would her Salat be correct or Batil?

Q3. Fill in the blank: In all our Salats we must stand facing the...

Q4. Count briefly, the conditions for the correct Salat.

1. The four sects say that the place for the Salat must be Tahir from the Najasah. The Shafi‘is, say that everything which touches the body or the dress of the Musalli must be Tahir. The Hanafis say that only the places of the feet and the forehead must be Tahir.

2. The four sects say that the Salat on a usurped place is correct but the Musalli would be committing a sin.

3. The four sects say that the Salat would be correct.

4. The Shafi‘is say that if the Musalli wore a pure silk dress or performed the Salat on it, his Salat would be correct, but he would be committing a sin.

5. The Hanafis say: A woman has to cover the outer part of her hands and the sole of her feet. The Shafi‘is and the Malikis say, a woman is allowed to uncover her face, her hands and feet during her Salat. The Hanbalis say: She is allowed only to uncover her face.

**The Wajib Acts of the Salat**

The Salat, which is incumbent upon us, consists of some Wajib acts which we are to perform in the Salat, as it would not be valid without them. These Wajibs are:

1. An-Niyyah (Intention): The meaning of the Niyyah is the intention to do something. For example before performing our Salat we must first make the intention to do so, so we say; "I perform the Salat for
the pleasure of Allah, the Exalted." When we want to perform Salatus–Subh, for example, we are to make our Niyyah like this: "Usalli Salatus–Subh Qurbatan Ila Llah Ta Ala". In this way we make the Niyyah for the Salat whenever we want to perform the Salat.

2. Takbiratul–Ihram: The second Wajib in Salat is Takbiratul–Ihram, which comes after the Niyyah. It means to say "Allahu–Akbar", with which the Salat is commenced, That is we are no longer allowed to talk, laugh, eat, drink, or turn to the sides, and the like. Because doing any of these acts would render the Salat Batil.

3. Al–Qiyam [standing]: The Salat is to be performed in standing position. But if a person could not stand because of some illness, for example, he may perform the Salat sitting. If he could not do it sitting, he may do it lying on his right side. If he could not lay on his right side, he may do it while lying on his left side. If he still could not do it in this position, he may do it lying on his back. If he still could not perform it in this position, he could make a signal or gesture. And if he couldn’t, he may do it by heart. In all positions one has to keep facing the Qiblah.

N. B. During the Qiyam, the Musalli is to let his arms along his sides, on his thighs.

4. Al–Qira‘ah and Adh–Dhikr. [Reciting and Glorifying]: It is Wajib to recite Suratul–Fatiyah, which is also called "AlHamd", and another Surah of the Qur’an in the first and the second Rak’ahs. As to the third and fourth Rak’ahs, we may choose either to recite Suratul–Fatiyah or to say the Dhikr, i.e. "Subhana Llahi Wal–Hamdu Li–Llahi Wa La Ilaha Illa–Llahu Akbar", once, though three times is preferred.

5. Ar–Ruku [Genuflection]: It is Wajib in each Rak’ah. The Ruku is to bow down in submission to Allah, the Exalted. In this bowing position we are to place the palms of the two hands on the two knees. While in the Ruku a Dhikr is to be recited, such as: "Subhana Rabbi–Yal–Azimi Wa Bi–Hamdih".

6. As–Sujud (Prostration): In each Rak’ah two Sujuds are Wajib. How to Perform the Sujud:

The Musalli is to place his forehead, two palms, two knees and two toes, on the ground, and then he is to say: "Subhana Rabbiyal–Ala Wa Bi–Hamdih" or to say: "Subhana Llah" three times. Then he sits still for a moment, then repeats the Sujud and the Dhikr as before, then sits once again.

7. At–Tashahhud: The Tashahhud is Wajib in the Salat, and is to be performed once in the 2–rak’ah Salats, such as Salatus–Subh, after the second Rak’ah. As to the other Salats of the Zuhr, the Asr, the Maghrib and the Isha, the Tashahhud is to be done twice, the first after the second Rak’ah, and the second after the last Sujud of the Salat. The Text of the Tashahhud:

"Ashhadu An La Ilaha Illa–Llah, Wahdahu La Sharika Lah, Wa Ashhadu Anna Muhammadan Abduhu Wa Rasuluh. Allahumma Salli Ala Muhammadin Wa Alee Muhammad." The meaning is: "I testify that there is no God but Allah, and I testify that Muhammad is His Servant and Messenger. O Allah! send your blessings upon Muhammad and his Progeny (descendants)."
8. **At–Taslim**: It is the last part of the Salat, and its text is: "As–Salamu Alayna Wa Ala Ibadillahis Salihin" and "As–Salamu Alaykum Wa Rahmatu–Llahi Wa Barakatuh". It is preferred, however, to say first. "As–Salamu Alayka Ayyuhan–Nabiyyu Wa Rahmatu–Llahi Wa Barakatuh", then you recite the former first and second texts. By this *Taslim*, the Salat is completed.

9. **At–Tartib** [Sequence]: It means performance of the acts of the Salat in succession, one by one.

10. **Al–Muwalat** [Continuity]: It means continuing the performance of the acts of the Salat without a breach that may affect the form of the Salat. That is, after TakbiratulIhram we immediately recite *Suratul–Fatiyah*, and when it is finished we read the *Surah* without any lapse of time, and so on.

**The Qunut**

**The Qunut**: It is an invocation expressing submission to Allah. It is *Mustahabb* in all the daily *Salats*, as well as in the *Nafilahs*. It is done after the recitation of the second *Rak’ah*, before bowing in the *Ruku*. It is to our option to choose any *Du’a* [invocation or prayer] to recite it in the *Qunut*. The best of these prayers are those extracted from the Qur’an, such as: "Rabbana Atina Fid–Dunya Hasanatan Wa Fil–Akhirati Hasanah Wa Qina Adhaban–Nar."

“Our Lord! give us good in this world and good in the Hereafter, and save us from the torment of the Fire” (2:201)

During the *Qunut*, we raise our hands with the palms in front of our faces.

**Discussion**

Q1. Write T for the True statement, and F for the false one.
   a. It is *Wajib* to do two *Sajdahs* in each *Rak’ah*.

   b. During the *Qiyam*, the *Musalli* places his arms on his thighs.

Q2. If one performs the Salat out of hypocrisy, will his Salat be valid or *Batil* and need to be repeated?

Q3. Is observing the *Tartib* of the parts of the Salat *Wajib*?

Q4. What does the *Muwalat* mean? Explain it to your fellow–students.

Q5. Tell which of the following parts of the Salat is *Wajib*; *Al–Qunut*, *At–Tashahhud*, *At–Taslim*.

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1. *Except Salatul–Mayyit* which is different from the other Salats.

2. The Hanafis say: "The Musalli is allowed to recite in the third and fourth Rak’ahs a Surah of the Qur’an, or to do the Dhikr instead. The other three sects say that to recite Suratul–Fatiyah in every Rak’ah is Wajib. (Look up Al–Fiqh AlalMadhahibil–
The Hanafis say: The Wajib is just to bow, disregarding how, and the Tuma’nah [quietude] in the Salat is not Wajib.

All sects unanimously agree that the Sujud is allowed to be done on the ground or on whatever grows on it, which is neither eaten nor worn. But the Imami Shi‘ahs do not allow the Sujud on other than the earth, and say that to do it on the earth is preferred to anything else.

The Malikis, the Shafi‘is and the Hanafis say: It is Wajib to do the Sujud on the forehead, while to do it on other parts of the head is Mustahabb.

The Hanafis say that it is not Wajib to sit between the two Sujuds.

As to the last Tashahhud, the Shafi‘is, the Hanbalis and the Imamis say that it is Wajib, while the Malikis and the Hanafis say that it is Mustahabb not Wajib (Look "Bidayatul-Mujtahid", quoted from "Al-Fiqh Alal-Madhahibil-Khamsah" by M.J. Maghniyyah).

There are Mustahabb forms for the Tashahhud, such as: "Bismillahi Wal Hamdu LiLlah, Wa Khayrul-Asma’i Li-Llah Ashhadu An La Llaha Illa-Llah Wahdahu, La Sharika Lah, Wa Ashhadu Anna Muhammadan Abduhu Wa Rasuluhu Arsalahu Bilhaqqi Bashiran Wa Nadhiran Bayna Yadayi-Assa’ah. Ashhadu Annaka Ni’mar–Rabb, Wa Anna Muhammadan Ni’mar–Rasul. At-Tahiyyatu Li-Llah Wa Salawatul–Tahiratuz–Zakiyatu–Ghadyatur–Raihatu–Sabighatun–Na’imat Ma Taba Wa Zaka Wa Tahura Wa Khalusa Wa Safa. Ashhadu An La Ilaha Illa–Llaha Wahdahu La Sharika Lah, Wa Ashhadu Anna Muhammadan Abduhu Wa Rasaluhu Arsalahu Bilhaqqi Bashiran Wa Nadhira. Allahumma Salli Ala Muhammadian Wa Ali Muhammad Kama Sallayta Wa Barakta Wa Tarahhamtul Ala Ibrahima Wa Ali Ibrahima Innakha Hamidun Majid. " (Look up “Al-Urwatul-Wuthqa” by the late Sayyid Muhammad Kaim Al-Yazdi, a Shi’a authority. Other great Fiqhihs also confirmed that in their comments on the book. The important thing in the Tashahudd is the two testimonies and sending the blessings on Muhammad (s) and his Progeny (descendants). The shorter Tashahudd has formerly been mentioned. The Imamis say that it is Wajib to say "Allahumma Salli Ala Muhammadian Wa Alee Muhammad" after the Tashahhud. But the opinion of Ash–Shafi’i goes to say that it is Wajib after the second Tashahhud, and that the Salat of the one who does not repeat it will not be accepted. In a footnote in the "Ar–Rawadatun–Nadiyyah" it is said: "This is the truth. Allah, the Exalted, enjoined on us to send blessings on the Prophet, when He said; "O you who believe! Ask blessings on him and salute him with a (becoming) salutation." (Suratul–Ahzab: 56). His Companions asked him how to send blessings on him. He taught them what to say, though there are different versions. However, they understood that the sending of the blessings should be after the Tashahhud, as the Messenger had ordered them. They have continued to follow the Prophet’s (s) wishes and thus it has reached us by the Fiqhi succession. In a noble Hadith it is said: "... and no Salat is acceptable from the one who does not send Salat (blessings) on the Prophet'. This is stated by At-Tirmidhi in his "Sahih" book 45, chapter 64, and by Ibn Majah in his "Sunan", book 1, chapter 41. Malik in his "Al–Muwatta" book 13, ch. 41–56, mentions the sending of blessings on the Prophet (s) in the Salat and recommends it.

The Shafi’is, the Malikis, the Hanbalis and most of the Imami Shi‘ahs say that the Taslim is Wajib, while the Hanafis say that it is not Wajib.

The Shafi’is and the Malikis say that the Qunut is Mustahabb in the morning Salat, while the Hanafis and the Hanbalis say that it is Mustahabb in the odd Salat).

Al–Jahr and Al–Ikhfat in Prayers

Al–Jahr and Al–Ikhfat in prayers

Al–Jahr is to recite in an audible voice. Al–Ikhfat is to recite softly in an inaudible voice. As a Muslim
student, you have known that to recite *SutrulFatihah* in the *Salat* is *Wajib* as well as to recite another *Surah*, too, such as *Sutrut–Tawhid*, in the first and second *Rak`ahs*. Men are to recite these *Surahs*, in some *Salats* audibly and in some others inaudibly (softly), as detailed below:

1. In the *Salats* of *Subh*, *Maghrib* and *Isha* it is *Wajib* on the men to recite the *Surahs*, in the first and second *Rak`ahs*, audibly. As for women, they have the option to either recite inaudibly or audibly provided they are not heard by men. If men are able to hear their voice, they must recite inaudibly.

2. The recitation in *Salatuz–Zuhr* and *Salatul–Asr* is to be inaudible by both men and women.

3. The recitation of *Al–Fatihah* or the "*Dhikr*" in the third and fourth *Rak`ahs* of all the four *Salats*; *Az–Zuhr*, *Al–Asr*, *Al–Maghrib*, and *Al–Isha* is to be inaudible.

4. If he recites audibly; where he has to recite inaudibly (softly), or he recites inaudibly where he should recite audibly, on purpose, his *Salat* will be invalid.

5. If the *Musalli* recites audibly, where he should recite inaudibly, or he recites inaudibly, where he should recite audibly, because of forgetfulness, or ignorance of the *Shar`i* (religious) verdict, his *Salat* would be correct. But the *Musalli* who is ignorant of the *Shar`i* verdict, and is advertent but purposely neglecting to inquire about it, repeat his *Salat* as a precautionary act.

**Discussion**

Q1. What is *Al–Jahr*?

Q2. Mark the correct statement with the sign √ and the incorrect with X.

a. Audibility is *Wajib* for the men in *Salatuz–Zuhr*.

b. Audibility is *Wajib* for the women in *Salatul–Maghrib*.

c. Inaudibility is *Wajib* for the men and women in *Salatul–Asr*.

d. The men are to be audible in the *Salats* of *Isha* and *Subh*.

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1. Concerning Al–Jahr and Al–Ikhfat, the opinion said in the book is agreed upon by the Shafi`is and the Shi`ah. The Hanafis say that the Musalli has the option to recite either audibly or inaudibly. The Hanbalis say that it is Mustahabb to recite audibly in the first and second *Rak`ahs* of the Subh, Maghrib and Isha. The author of "Rahmatul–Ummah" states: "They [the different sects] agree that it is Sunnah [optional] to recite parts of the Salat audibly or inaudibly where permissible."
Ash-Shakk in the Salat [Doubt in the Prayer]

A Musalli may doubt the number of Rak’ahs he has already performed, while still in the Salat. That is, he may doubt whether he has performed one or two Rak’ahs, three or four Rak’ahs, etc. Certain cases of Shakk [doubt] in the Salat can be corrected, allowing the Musalli to continue his Salat and regard it to be valid, then to perform Salatul-Ihtiyat, after finishing the original Salat.

In this way he can correct the Shakk, provided that he has not done any of the acts which invalidate the Salat. There are irremediable doubts which invalidate the Salat and thus must be repeated. Hereunder we are expounding the most important cases, and how to make remedial measures where it is possible:

1. If the Musalli doubted (had Shakk) between the first and the second Rak’ah in the 4 Rak’ah Salat, his Salat would be invalid, and he must repeat it.

2. If he doubted in the number of the Rak’ahs of Salatus–Subh and Salatul–Maghrib in any position of the Salat, his Salat would be invalid, and he must repeat it.

3. The Shakk between performing two and three Rak’ahs: If the Shakk occurred after the second Sajdah it could be corrected. But if it occurred before finishing the second Sajdah, the Salat would be Batil. In the first case, it is to be regarded as the third Rak’ah and one is to perform the fourth, the Tashahhud and Taslim, then one is to perform Salatul–Ihtiyat: one Rak’ah in standing position, or two Rak’ahs in sitting position.

4. The Shakk between the second and the fourth, after reciting the Dhikr of the last Sajdah: In this case one is to regard it as the fourth, and finish the Salat. Then one is to perform Salatul–Ihtiyat, which is the same as Salatul–Subh with reciting only Sutratul–Fatiyah.

5. The Shakk between the third and the fourth. This Shakk can be corrected in any position of the Salat: in the Ruku, the Sujud, the Qiyam, etc. Correction of the Shakk is done by regarding it as the fourth Rak’ah, finishing the Salat, then performing Salatul–Ihtiyat, which is one Rak’ah in the standing position, or two Rak’ahs in the sitting position.

6. Shakk between the fourth and the fifth, after the Dhikr of the last Sajdah: In this case one is to regard it as the fourth, finish the Salat, then perform the two Sajdahs of Sahw, with no need for SalatulIhtiyat.

7. The Shakk between the fourth and the fifth, during the Qiyam position: One is to return to the sitting position, regarding the doubted Rak’ah as the fourth, and finish the Salat, then perform Salatul–Ihtiyat; one Rak’ah standing, or two Rak’ahs sitting.
Salatul-Ihtiyat

It consists of:

1. The Niyyah: (Usalli Salatul-Ihtiyat Qurbanat Illa-Llahi Ta’ala) [I perform Salatul-Ihtiyat to please Almighty Allah].

2. Takbiratul-Ihram

3. Reciting Suratul-Fatihah only, without reciting any other Surah.

4. Ruku.

5. Qiyam (if done in the Qiyam position).


7. Tashahhud.

8. Taslim.

In Salatul-Ihtiyat all the usual conditions required for any obligatory Salat, such as Taharah, orientation to the Qiblah, etc. are to be observed.

Discussion

Q1. Correct that which is incorrect in the following statements:

a. Every Shakk in the Salat can be remedied by Salatul-Ihtiyat after the end of the Salat.

b. It is not allowed to stop a 4 Rak’ah Salat and repeat it, if the Shakk was between the first and the second.

c. If the Shakk was between the fourth and the fifth Rak’ahs, in the Qiyam position, the Musalli must return to the sitting position, consider it to be the fourth and finish his Salat.

Q2. What would you do if you doubted between the third and the fourth Rak’ahs of your Salattul-Isha, before finishing the second Sajdah?

Q3. Hearing a friend of yours saying that Salatul-Ihtiyat is two Rak’ahs in all cases, would you confirm him or not?

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1. The Shafi’is, the Malikis and the Hanbalis say: "If one doubts the number of the Rak’ahs knowing not how many Rak’ahs one has performed, one is to consider it to be the least and complete it." The Hanafis say: "If it was his first Shakk in his life, he must repeat his Salat from the beginning. If it was not his first Shakk, he must think and ponder, and then act according to his most probable guess. If the Shakk is still there, he is to consider it to be the least, taking it as a matter of fact."
2. Salatul-Ihtiyat: This Salat is to be demonstrated by the teacher to the students so that they may learn it. It is either one Rak’ah in the Qiyam position or two Rak’ahs in the sining position, or two Rak’ahs in the Qiyam position and two Rak’ahs in the sining position.

3. As a precaution, this Surah is to be recited in Ikhfat.

Sajdatas-Sahw [Two Sajdahs of Sahw]

1. If the Musalli talked during his Salat, or performed the Taslim not in its proper place, or performed four or five Rak’ahs, because of his forgetfulness, his Salat would be valid, and he would have to perform two Sajdahs of Sahw after finishing his Salat.

2. If the Musalli did only one Sajdah and forgot to do the second one, or he forgot to do the Tashahhud, and he remembered this only when there was no place for doing it, he should continue his Salat, as it is correct, but he must perform the lapsed part, after finishing his Salat, and then he has to perform the two Sajdahs of Sahw.

How to perform Sajdatas-Sahw:

1. For the Sahw [forgetting] there are two Sajdahs to be performed immediately after finishing the Salat.

2. The Niyyah for these Sajdahs is Wajib, but there is no need for Takbiratul-Ihram.


4. After the two Sajdahs we recite the Tashahhud.

5. After the Tashahhud we recite the Taslim.

Discussion

Q1. Mark the correct statement with the sign √ and the incorrect with X.

a. The Salat would not be Batil if one intentionally recited SuratulHamd twice.

b. Whoever forgot the Tashahhud, must recite it after finishing the Salat, then he must do the Sajdahs of Sahw.

Q2. Explain briefly how to perform Sajdatus-Sahw.

Q3. Must we face the Qiblah in performing the two Sajdahs of Sahw?
1. The Hanafis say: "The form of Sajdatus-Sahw is to prostrate twice, do the Tashahhud then the Taslim, then to send blessings on the Prophet (s) and to invoke Allah. It is to be done after the Taslim [of the Salat], if there was time to do it. But if the time of the Salat passed by and he did not do it, he would be exempted from such Sujud. The Malikis say: "The form of Sajdatus-Sahw is: Two Sajdahs, then a Tashahudd, without invoking Allah or sending blessings on the Prophet (s). But if it was only for a decrease, or for both a decrease and an increase, it is to be done before the Taslim. If it is for only an increase it must be done after the Taslim. The Hanbalis say: It is allowed to do the Sujud of Sahw before and after the Taslim. The Shafiis say: "Sujudus-Sahw is to be done after the Tashahhud, before the Taslim."

Salatul-Qada [The Lapsed Due Salat]

1. Allah, the exalted, ordered us to perform the Salats at their assigned times. We are not allowed to be careless about the Salat nor to neglect it. But sometimes it happens that a Muslim Mukallaf might be taken over by sleep and would not wake up until after the assigned time for the Salat. Or he might forget performing his Salat for one reason or another, and would remember it only after the lapse of its time. In such cases he must to perform Salatul-Qada, that is, the lapsed Salat, in lieu of the original one.

2. If a Muslim, by ignorance, neglected to perform his Wajib Salat i.e. did not know that it is Wajib, it would be incumbent on him to perform Salatul-Qada.

3. If a Muslim, deliberately, neglected to perform his Wajib Salats, he must repent to Allah, ask His forgiveness and perform all the lapsed (missed) Salats which he deliberately neglected.

4. Women are not required to perform the lapsed (due-) Salats which they did not perform during their Hayd [monthly periods] or during Nifas [after childbirth].

5. The insane and the one who is in a swoon (a fainting spell) are not required to perform the Qada Salats, if the insanity and the fainting continued during the whole period of the Salat.

6. If an original Kafir, such as an idolater or a Kitabi, adopted Islam, he is not required to perform the Wajib Salats and Sawm which he did not perform before adopting Islam.

Discussion

Q1. Count three cases in which a Mukallaf would have to perform what had lapsed of his Salats.

Q2. Answer with "Yes" or "No":
   a. An insane does not have to perform Salatul-Qada.

   b. Women are not to perform what had lapsed of their Salats during their Hayd and Nifas.

   c. An original Kafir must perform the Salats which he did not perform during the period of his disbelief.
The Hanalis say that the Salats of the fainted and the insane are dropped in case the moods continued for more than five Salats. But if they continued for only five Salats or less, they must do the Qada Salats. The Malikis say: “The insane and those who have fainted are to do the Qada.” The Hanbalis say: “Those who have fainted have to do the Qada, other than the insane.

Salatul-Jama’ah [Congregational Salat]

Salatul-Jama’ah

It is narrated that the Messenger of Allah (s) said: "Whoever has performed his five Salats in Jama’ah, think good of him." The first congregational Salat performed by the Messenger of Allah (s) was in the Holy Mecca, with Ali Ibn Abi Talib (a.s.) in AlMasjidul-Haram. When his uncle, Abo Talib, saw him, he said to his son. Ja’far: "My son, join the wing of your cousin”, that is, join him on the other side, beside Ali (a.s.), behind the Prophet (s).

Hence, the Messenger of Allah (s) performed his first congregational Salat with the Imam Ali Ibn Abi Talib (a.s.) and Ja’far Ibn Abi Talib. Salatul-Jama’ah is Mustahabb is all five Salats. It is preferred to the individual Salat, and its reward is greater with Allah, the Glorified.

Congregational Salat teaches us how to unite with our brothers, the Musallis, and makes us feel that we are all equal brothers, standing in rows of Musallis, worshipping Allah and invoking Him. That was why the Messenger of Allah (s) ordered the Musalli to perform SalatulJama’ah.

Rules of the Congregational Salat

There are certain conditions and regulations related to SalatulJama’ah, which we must learn. Some of these rules are as follows:

1. The Imam [the leader of the Salat] is to be sane, of full age, and of legitimate birth, as it is not allowed to perform the Salat behind a boy, an insane person, or somebody of illegitimate birth.

2. The Imam must recite correctly and perform the Salat well.

3. He must be a God-fearing believer, as it is not allowed to follow a corrupt leader in the Salat.

4. The place of the Imam must not be higher than the place on which the Ma’mums [the Musallis standing behind the Imam to perform the Salat], unless the difference in height is slight, not more than commonly allowed, so that the people would not think him too lofty above them.

5. It is the Imam of the Jama’ah who recites the Ftilah and the other Surah in the first and the second
Rak’ahs, while the Ma’mums recite nothing, but they just listen.

6. There must be no divider between the Imam and the Ma’mums, such as a wall, or even a vacant space, and the like. It is allowed, however, to hang a curtain between the men and the women Musallis.

7. The Musallis are to imitate the Imam in the acts of Salat, such as the Ruku, the Sujud, Takbiratul–Ihram, etc. and are not to precede him in doing them.

8. Masculinity: That is, the men are allowed to perform the Salat only behind a male Imam. As to the women they may choose to follow a male or a female Imam.

9. The women are to stand behind the men in Salatul–Jama’ah.

10. The least number of people who may form a Salatul–Jama’ah is two persons, the Imam and a follower. (Ma’ mum)

Discussion

Q1. Write T for the true statement and F for the false one.

a. A woman may follow another woman in Salatul–Jama’ah.

b. It is allowed to follow a boy as the Imam in Salatul–Jama’ah.

c. Salatul–Jama’ah is correct if there was a partition between the Imam and the Musallis.

d. To perform Salatul–Jama’ah behind a corrupt Imam is allowed.

1. Brother teachers are requested to practically perform Salatul Jama’ah at school so that the students may grow accustomed to it.

2. The Hanbalis say that Salatul Jama’ah is an individual Wajib required of every person capable of performing it. But if one performed the Salat individually, it would be valid, though one would be considered a sinner.

3. Except Salatul Jumu’ah and Salatul Eid, which must he performed congregationally, in case their other conditions allowed.

4. The Shafi’is say: "Between the Imam and the Ma’mum there may be a distance of more than 300 cubits (a cubit = 45–56cms.), provided that there is no barrier." The Hanafis say: "If a person in his house followed, in his Salat, the Imam of the Jama’ah in the mosque, his Salat would be valid, if his house was next to the mosque with only a wall in between, provided that he could make no mistake about the Imam’s postures. If the house, however, was separated from the mosque by a road or a river, one is not to follow the Imam as Mu’mum." The Malikis say: "The difference of place would not prevent the legality of following the Imam, if the Ma’mum was sure of his imitation of the Imams acts of the Salat.

5. The Malikis say that a woman is not to be an Imam, even for a woman Ma’mum.
How to Join Salatul-Jama’ah

1. If someone could not be present at the start of Salatul-Jama’ah, he may join it at any Rak’ah he please, and he would still get its reward. The condition for joining the Salat is that; it should be before the Imam finished a Ruku, as he is to catch him in Ruku, so that it can be counted a Rak’ah for him.

2. If the Musalli joined the Jama’ah in the third Rak’ah of SalatuzZuhr, for example, he would perform with them the third and the fourth Rak’ahs, though, for him, these two Rak’ahs would be his first and second. So, he would have to recite Al-Fatihah and a Surah in both of them. If there was not enough time, he is to recite only Al-Fatihah, and, when the Jama’ah Musallis finish their fourth Rak’ah, he is to continue to perform his third and fourth Rak’ahs individually.

3. If the person who wants to join the Jama’ah knows that there is not enough time to allow the recitation of Al-Fatihah, it is preferred to wait until the Jama’ah Musallis enter the Ruku, then he would make his Niyyah Takbiratul-Ihram, and go to the Ruku with them.

4. If the Musalli joined the Jama’ah without knowing which Rak’ah was being performed by the Jama’ah, the second or the third, for example, he would have to recite Al-Fatihah and another Surah, if time was enough for both. Otherwise, recitation of Suratul-Fatihah alone would be satisfactory.

Discussion

Q1. If you entered a mosque and saw the Musallis in the Sujud position, would it be correct if you joined them in the Sujud, or not?

Q2. If the Musalli joined the Jama’ah Musallis in their fourth Rak’ah, what should he do when they have finished this Rak’ah?

Q3. If you joined the Jama’ah Musallis in their second Rak’ah, which they finished by the Tashahhud, would you follow them in that, or not? Why?

1 The Hanafis, the Malikis and the Hanbalis say that the part of the Salat which the Musalli joins the Jama’ah is regarded to be the end of his Salat, so, if he caught them at the last Rak’ah of Salatul-Maghrib, he would also regard it to be the last Rak’ah of his Salat, then he would perform a Rak’ah, in which he recites Al-Fatiha a Surah, and the Tashahhud, then another Rak’ah in which he recites Al-Fatiha and a Surah. The Shafiis and the Imamis say: The part in which the Musalli joins with the Imam is regarded as the beginning of his Salat, not its end.
Salatul-Musafir [Traveller’s prayer Salatul-Qasr]

By the grace of Allah and His mercy He made the duties and the Wajibs easy and feasible. An example of this feasibility in enjoining the worshipping duties, is the reducing the Salats of the traveller from the 4 Rak’ah Salats to 2 Rak’ah Salats. (The Salats of Az-Zuhr, Al-Asr and Al-Isha). 1

Conditions of Salatul-Qasr [Reduced Salat]

There are some conditions prescribed by the Islamic Shari’ah for the "reduced" Salat of the traveller. All these conditions should exist, otherwise the Salats would remain in their Tamam [complete] form, not Qasr. These conditions are:

1. Distance: The first conditions for the Salat to be reduced is that the total distance which a traveller is to cover must not be less than eight Farsakhs, four for going and four for the return (nearly 45 km).

2. From the beginning, the traveller’s intention must be fixed on covering that distance in his journey, and his intention is to remain so, until he has covered it. If he did not have the intention of travelling that distance from the beginning of his journey, he would have to do the Tamam Salat, even if he had covered that very distance later on in his journey.

3. The travelling must be for a legitimate purpose. If it was for some illegitimate purpose, such as, if he travelled to do wrong, or to assist a wrongdoer, he must do the Tamam Salat.

4. From the beginning the traveller must not have the intention of staying 10 days in the place to which he is travelling, nor have any doubt about his stay. If the traveller covers the whole (required) distance by joining together the two distances; that is four Farsakhs for going and four Farsakhs for return. Otherwise, if his intention was, from the beginning, to cover eight Farsakhs, the intention for 10 day stay and hesitation in staying would not affect the travel state, since he has not actually realised the 10 day stay.

5. He must not, at the start, have the intention of passing through his homeland or his place of residence, nor should he have any doubt about it.

Rules of the Traveller's Stay [Iqamatul-Musafir]

1. If a person intended to stay 10 days or more, in the place to which he has travelled, he would have to perform Tamam Salats, as he would not be allowed to reduce them to the Qasr form.

2. If a person stayed in a place for 30 days without having the intention of staying, he may perform the reduced Salat (Qasr) up to 30 days, he should perform the Tamam (complete) Salat. And he would not
be allowed to perform the *Qasr* the *Salat*.

3. A person whose profession is to travel all the time, such as a peddler, a driver, a sailor, or one who carries his house with him, such as the nomads, must perform the *Tamam Salat*.

4. The traveller is allowed to turn to the *Qasr Salat only* after reaching the limit of *Tarakhkhus* i.e. after covering a distance at which the houses and the obvious signs of the town disappear.

Discussion

Q1. Does the *Musalli* perform the *Qasr Salat* in the following cases? Why?
   a. Someone who travelled 20 km, then stopped his journey.
   b. A hunter who covered 40 km in chasing the game.
   c. Someone who travelled 30 km in order to transgress someone else.

Q2. Someone who decided to stay for 10 days in the place to which he travelled. Should he perform the *Tamam* or the *Qasr Salat*?

Q3. If a shepherd took his herd for a distance of 45 km, how should he perform his *Salat*? *Tamam* or *Qasr*?

Q4. A traveller who stayed in a place for 32 days without intending to stay so long. How should he perform his *Salat*?

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1. The *Qasr Salat* during travel is *Wajib*, according to the Shi‘ah and the Hanbalis. The Shafi‘is say that the *Qasr Salat* is preferred to the Tamam, while other sects say that it is allowed. The majority say that the *Qasr Salat* is *Wajib*.

2. According to the Hanafis it is 24 Farsakhs going, and to the Hanbalis, the Malikis and the Shafi‘is it is 16 Farsakhs for going only.

3. The Hanafis do not accept the condition of a legitimate travel and say the *Qasr Salat* is *Wajib* in all cases, though the travel itself is *Haram*.

4. It is 15 days according to the Hanafis and 4 days to the Malikis and the Shafi‘is. Or, according to the Hanbalis a period within which he will have to perform more than 20 Salats (*Al-Fiqha Al-Madhahbil-Khamsah*).

**Salatul-Jumu‘ah [Friday Salat]**

Allah, the Exalted, says:

"O you who believe! when it is called to Salat on Friday hasten to remembrance of Allah and leave off trading; that is better for you if you know." (*Suratul-Jumuu‘ah*9).
Friday Salat is one of the most important Wajib worshipping acts in Islam, and it is one of its greatest rites. This Salat was ordained on the first week after the arrival of the Messenger of Allah (s) in the Luminous Al-Madinah.

After four days of his stay, he ordered the Muslims to congregate in the valley of Quba, where he delivered the two sermons of the Jumu’ah, then he performed Salatul-Jumu’ah followed by the Muslims. That was the first Salatul-Jumu’ah in Islam.

Salatul-Jumu’ah enhances worshipping, social, political, and educational objectives. It is a weekly meeting attended by the Muslims to listen to the Khutbahs [sermons] of the Jumu’ah and to their contents of directives, precepts and news. In these congregations people meet together, know and help one another.

That is why the Qur’an encourages and orders us to go to the Salat, leaving everything related to trade, work, and business, so as to remember Allah, feel fear of Him and love for Him and grow accustomed to meeting Muslims and to act collectively.

Salatul-Jumu’ah is a discipline and order. It is a defined act aiming at educating, teaching and instructing the Muslims, through directives and guidance, as well as giving them social and political information. About the importance of this Salat the Messenger of Allah (s) says: "No foot has walked to the Jumu’ah unless Allah forbade its body to be burned in the Fire”.¹

[To be memorized]

The Messenger of Allah (s) ordered us in one of his sayings to listen to the two sermons of the Jumu’ah. He is quoted to have said: "Whoever drivels in the Jumu’ah will have no Jumu’ah reward”²

[To be memorized]

Consequently, one of the precepts of the Jumu’ah is that it is Wajib to listen to the two Khutbahs, to realize their benefits, so that they may be to the mu$alfls’ advantage.

**How to Peform Salatul-Jumu’ah**

Salatul-Jumu’ah consists of two Rak’ahs, like the morning Salat, preceded by two Khutbahs (sermons); the first longer than the second, with a short interval between them Salatul-Jumu’ah is performed instead of the usual Salatuz-Zuhr.

**Some Rules of Salatul-Jumu’ah**

1. Salatul-Jumu’ah is to be performed in congregation, in a gathering of no less than five persons, i.e. four persons besides (an equitable) Imam, that is, he must be known for being pious and God fearing. Salatul-Jumu’ah would not be Wajib, if this number of persons did not gather, then the usual Salatuz-Zuhr should be performed.
2. Another condition is that the Imam must make the Niyyah of leading Salatul-Jumu‘ah.

3. All the conditions prescribed for the daily Salats are required in this respect, too, such as the Taharah, facing the Qiblah, etc.

4. Salatul-Jumu‘ah is not Wajib for the traveller, women and the sick.

5. If Salatul-Jumu‘ah was held in a mosque, it would be Wajib (obligatory) on those who live within two Farsakhs from that mosque. And those who live farther than that distance may not attend it.

6. No more than one Salatul-Jumu‘ah is to be held within a distance less than three religious miles (some 5.5 km) Therefore, if two or more Salatul-Jumu‘ah were held within this distance. All would be Batil, except the one which was started earlier than the others. This is in order that the Muslims may not disperse, but to be united.

Discussion

Q1. What is Salatul-Jumu‘ah? What are its effects on the individual and the society?

Q2. Is the Khutabah (sermon) in Salatul-Jumu‘ah Wajib? Is it Wajib on the Musallis to listen to it?

Q3. How is Salatul-Jumu‘ah held?

3. The Malikis say that the least number of people should be 12 in addition to the Imam. The Shafi‘is and the Hanbalis say: “40 persons including the Imam” The Hanafis say: “There should be at least 5 persons.”
4. The Hanafis accept the attendance of the ruler, even if not equitable.
5. Some 11 km.

Salatul-Ayat

Salatul-Ayat

1. This Salat becomes Wajib when some natural event happens causing fear, such as abnormal yellow and black wind, thunderbolts etc.

2. It also becomes Wajib when there is an earthquake, a solar or a lunar eclipse, total or partial, causing fear or not.
How to Perform Salatul-Ayat

How to perform *Salatul-Ayat*:

*Salatul-Ayat* consists of two *Rak’ahs*, like *Salatus-Subh*, with the difference that in *Salatus-Subh* we do one *Ruku* in each *Rak’ah*, while in *Salatul-Ayat* we have five *Rukus* in each *Rak’ah*. So, this *Salat* consists of two *Rak’ahs* with ten *Rukus*, to be performed as follows:

1. We make the *Niyyah*, the *Takbiratul-Ihram*, recite *Suratul-Fatiha* and a *Surah*, and we go to the *Ruku*.

2. We return to *Qiyam*, recite *Al-Fatiha* and a *Surah*, and go to the *Ruku*.

3. We return to *Qiyam* for the third time and recite *Al-Fatiha*, and a *Surah*, then we go to the *Ruku*.

4. We stand up for the fourth time, recite *Al-Fatiha*, and a *Surah*, then we go to the *Ruku*.

5. We stand up for the fifth time, recite *Al-Fatiha*, and a *Surah*, and it is *Mustahabb* to do the *Qunut* here, then we go to the *Ruku*.

6. After raising our heads from the fifth *Ruku* we go down to perform the two *Sajdahs*, then we stand up, recite and repeat the five *Rak’ahs* as before, it is also *Mustahabb* to do the *Qunut* before the fifth *Ruku*. Then we go down, make the two *Sajdahs*, then recite the *Tashahhud* and finish by the *Raslim*.

Rules to be Observed in Salatul-Ayat

There are certain rules concerning this *Salat* which must be observed in order to carry out our duties as best as we can.

1. All the conditions required for the daily *Salats* are to be observed here, such as *Taharah*, orientation towards the *Qiblah*, etc.

2. The time assigned for performing the *Salat* because of the lunar or solar eclipse stands with beginning of the eclipse till its end.

3. For the *Salatul-Ayat* to become *Wajib*, the natural event must happen in the country of the *Mukallaf*. If it happens in another country, the *Salat* would not be *Wajib* upon him.

4. As regarding the natural incidents, such as earthquakes, thunderbolts, storms, etc., of which we are not informed until they are finished, like when an earthquake takes place while we are asleep and we know nothing about the event, the *Qada* of *Salatul-Ayat* is to be performed, after being informed about it.
5. In cases of the lunar and solar eclipses, of which we are not informed until they are over, if they were total eclipses, the Salatul-Qada would be Wajib upon us, but it would not be Wajib if the eclipses were partial.

**Discussion**

Q1. Explain what your religious duty would be in the following cases:
   a. If it was broadcast that an earthquake had happened in a foreign country, would it be Wajib upon you to perform Salatul-Ayat or not?
   b. When you witness a partial solar eclipse in your country.
   c. A total lunar eclipse takes place in your country, but you learn about it the next day.

Q2. Compare between Salatus-Subh and Salatul-Ayat.

Q3. Is it necessary to be Tahir and to face the Qiblah in Salatul-Ayat?

1. Our respected brother teachers are requested to demonstrate this Salat to the students.
2. The Hanafis, the Shafi'is, the Malikis, and the Hanbalis say that the eclipse Salat is a recommended tradition, not Wajib.
3. It has no specific form in the opinion of the Hanafis, except that it is two Rak'ahs, each with a single Qiyam and a single Ruku, and one may perform two, four or more Rak'ahs. According to the Hanbalis, the Shafi'is and the Malikis, it is two Rak'ahs; each Rak'ah has two Qiyams and two Rukus. In the first Rak'ah, the Musalli should say first the Takbir, recite the Al-Fatihah and a Surah, then do the Ruku, and the Qiyam, recite Al-Fatihah and a Surah, do the Ruku and the Sujud, then stand for the second Rak'ah to do or repeat the same acts and recitation as he did in the first.

**Salatul–Eid [Prayers of the Feast Day]**

Salatul–Eid

Allah, the Exalted, prescribed two Eids [feasts or Bairams]: One of them is Eidul–Fitr [lesser Bairam] which comes at the end of the blessed month of Ramadan, the month of Siyam. Muslims celebrate this Eid, decorate their places, festively visit and congratulate one another for having performed the duty of the Siyam. This Eid is on the first day of the month of Shawwal [the tenth month of the Islamic calendar].

The second Eid is Eidul–Adha [the greater Bairam], on the 10th day of the month of Dhul–Hijjah [the 12th month of the Islamic calendar], which is also celebrated by the Muslims, as they celebrate Eidul–Fitr, as a token of their respect and honour for that great day on which they have finished the rituals of the Hajj, one of the holy duties of Islam.

On these two occasions Allah enjoined that a particular Salat should be performed, called Salatul–Eid.
How to Perform Salatul-Eid

Salatul-Eid consists of two Rak’ahs like Salatus-Subh, with five additional Takbis after the recitation of Al-Fatiyah and a Surah, with a Qunut after each Takbir in the first Rak’ah and four Takbis and four Qunuts in the second Rak’ah. It may suffice to do only three Takbis in each Rak’ah, with a Qunut after each Takbir. In the Qunut we may recite any invocation (Dua) we wish. The details of this Salat is as follows:

1. We make the Niyyah to perform Salatul-Eid, then we recite Takbiratul-Ihram.

2. We recite Suratul-Fatiyah, and a Surah, preferred to be Suratush-Shams or Suratul-Ala, then we recite another Takbir, then we raise our hands for invocation, reciting any praying text, though the following Du’a is the most recommended: “Allahumma Ahlal-Kibriya’i Wal-Azamah, Wa Ahlal-Judi Wal-Jabarut, Wa Ahlal-Afw Wal-Rahmah, Wa Ahlal-Taqwa Wal-Maghfira, As’aluka Bihaqqi Hadhal-Yaumil-Ladhi Ja’altahu Lil-Muslimina Idan, Wa Li Muhammadin, Salla-Llahu Alayhi Wa Alihi, Dhukhran Wa Sharafan Wa Karamatan Wa Mazidan, An Tusaliyya Ala Muhammadin Wa Alee Muhammad, Ka’afalali Ma Sallayta Ala Abdin Min Ibadika, Wa Salli Ala Malakatika Wa Rusulika Waghfir Lil-Mu’minina Wal-Mu’mimat Wal-Muslimina Wal-Muslimat, Al-Ahya’i Minhum Wal-Amwat. Allahumma Inni As’aluka Khayra Masa’alaka Minhu Ibadukas-Salihun, Wa’audhu Bika Min Sharri Masta’adha Minhu Ibadukal-Muskhlisun.”

3. Having finished the Qunut, we lower our hands and repeat the Takbir for the second time, then we raise our hands once again and repeat the same Du’a. Finishing it, we lower our hands with a Takbir, then raise them for the third time and repeat the same Du’a, lower our hands with a Takbir, and once again raise them for the fourth time, repeat the same Du’a, lower our hands with with a Takbir, and raise them for the fifth time and repeat the same Du’a.

4. After that we make the Ruku and the two Sajdahs, as in the daily Salats.

5. Then we stand up for the second Rak’ah, repeat the same recitation, Takbir and Du’a, i.e. we recite Al-Fatiyah, a Surah, preferably Suratul-Ghashiyah or Suratush-Shams, then the 4 Takbis, with the Du’a after each Takbir, as we did in the first Rak’ah.

6. Having finished the Du’a after the fourth Takbir, we make the Ruku, the two Sajdahs, the Tashahhud and the Taslim, as in the daily Salats.

Rules Concerning Salatul-Eid

1. The conditions required in the daily Salats, such as Taharah, facing the Qiblah, etc., are required in this Salat, too.

2. No Adhan is required for this Salat, nor Iqamah. It is Mustahabb however, for the Mu’adhdhin to
shout: "As Salat" three times.

3. The assigned time for performing this Salat begins from sunrise till noon.

4. It is Mustahabb to recite it audibly.

5. It must be attended for performance, if an equitable Imam lead the Jama’ah.

**Discussion**

Q1. There are certain advantages in the Islamic Eids. Please, count some of these advantages.

Q2. How many Rak’ahs are there in Salatul-Eid?

Q3. An Imam performed this Salat, with three Takbirs and three Qunuts in each Rak’ah. Is his Salat valid or Batil?

Q4. If an Imam performed Salatul-Eid with five Takbirs and five Qunuts in the first Rak’ah but in the second Rak’ah he performed four Takbirs and four Qunuts, would his Salat be valid or Batil?

Q5. Tell your brother students about the time of Salatul-Eid.

Q6. Fill in the blanks with suitable words: There is neither Adhan nor Iqamah in Salatul-Eid, but it is Mustahabb to say: ..... three ..... 

1. The brother teachers are requested to train the students to practically perform this Salat.

2. According to the Hanbalis, the time for Salatul-Eid begins after the sun has risen to a spear’s height, and continues till noon.

**Salatul-Mayyit [Salat over the Dead Person]**

1. The Salat over the Mayyit (dead) is a Kifa’i Wajib. That is performing Ghuslul-Mayyit, wrapping it in the Kafan [shroud], and performing the Salat, over it, are all Kifa’i Wajibs, so, when a Muslim dies and somebody, or some people, perform the Salat over him, the others would be exempted from performing it. But if they have neglected the body and nobody offered to perform the Salat over it, then all of them would be considered sinners.

2. This Salat is not Wajib on a Mayyit who has not yet reached 6 years of age.1

3. The Salat is performed over the dead after giving it the Ghusl, anointing it with the Hunut, and wrapping it in the Kafan.
**How to Perform the Salat over the Mayyit**

1. The body is stretched on its back, with its head to the right, and it; legs to the left of the **Musalli**, who is to face the **Qiblah**.

2. The **Musalli** makes the **Niyah** that he performs **Salatul-Mayyit**, and starts the **Salat**, which consists of five **Takbirs**, as follows:

   a. The **Musalli** says the **Takbir** and the **Shahadatan** [Tashahhud].

   b. He says the second **Takbir** and sends blessings on Muhammad and Alee Muhammad,

   c. He says the third **Takbir** and asks forgiveness and pardon for the **Mu’minun** [the believers].

   d. He says the fourth **Takbir** and asks forgiveness and pardon for the **Mayyit**. If the **Mayyit** was a child, he is to say: "**Allahumma-J’alhu Li’abawayhi Wa Lana Salafan Wa Faratan Wa Ajran**".

   e. He says the fifth **Takbir** and finishes the **Salat**.

**Explanations**

1. There is no **Qira’ah** in this **Salat** as is in the daily **Salats**, nor **Ruku** nor **Sujud**, and it does not need **Taharah**.

2. The women are allowed to perform the **Salat** over a male **Mayyit**, as the males are allowed to perform it over a female **Mayyit**.

3. It is **Mustahabb** to perform this **Salat** in **Jama’ah**.

4. If a **Mayyit** was buried without performing the **Salat** over it, negligently or for any other reason, or the **Salat** which has already been performed was not correct, the **Salat** would be performed over its grave in the same original manner as usually done before burial.

**Discussion**

Q1. Tell which of the following **Salats** is correct and which is **Batil**.

   a. A **Musalli**, without being **Tahir** performed **Salatul-Mayyit**.

   b. A **Musalli** performed **Salatul-Mayyit** over a dead body with a curtain in between.

   c. A **Musalli**, who has performed **Salatul-Mayyit** without facing the **Qiblah**.

Q2. How many **Takbirs** are there in **Salatul-Mayyit**?
1. The Shafi’is and the Malikis say that, in the case of a child, if the child cried after birth, the Salat is to be performed over it. The Hanbalis and the Hanafis say: The Salat is to be performed over it, if it stayed 4 months in its mother’s womb.

2. Al-Hunut is to anoint the 7 parts of Sujud with camphor. The Sujud parts are: the forehead, the two palms, the two knees and the two tips of the big toes of the feet.

3. The four Islamic sects [the Hanafis, the Hanbalis, the Shafi’is and the Malikis say that only 4 Takbirs are Wajib.

4. The four sects conditioned for the correctness of the Salat that the Taharah is to be observed, as in the incumbent Salat.

Faridatus–Sawm [The Obligatory Fasting]

Allah, the Exalted, says:

"The month of Ramadan, is that in which the Qur’an was revealed, a guidance to mankind and manifestations of guidance and distinction; therefore, whoever of you is present in the month (at home) has to fast therein; and whoever is sick or on a journey, then (he shall fast) a (like) number of other days. Allah wants ease for you, and does not want hardship for you. And that you should complete the number and that you should exalt the Greatness of Allah for having guided you, and that you may give thanks." (2:185)

He, the Glorified, also says:

"O you who believe! fasting is incumbent on you as it was incumbent on those before you, so that you may ward off Allah's wrath." (2:183).

The Messenger of Allah (s) said: "A fasting person is considered to be worshipping even if he is in his bed, unless he backbites a Muslim." He (s) also said: "Whoever fasts in Ramadan out of faith and to please Allah, Allah forgives the sins he had committed." He (s) also said: "O people! The month of Almighty Allah has come to you with blessings, mercy and forgiveness, a month which is the best of months with Allah, its days are the best of days, its nights are the best of nights and its hours are the best of hours..." He (s) also said: "...It is the month of forbearance, and, surely, the reward of forbearance is Paradise. It is the month of consolation."

The Imam Ja'far As-Sadiq (a.s.) said: "Allah enjoined the Siyam [fasting] so that equality may prevail between the rich and the poor, since the rich usually do not feel the touch of hunger so as to show mercy to the poor, as they are capable of affording whatever they desire. Therefore, Allah, the Exalted, wanted to put His creatures on an equal footing, making the rich taste the pains of hunger, so that they may be kind to the needy and have mercy on the hungry people."

As–Sawm is a worshipping duty legislated by Allah, the Exalted, and enjoined on the people, and nations which lived before us, as it is now enjoined on us. As–Sawm is one of the fundamental pillars of
Islam, and it is to be practised in a particular month of the year, the blessed month of *Ramadan*.

*As-Sawm* brings about numerous ritual, educational and moral objectives. It teaches man to prefer obeying Allah and loving Him to loving himself, his desires and pleasures. The Muslim, in this month, responds to Allah's command, by giving up all pleasures derived from food, drink, etc., for the sake of Allah's pleasure and as an obedience to His orders.

It strengthens one's will and ability to forbear difficulties and sharpens one's inner sense of obeying and carrying out the Divine orders and laws. The *Sa‘īm* [the fasting person] is inwardly driven to avoid all that Allah had ordered him to avoid in this blessed month. This accustoms the Muslim to obedience and commitment.

It also teaches the Sa‘īm Muslim to adhere to the virtuous morality and upright conduct. It causes the rich Sa‘īm, to sense the poor's hunger, and to understand the meaning of being poverty-stricken and needy. This, in turn, urges him to help the poor and soothe their pains. Furthermore it makes all Muslims feel equal in the presence of Allah, the Exalted, and, by strengthening this feeling in them, they learn to regard one another as brothers, equal in rights and duties.

There are, of course, many other good effects and salubrious (healthful), curing advantages to the body. The Messenger of Allah (s) said "*Sumu Tasihhu*" that is: Fast you would be healthy. It has been proved by the physicians and scientists that fasting is a relaxation for the body's organs, and is regarded as a cure for many diseases.

**The Conditions Making Fasting Wajib**

Fasting can not become *Wajib* on a Muslim unless the following conditions are present:

1. Puberty: Fasting is not incumbent on a person who has not yet reached puberty, though it would be correct if he fasted;

2. Sanity: No fasting is incumbent on the insane.

3. Not being a traveller: One who is on a journey is not to fast, and if he did it, it would be *Batil*.

4. Consciousness, as the unconscious person is not to fast.

5. Cleanliness from Hayd and *Nifas*, as the women who are in the state of Hayd or *Nifas* are not to fast before becoming *Tahir*, otherwise, their fasting would be *Batil* and unacceptable, if they did fast during the Hayd and *Nifas*.

6. Being healthy enough to withstand fasting, as the sick, the old men and women (for whom it is difficult to fast), and the pregnant and the suckling women who or whose children would be harmed by fasting, are not to fast.
N. B. The *Musafir*, the sick, the Hayd and the *nafsā* must perform the *Qada Sawm*, that is to fast, when able later on, as many days as had been missed.

**The Niyyah for Fasting**

1. The *Niyyah* is a basic part of the *Sawm*, as the saʿīm will have to make his intention that he is performing the *Sawm* for the pleasure of Allah; the Exalted.

2. The *Niyyah* can be made once by the Saʿīm for the whole month of *Ramadan*, or one may make it for each day separately, before dawn.

3. The *Niyyah* for fasting is to last until the end of the day. If one has the intention of breaking one’s fast during the day, or if one is not sure about it, one’s fasting will be *Batil*, even if one did not do any of the acts which invalidate the *Sawm* such as eating, drinking, etc. In this case one has to abstain from the "invalidators" until the end of the day, and then to make up for it by fasting another day after the month of *Ramadan*.

**When to Begin and End Ramadan Fasting**

The blessed month of *Ramadan* is the month of the *Sawm* which is incumbent on every Muslim *Mukallaf*. Therefore, it is necessary to be sure about the first and last days of this month, in order to carry out this sacred worship.

The Islamic *Shari‘ah* has explained the lawful ways of knowing these two days at the beginning and the end of the month. These ways are as below:

1. The month of *Ramadan* is ascertained by eye–witnessing the *Hilal* (crescent) [the new moon] and the day of the *Eid* is also ascertained by eye–witnessing the new moon of the month of *Shawwal* [the month after *Ramadan*]

2. If the new moon of the month of *Ramadan* could not be seen for any given natural reason, such as clouds, fog, or dust, the number of the days *Sha‘ban* [the month before *Ramadan*] is to be completed 30 days, then we start the month of *Ramadan* the next day.

3. The *Eidul–Fitr* [the first day of the month of *Shawwal*] is ascertained by eye–witnessing the new moon on the beginning of the month of *Shawwal*. If it was not possible to see it, the month of *Ramadan* is to be completed up to 30 days.

**How to Ascertain the Hilal (The New Moon)**

There are three ways defined by the Islamic *Shari‘ah* for being sure of the visibility of the *Hilal*, (the crescent):
1. If someone himself saw the *Hilal*, it would be *Wajib* upon him to start the *Siyam* of the month of *Ramadan*, or to break the fast, if it was the *Hilal* of *Shawwal*.

2. If two equitable men\(^7\) testified that they themselves had seen the *Hilal*, we, then, would have to begin our *Siyam*, or to break it.

3. If it was rumoured among people that the *Hilal* had been seen, and people gave credit to it and believed in it, then the *Mukallaf* must act according to this circulation, starting the *Siyam*, or by starting the *Iftar* [fast-breaking], depending on the circulation.\(^8\)

**Explanation**

Some *Faqihs* believe that to ascertain the crescent in a country cannot be sufficient for the citizens of another, unless both are near each other, or they were known to have a common horizon, or the ascertaining country is situated to the east of the other. Whereas other jurisprudents believe that ascertaining of in a country suffices for ascertaining of it in the other countries.

5. Ibid, p. 3.
6. The four sects say: “If nursing and pregnant women expect harm to themselves or to their infants, they may or may not fast.”
7. The Hanafis say: "The new moon of Ramadan is established by the testimony of a single man and a single woman, provided they are sane and equitable Muslims, but the new moon of Shawwal is established by the testimony of two men, or one man and two women”. The Shafi‘is say: “The new moons of both the months of Ramadan and Shawwal are established by the testimony of a single equitable sane and Muslim man”.
8. Some Faqihs say that fasting or breaking of the fast during the month of Ramadan becomes Wajib if the equitable Faqih is ascertained of the new moon, unless the Mukallaf personally is certain of the contrary.

**Al–Mufattirat [The Invalidators of the Sawm]**

If the *Sa‘im* ate something, or used things which he was not to use during the daytime of the month of *Ramadan*, his *Sawm* would be invalid. Such things are called the mufattirat, i. e. "the invalidators". They are:

1. Eating and drinking.

2. *Jima* [sexual intercourse]
3. Deliberately forging lies against the Messenger of Allah (s).

4. Deliberately immersing the head completely in water.

5. Deliberately remaining Junub till dawn. If a Sa‘îm became Junub at night and deliberately neglected performing the Ghusl or the Tayammum (in case he could not perform the Ghusl), his Sawm would be Batil.

6. Causing the ejaculation (discharge) of one’s semen.

7. Using enema so as to make the liquid reach one’s stomach.

8. Deliberately vomiting.

9. Deliberately allowing dust to reach one’s stomach by breathing.

**Explanation:**

1. A medicine put in the eye, ear and nose, even if it reaches the stomach, would not invalidate the Sawm.

2. Injecting medicine into the organs of the body by syringe would not invalidate the Sawm.

3. If a Sa‘îm unconsciously had or committed one or some of the Mufattirat, his Sawm would be valid, not Batil.

**Performing the Qada and the Kaffarah [Expiation]**

1. If someone deliberately had, or used, any one of the aforementioned Mufattirat, he would have to perform Qada Us–Siyam for the missed fast days, besides having to pay a Kaffarah [expiation]. The Kaffarah of deliberately breaking the fast is: feeding sixty needy persons for each day, or fasting for two successive months, or emancipating a slave from slavery, whichever he chooses.

2. Whoever deliberately broke his fast by having something Haram, such as the one who broke one’s fasting by drinking wine. In such a case this person is to fast for the lapsed day, and to pay all the above three expiations.

**Rules of Siyam in the Stay and Travel**

Allah, the Exalted, says:

"The month of Ramadan is that in which the Qur’an was revealed, a guidance to mankind and manifestations of guidance and distinction, therefore, whoever of you is present in the month (at
Feasibility and ease are basic principles in every *Wajib* and duty in the Islamic *Shari’ah*. Islam is the religion of feasibility and ease. He, the Exalted, says:

"*Allah wants ease for you, and does not want hardship for you.*" (2:185)

Therefore in order to remove difficulty, harm and hardship from His servants, He, in the wise Qur’an has ordered the travellers and the sick to break their fast. The Islamic *Shari’ah* has stated the rules of breaking the fast during travel and stay, as below:

1. The Sa’im traveller has to break his fasting, in case he intends to travel a distance of some 45km round trip that is a distance of about 22.5 km for going and 22.5 km for the return trip.

2. He is to start his journey before noon. If he started it in the afternoon, he would not be allowed to break his fast for that day.

3. His journey should not be for a sinful purpose.

4. If a traveller returned home or to where he lives, before noon, he must fast, as he is not allowed to remain *Muftir* [not fasting].

5. If a traveller intended to, or knew that he would, stay for at least ten days in a place during his travel, he must fast and perform *Tamam Salat*. That is, he is not allowed to perform *Salatul Qasr*. Similarly if someone remained for thirty days in the place to which he has travelled, uncertain whether to stay longer or not, he must then fast and perform *Tamam Salat*, as from the 31st day of his travel.

6. Those whose business requires them to travel, such as the sailors, drivers, or those whose jobs, are connected to travelling, such as, peddlers, they have to fast, disregarding the distances they make.

7. The traveller has to perform the *Qada* fasting to make up for the lapsed *Siyam* caused by his travel.

8. It is impermissible, as a precaution, to postpone the *Qada* fasting to the next month of *Ramadan*. If he postpones, the *Qada*, it would have ample time to do it whenever he wants, but he will have to offer a ransom of a *Mudd* of food for each day, in addition to the *Qada*, if the postponement was made owing to his indifference.

9. It is *Haram* to fast on the two *Eids*, that is, the first day of the month of *Shawwal*, and the 10th day of the month of *Dhul–Hijjah*.8
Mustahabb Sawm (Recommended fasting)

In addition to the **Wajib Sawm** there are **Mustahabb Sawms** too:

1. Fasting three days of every month, preferably the first and the last Thursdays, as well as the first Wednesday of every month.

2. Fasting the months of *Rajab* and *Shaban*, completely (wholly) or partially.

The Messenger of Allah (s) used to encourage and insist upon performing the **Mustahabb Sawm**. He is quoted to have said: "Whoever fasts three days of every month, would be as if he had fasted forever, because Allah, the Glorified and Almighty, says: "whoever does a good deed will have ten times as much."

**Discussion**

Q1. **Sawm** is one of Islam's bases, with devotional, educational and morel objectives. Explain these objectives briefly.

Q2. Mark the correct statement with the sign √ and the incorrect with X.

a. If the new moon of the month of *Ramadan* could not be seen because of heavy clouds, the month of *Shaban* is to be completed up to 30 days, then to start the month of *Ramadan*.

b. Immersing the head completely in water does not invalidate the **Sawm**.

c. The **Sawm** of the one who remains *Junub* till dawn is valid.

d. The Sa'im who travels in the afternoon is allowed to break his fast.

e. The traveller who returns home before noon is not allowed to break his fast.

f. It is **Mustahabb** for minors to fast, if no harm is anticipated.

g. The women in the state of Hayd or *Nifas* must fast.

h. Nursing mothers are not allowed to break their fasting, even if it badly affects the quantity of their milk.

Q3. What is the **Kaffarah** for deliberately breaking the fast of the month of *Ramadan*?

---

1. The four sects say: Immersing the head completely in water does not invalidate the Sawm.

2. The four sects say: The Sawm is valid.

3. The four sects say: Causing the discharge of semen requires, Qada Us-Sawm without Kaffarah (atonement).

4. The Hanafis say: Deliberate vomiting does not invalidate the Sawm, unless the mouth is filled with it.

5. In this case, the Malikis say that the Qada would be Wajib.

6. The Shafi'is, the Hanbalis and the Hanafis say: "It should he effected in succession, i.e., first the emancipation of a slave:
if this was not possible the next would he the Sawm: if this was not possible, then the feeding of sixty needy persons.

7. The four sects say: "In addition to the said observable conditions in Salatul-Asr, according to each sect, there is the condition that one has to start his journey before dawn. If one set off after dawn, it would be Haram for one to break one's fast. If one did it, one would have to perform Qada Siyam, without Kaffarah.

8. The Hanafis say: "Fasting on the Eid day is very much Makruh to the extent of nearly being Haram.

Zakatul-Fitr [Al-Fitrah]

Islam has taken care of every aspect of the human life concentrating on the subsistence aspect in particular. It has offered laws and enjoined taxes on the rich to solve the problem of the poor and liquidate poverty. Zakatul Fitr is one of these taxes. So, Zakatul-Fitr is a devotional financial tax, governed by certain mies and conditions as follows:

1. Paying it is Wajib on every sane mature Muslim who can afford it. He is to pay it on behalf of himself and the members of his family: wife, children, parents, servants, etc.

2. Zakatul-Fitr is to be put aside for payment on the night preceding Eidul-Fitr, and can be paid any time up till the noon of the Eid.

3. The amount of Zakatul-Fitr payable by every Muslim is nearly 3 kg of the food common in the locality, such as: wheat, rice, dates, and the like. However, their value can also be paid in cash to the Mustahiqqun [those who deserve to receive it].

This charity is to be paid to one's local Mustahiqqun, unless there was a surplus, or there was no Mustahiqq in one's locality, or if there was extreme need in some other locality demanding that the Zakat should be transported to where it can achieve its economic and social objectives in solving the problem of poverty, and in pleasing the poor and the needy on this happy occasion of the Muslim life, the occasion of the Eid and of having completed this sacred Sawm duty.

How to Dispense Zakatul-Fitr.

In order to carry out the reformatory and subsistence aims of Zakatul-Fitr in the society, Islam as defined the way of dispensing it among the mustahiqq people and establishments. These are:

1. The poor and the needy.

2. The collectors who levy the Zakat and distribute it.

3. The poor debtors who are unable to pay their debts because of their poverty.
4. *Ibnus-Sabil*, i.e. a traveller who has lost his money, and has been left with no means to take him back home, may be paid as much as he needs to return home.

5. It is also spent in the way of Allah, which covers all that pleases Allah, the Exalted, such as building mosques, schools, bridges, and for *Jihad* (war in defence of Islam), spreading Islamic culture, propagating Islam, enjoining the good deeds and forbidding the wrong deeds, and the like.

6. It is also given to the slaves who have come to an agreement with their masters so as to free them against a ransom. So the *Zakat* is used to help the slaves to emancipate themselves, since Islam is the religion of freedom and emancipation.

**Discussion**

Q1. Complete the following rules:
   a. *Zakatul-Fitr* is *Wajib* on every ..................
   
   b. The time for putting the *Zakat* aside is ..................till ............
   
   c. The amount of *Zakatul-Fitr* is ................ of food common in the locality, such as wheat .............

Q2. Who are the *Mustahiqqun* of *Zakatul-Fitr*?

1. The four sects say that *Zakatul-Fitr* is *Wajib* on every Muslim who can afford it, whether major [One who has reached puberty (legal age)] or minor, sane or insane. The guardians of the sane or the major will have to pay *Zakatul-Fitr* to the Mustahiqq persons from the properties of those who are under their custody.

2. The Hanafis say that it will be due from the dawn of the Eid till the end of one’s life. The Hanbalis say that it is Haram to delay its payment till after the Eid day and that it may be paid two days before the Eid. The Shafi’is say that it is due on the last part of Ramadan until the first part of Shawwal, i.e. at the sunset, or a little before it, on the last day of the month of Ramadan.

3. The Hanafis say that the quantity of *Zakatul-Fitr* is 1.5 kg.

**Az-Zakat [Islamic Alms Tax]**

Allah, the Exalted, said:

"*And perform the Salat and pay the Zakat.*"

He also said:

"*Take due-alms [Zakat] out of their, with which you may purify and thrive them, and pray for them; surely your prayer for them is a relief to them, and Allah is Hearing, Knowing*" (9:103)
Linguistically, the word "Zakat" means "purity and growth." Thus, the due-alms that are given out to the poor for the sake of Allah is called "Zakat," because it thrives and purifies the wealth of the almsgiver. The word "Zakat" can be defined as to be: "A certain tax enjoined by Allah on the rich, to be paid to the poor, or to be spent on charity and reform."

Islam takes great care of reforming the society, abolishing poverty and establishing justice among people, since poverty is a grave social plague, and a cause of corruption, backwardness and deterioration.

Poverty often drives man to commit a crime, killings, stealing, corruption, etc., Whereas Islam wants to build virtuous and happy communities in which people attain to their sufficiency, and there would be no one to feel any need. Therefore, it has legislated financial taxes enjoined on the rich, such as the duty of paying the Zakat, which we are going to study in this lesson.

Az-Zakat is a devotional duty that brings the Muslim nearer to Allah, the Exalted, and purifies his soul from miserliness, love for wealth, and compiling of it, and depriving the needy from it. The one who denies the Zakat is regarded by Islam as a Kafir (unbeliever). No Salat is acceptable by Allah from the person who does not pay the Zakat out of his property. The Zakat causes one's wealth to grow, and protects it from loss and damage.

The Zakat is the poor’s right assigned by Allah on the wealth of the rich, and He has made it Wajib upon them to pay it. Yet, there are some conditions that must be realized before the Zakat becomes due. In paying it the pleasure of Allah, the Exalted, is to be intended.

**The Conditions of the Zakat**

No Zakat will be payable before the realization of the following conditions:

1. Maturity, as the Zakat is not required of a minor who has not yet reached puberty.

2. Sanity, as no Zakat is levied from the insane.

3. Freedom, as a slave who is owned by another person is not to pay any Zakat.

4. The owner of the property must be free to manage it. If his property is stolen, lost, or mortgaged, there will be no Zakat on him.

5. He is to be possessor of the property, as the Zakat would not be liable before complete possession of the property, as a gift which is not yet received, nor the bequeathed heritage before the death of the testator and the consent of the legatee, nor on the loan except after receiving it.

6. The property liable to Zakat must amount to a certain Nisab [prescribed quantity], as will be detailed later on.
**Things Liable to the Zakat**

The Glorious Qur’an and the pure Sunnah have explained the items which are to be liable to the Zakat. They are:

1. The four agricultural yields: wheat, barley, detes, and raisins.
2. The three kinds of cattle: camels, cows and sheep.
3. Gold and silver currencies.

**The Zakat on the Four Drops [Yields]**

**Rules Concerning the Zakat on the Yield**

1. It is *Wajib* to pay the Zakat on the said four crops when their quantity have reached 847 kg or more. Any quantity less than that is not liable to the Zakat.
2. The amount of the Zakat to be levied on the yield is one-tenth of the harvest, if it is irrigated by rain or running water. If it is irrigated with man’s effort, using the manual tools or machinery, the Zakat levied on the harvest, in this case, will be 5% of it.
3. The Zakat is, calculated according to the weight of the dry harvest.
4. The time for assigning the Zakat starts when the grains are husked, the raisins are gathered, and the dates are cut off, because Allah, the Glorified, says:

   "...and pay the due of it on the day of its reaping." (6:141)

**The Zakat on the Three Kinds of Cattle**

Of the cattle only three kinds are concerned: camels, cows (including buffaloes) and sheep (including goats).

**Conditions for Paying Cattle–Zakat**

The Zakat of the said cattle is liable under the following conditions:

1. Grazing the whole year, that is, they should have grazed the whole year in natural pastures and that their owner rarely feeds them with fodder or feed. If they were fed more frequently, they would not be liable to the Zakat.
2. They must not be used in work such as those used for transport, irrigation, ploughing etc.
3. A full lunar year should have passed over them under the aforementioned conditions. If any of these conditions were not met through the year, there would be no Zakat on them.

4. The Nisab, that is, they must reach a prescribed number, which is different in respect of each of the three kinds of the cattle. Hereunder are the Nisabs in their legal arrangement in the Islamic Shari'ah:

<table>
<thead>
<tr>
<th>NO</th>
<th>Number of Camels</th>
<th>The Prescribed Zakat on Camels</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5</td>
<td>One female sheep or goat.</td>
</tr>
<tr>
<td>2</td>
<td>10</td>
<td>Two female sheep or goat.</td>
</tr>
<tr>
<td>3</td>
<td>15</td>
<td>Three female sheep or goat.</td>
</tr>
<tr>
<td>4</td>
<td>20</td>
<td>Four female sheep or goat.</td>
</tr>
<tr>
<td>5</td>
<td>25</td>
<td>Five female sheep or goat.</td>
</tr>
<tr>
<td>6</td>
<td>26</td>
<td>A she-camel in the second year of age. If it could not be found among them, it may be purchased for the Zakat, or a three-year old he-camel may be paid instead.</td>
</tr>
<tr>
<td>7</td>
<td>36</td>
<td>A she-camel in the third year of age.</td>
</tr>
<tr>
<td>8</td>
<td>46</td>
<td>A she-camel in the fourth year of age.</td>
</tr>
<tr>
<td>9</td>
<td>61</td>
<td>A she-camel in the fifth year of age.</td>
</tr>
<tr>
<td>10</td>
<td>76</td>
<td>Two she-camels each in the third year of age.</td>
</tr>
<tr>
<td>11</td>
<td>91</td>
<td>Two she-camels each in the fourth year of age.</td>
</tr>
<tr>
<td>12</td>
<td>121 and up</td>
<td>Here the number is to be derived by either 40s, or 50s. A she-camel in the third year of age is for every 40 camels, to be paid, and a she-camel in the fourth year of age is to be paid for every 50 camels. Any surplus falling between these two figures are exempted from the Zakat.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NO</th>
<th>Number of Cows</th>
<th>The Prescribed Zakat on Cows</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30</td>
<td>An ox or a cow in the second year of age.</td>
</tr>
<tr>
<td>2</td>
<td>40</td>
<td>A cow in the third year of age. Any number above that is to be divided by either 30s or 40s, for which the above Zakat is to be paid. Any surplus number between 30 and 40 is exempted.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NO</th>
<th>Number of sheep (Including Goats)</th>
<th>The Prescribed Zakat on sheep and goats</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>40</td>
<td>One she-sheep.</td>
</tr>
<tr>
<td>2</td>
<td>121</td>
<td>Two she-sheeps.</td>
</tr>
<tr>
<td>3</td>
<td>201</td>
<td>Three she-sheeps.</td>
</tr>
<tr>
<td>4</td>
<td>301</td>
<td>Four she-sheeps</td>
</tr>
<tr>
<td>5</td>
<td>400 and up</td>
<td>For every 100 sheep (or goats) one sheep is paid as Zakat. Any number between every two Nisabs, such as 40 and 121, no Zakat is to be paid, and so on for the others.</td>
</tr>
</tbody>
</table>

In respect of the Zakat on sheep, it makes no difference to pay male or female sheep or goats.

**Zakatun-Naqdayn**

We mean by Zakatun Naqdayn, the Zakat which is to be paid on the gold and silver currencies. They will be liable to the Zakat when they attain the Nisab. The Nisab of the gold currency is 20 dinars [a gold currency] (a dinar weighs 3.45g of gold). The Nisab of silver is 200 dirhams [a silver currency] (a dirham weighs 3.5g of silver). Other conditions are:
The *Nisab* should remain in the possession of its owner for a full year, and they should have been coined as currencies. The *Zakat* for both is a quarter of a tenth, i. e. 2.5%.

**How to Spend the Zakat**

Islam has defined the ways of dispensing the *Zakat* and the establishments to which it may be given. In fact, these are the same quarters to which *Zakatul-Fitr* is given, as follows:

1. The poor.

2. The needy.

3. The debtors who cannot pay their debts, therefore, they are given of the *Zakat* to settle their debts.

4. *Al-Mu’allafatu-Qulubuhum*: That is, the Muslims whose faith is not so strong and it is feared that they might change their religion. So, they are given of the *Zakat* to help them keep to their faith and stick to Islam. Similarly the disbelievers who are expected to convert to Islam, or to give their support to Islam and Muslims.

5. *Ibnus-Sabil*, i.e. The wayfarer who does not have enough money to take him back home. So, he is given of the *Zakat* a sum enough to get him home.

6. The slaves who have made an agreement with their masters to redeem (free) themselves against a payment. So, they are given the needed ransom as a part of Islam’s plan for the emancipation of man and delivering him from human servitude.

7. Spending for the sake of Allah. This covers all expenditures spent on charities which please Allah, the Exalted, such as the building of schools, hospitals, roads, shelters, as well as spreading knowledge and so on. Hence this financial duty participates in the development of the society, the prosperity of its economic life, and the improvement of the people’s living and social standards.

**Discussion**

Q1. What does the word “*Zakat*” mean?

Q2. What are the conditions for the *Zakat* to be liable?

Q3. Complete the following phrases:
   a. By the three kinds of cattle we mean: ........

   b. The *Zakat*, is incumbent (obligatory) on ........

   c. The four agricultural yields are: ................
Q4. The agricultural crops will be liable to the Zakat when their quantities reach .......... kg.

1. The Malikis, the Hanbalis and the Shafi'is say that sanity and maturity are not necessary, as the properties of the insane and the minors are also liable to the Zakat, and their guardians will have to pay it out of those properties. The Hanafis say that as far as the insane and minors are concerned, the Zakat is 10% be paid only on their agricultural products, while their other properties, such as the three kinds of cattle, and gold and silver currencies are exempted. (look up "Al Fiqhu Alal–Madhahibil–Khamsah", by Shaykh Muhammad Jawad Maghniyyah, p. 66)

2. The Imamis say that it is Mustababb to pay the zakat on every agricultural yield, besides the four prescribed crops, such as: rice, sesame, lentils, Indian peas, maize, and the like. The Malikis and the Shafi'is say that the Zakat is Wajib on whatever is stored as provisions, like wheat, barley, rice, dates, and raisins. The Hanafis say that the Zakat is enjoined on whatever grows out of the earth, such as fruits and grains, except the firewood, hay and Fersian reeds. The Hanbalis say that it is Wajib on every measurable and storale fruits and grains. As to the Zakat on trade, it is Wajib according to what the four sects say, but it is Mustahabb according to what the Imamis say. (Look up “Al-Fiqhu Alal Madhahibil–Khamsahh, 174).

3. If the plantation is sometimes naturally irrigated and sometimes mechanically irrigated either by hand or by machinery, the most used method is to be taken into consideration on which the cultivation depends, and the Zakat is proportionally calculated. If the irrigation, however, depends on both methods equally, the Wajib must be divided into two equal parts. On one part 10% Zakat, and on the other part 5% Zakat is to be paid.

4. All sects agree upon this condition, except the Malikis who say that the Zakat is Wajib on both grazing and foddered cattle ("Al-Fiqhu Alal-Madhahibil-Khamsah" p. 172)

5. Except the Malikis who say that the Zakat is Wajib on the working and nonworking cattle (Ibid).

6. These tables are given for only clarification with examples, so do not tell the students to memorize them, please.

7. There is no Zakat no the gold ingots, silver bars and jewelry, according to AhlulBayt's opinion, while the other four sects say that it is Wajib on the ingots and bars, but they differ in respect of the jewelry, as some say that they are also liable to the Zakat and some others say that they are not. (Look up "Al-Fiqhu Alal–Madhahihil Khamsah", p. 173.)


Al-Khums [One-Fifth of the Acquired wealth]

This is a devotional financial duty amounting to 20%, whose general lines are defined by the Glorious Qur'an, and whose details and applications were explained by the pure Sunnah. Allah, the Exalted, says:

"And know that whatever thing you acquire, its khums [a fifth of it] is for Allah and for the Messenger and for the near kin and the orphans, the needy and ibnus-sabil... " (8:41)

The Khums effectively helps in establishing economic justice and the prosperity of the Islamic society. So many pure traditions stress the Khums as a Wajib, and explain its conditions and rules. In Ahmad Ibn Hanbal's "Musnad" it is stated that: "A man from Muzaynah asked the Messenger of Allah (s) a number of questions, among which was [the question].....[what about] the treasures we find under the ruins, and road–signs?' The Messenger of Allah (s) said: "In them and in the buried mines there is Khums".

The Messenger of Allah (s) sent a letter to Juhaynah Ibn Zayd saying: "Yours are what is inside the..."
earth, the valleys, the hills, the mountains and the slopes, that you may graze their pastures and drink
their water, provided you pay the Khums.1

**Things Liable to the Khums**

1. Things acquired by the Muslims from the Kafirs in war times.

2. The ores excavated from the mines, such as gold, silver, oil, sulphur, iron, etc.

3. Treasures, which are the wealth buried in the earth.

4. Whatever is obtained from the sea by diving, such as pearls and corals.2

5. The land bought by a Dhimmi [a follower of a Divine Book, living in an Islamic country and under the
protection of the Islamic State] from a Muslim.

6. The profits of the professions. That is, the surplus riches which a Mukallaf gains from trade, industry,
agriculture, etc., after deducting the yearly Halal (lawful), expenditures for himself and his family.

7. The Halal wealth mixed with the Haram one: If Haram wealth is mixed with Halal one, and its amount
is not known, and it cannot be distinguished or separated from the Halal one, or its owner is not
identified to return it to him, then its Khums must be paid. But if its owner was identified, it must be
returned to him. And if the amount is known, and its owner is not identified, it must be given out as alms
on his behalf.

**How to Dispense the Khums**

The Khums is divided into two shares3:

1. The share of Allah, His Messenger and his near kins. This share is given to the Imam, and it is an
important income of the Islamic state. It can be dispensed with the permission of the Imam or his
representative, for the public interests in general, such as the mosques, universities, educational
establishments, Islamic propagation, the annament of the Islamic army, construction of roads and
bridges, and helping the poor, etc.

2. The share of the orphans, the needy and Ibnus–Sabil of the Hashimites, i.e. the descendants of
Hashim, the Prophet's grandfather.

**The Khums Conditions [Precepts]**

1. The donor of the Khums must be mature and sane.

2. The Khums is a kind of worship, so, one has to make the Niyyah on paying it, saying that one is
paying the *Khums* "Qurbanat Ila-Llah" i.e. for the pleasure of Allah.

3. The *Khums* does not apply to the capital used for business, trade, agriculture and other professions. It is enjoined only on the surplus of one's yearly needed expenditure.

4. If the *Khums* was paid on an amount, then it would no longer be applied to the same amount in the following years. So, the *Khums* is paid on a property only once.

**Discussion**

Q1. Complete the following phrases:
   a. The *Khums* is divided into two shares: ........ and ........
   b. Of the rules (precepts) of the *Khums* are:..............and ........

Q2. To what things does the *Khums* apply?


   2. According to the four sects these are not liable to the Khums, no matter how much they may be.

   3. The Shafi'is say: "the spoils, which mean the Khums, are to be divided into five shares, one is the share of the Prophet (s) which is spent on the interests of the Muslims. Another share is given to the near kins who are the descendants of Hashim (on their paternal side), whether poor or rich. The other three shares are to he spent on the orphans, the needy and Ibnus-Sabil, whether descendants of Hashim or not." The Hanafis say: "The Prophet's share had been dropped by his death. As to his near kins, they are treated as the other poor people, not because of their kinship to the Prophet (s)." The Malikis say: “The Khums is to be handled by the Imam to spend it on what he sees of interest".

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**Al-Hajj [Pilgrimage to Mecca]**

Allah, the Exalted, says:

"...And Hajj (pilgrimage) to the House is incumbent by Allah upon the people whoever is capable of performing it, and whoever denies (it), then surely Allah is above any need of the worlds."

(3:97)

Performing the *Hajj* was made obligatory in the 9th year of the Hijrah. It is one of the basic foundations of Islam, and a sacred devotional act through which Muslims get nearer to Allah, the Exalted.

Further verses and many Traditions confirm that the *Hajj* is *Wajib*, (obligatory) and stress its significance and importance, as shown in the above verse, and in the following Tradition which attaches great
importance to this holy duty: "The accepted Hajj has no reward but Paradise, and from a Umrah [the minor Hajj] to the next it would be considered Kaffarah (expiation) for what would be in between." 1

The Imam Ja'far As-Sadiq (a.s.) said: "The religion [Islam] remains as firmly established long as the Ka'bah remains so." 2

**The Objectives and Advantages of the Hajj**

In addition to the fact that the Hajj is a holy devotional duty, it has many objectives in the human life. The feeling of brotherhood and equality would be obtained by practising it: All wear the unified [towel-like] Ihram while performing the Umrah and the Hajj, a very simple and modest dress worn by the Ḥājj (pilgrim), while shouting the same cry:

"Labbayk A Allahumma Labbayk. Labbayka La Sharika Laka Labbayk. Innal–Hamda Wan–Ni‘mata Laka Wal–Mul. La Sharika Laka Labbayk," [O Allah, here I am (at Your service)! Here I am! (O You) Who have no partner, here I am! Praise, blessing, and kingdom are Yours, (O You) Who have no partner, here I am!].

All, thus, feel that there is no distinction among them in their servitude to Allah. In the Hajj season Muslims gather together, discuss the affairs of their lives, and beliefs, become acquainted with one another's social and political problems and exchange experiences, advices, opinions and good habits.

Through the Hajj rituals the Ḥājj grows accustomed to patience, good behaviour, modesty, sociability as well as avoiding lying, backbiting, enmity, etc. so the Hajj is the season for teaching and educating the Muslim, besides being a worshipping service expiating one's sins and bringing about forgiveness.

In the Hajj, there are economic and living advantages. On the tenth of Dhul–Hijjah a large number of animals are slaughtered as sacrifices. They can be used to feed the poor and the needy. Thus, the slaughtered animals, can be used to overcome hunger and poverty suffered worldwide by some Muslims.

**Conditions of the Hajj being Wajib**

Performing the Hajj once in one's life is Wajib according to the following conditions:

1. To be able to financially afford it and physically endure it, as the Hajj is not Wajib except on the Muslim who owns enough money to cover all the expenditure of himself and his family during his pilgrimage, and who is strong enough to bear the difficulties of the journey and the rites of the Hajj, provided that the journey is safe and no danger is expected against oneself, family and property.

2. Maturity, it is not Wajib on a minor to perform the Hajj, even if other conditions of the Hajj were present.
3. Sanity, as it is not Wajib on the mad.

4. Freedom, that is, he must not be a slave owned by another person.

**The Kinds of Hajj**

There are three different kinds of Hajj:

1. **Hajjul Ifrad**: This is the Hajj which is Wajib on the Mustafi [the one who has all the conditions required for the performance of the Hajj] who lives in Mecca or within 86 km around it. It is called *Hajjul-Ifrad* because the Hājj comes to the Hajj without a Hady [a sacrificial animal like a sheep, a camel, etc].

2. **Hajjul-Qiran**: It is the same as above, but the Hājj comes to the Hajj bringing a Hady.

In these two different kinds of Hajj, the Hājj must perform the Hajj before performing the Umrah.

3. **Hajjut-Tamattu**, which is Wajib on those who live farther than 16 Farsakhs (86 km). In this Hajj the Umrah is to be performed before performing the Hajj.

**The Wajib (Obligatory) Rituals of the Hajj**

These rituals consist of two obligatory rituals:

1. The Umrah (*Umratut-Tamattu*)

2. The duties of Hajj (*Hajjut-Tamattu*)

**First: Umratut-Tamattu**

*Umratut-Tamattu* is to be performed prior in time to *Hajjut-Tamattu*. It consists of 5 acts;

1. The *Haram* [putting on the special dress for the occasion], starting from any one of the following *Mawaqit* [places assigned for wearing the Haram] which are on different roads to Mecca. These are:
   a. *Masjidush-Shajarah*.
   b. *Al-Juhfah*
   c. *Wadil-Aqiq*
   d. *Yalamlam*
   e. *Qarnul Manazil*

The time to wear the *Ihram* for this Umrah starting from any day of the month of Shawwal through the
month of Dhul-Qi'dah up to the 9th of the month of Dhul-Hijjah, the day on which the pilgrims are to start the rites in Arafat. During that period we are allowed to make the Niyyah for the Hajj, wear the Ihram for Umratut-Tamattu, which is part of the Hajj duty, and then, having finished the manasik [the rites of the Umrah] the Hājj wears his common clothes releasing himself from the Ihram's obligations—which implies the meaning of Tamattu, and waits for the Hajj on the 9th of Dhul-Hijjah to perform the manasik of the Hajj. The process of Ihram consists of:

a. The Niyyah.

b. Wearing the two dresses of Ihram.

c. At-Talbiyah; that is repeating the recitation of "Labbayka Allahumma Labbayk, Labbayka La Sharika Laka Labbayk. Innal-Hamda Wan-Ni'mata Laka Wal-Mulk, Lasharika Laka Labbayk."

2. The Tawaf around the Kabah seven times.

3. Performing a 2 Rak'ah Salatut-Tawaf behind Maqam Ibrahim (a.s.).

4. As-Sa'y, [running] between As-Safa and Al-Marwah [places near the Kabah] seven times.

5. At-Taqsir, which means cutting off hair from one's head, beard or, moustaches, or clipping the nails.

**Explanation:**

The Niyyah is Wajib for every act of the Umrah and the Hajj.

**Second: Hajjut-Tamattu**

Hajjut-Tamattu consists of thirteen Wajib acts:

1. The Ihram, which begins in Mecca, better if started in AlMasjidul-Haram [the mosque in which the Kabah is located], where the Hājj wears the two dresses of Ihram, makes the Niyyah to perform Hajjut-Tamattu, begins the Talbiyah and sets off for Arafat.

2. The stopover in Arafat, which means staying in Arafat on the 9th of Dhul-Hijjah, from noon till sunset, then setting off for Muzdalifah after sunset.

3. As a precaution, it is better for the Hājj to stay overnight in Muzdalifah, as it is Wajib for him to stay in Muzdalifah from the dawn of the day of the Eid until sunrise, as it is not allowed to leave the place before sunrise. It is sufficient, however, to stay for a short while, then proceed to Mina.

4. Throwing seven pebbles at Jamratul-Aqabah in Mina on the 10th of Dhul-Hijjah.

5. Sacrificing a sheep, a goat a cow, or a camel (sound and healthy) in Mina on the 10th of Dhul-Hijjah.

6. Shaving the head (if it was one's first pilgrimage) for men, while women are to cut some of their hair.
This is to take place in Mina on the 10th of Dhul-Hijjah then returning to Mecca to complete the Wajib acts of Hajj in Mecca like:

a. Performing seven circumambulations (Tawafs) around the Ka'bah, with the intention of performing Hajjut-Tamattu. Each round is to start from Al-Hajarul-Aswad [the black stone fixed in the wall of the Ka'bah], and to end at it, during which the Ḥājj is to keep his left side towards this stone.

b. Salatut-Tawaf which is a 2 Rak'ah Salat to be performed behind Maqam Ibrahim (a.s.), with the Niyyah of Hajjut-Tamattu.

c. Sa'y from As-Safa to Al-Marwah and back, seven times, with the same Niyyah, starting from As-Safa and ending at Al-Marwah.

d. Tawafun-Nisa5, which is also seven rounds around the Ka'bah.

e. Salatu-Tawafin-Nisa, which is a 2 Rak'ah Salat performed behind Maqam Ibrahim (a.s.) after which the Ḥājj is to go back to Mina once again, to complete the rest of the Hajj rites like:

f. Slaying in Mina on the 11th, 12th and 13th nights for the one who was still in Mina during the sunset of the 12th day (of Dhul-Hijjah).

g. Throwing seven pebbles at the three Jamarat [places], starting from the first, then the middle, then the Aqabah on the 11th and 12th days. This is to be repeated on the 13th day by the one who had to stay in Mina during the night of the 13th.

By this the rites of the Hajj are completed.

**Forbidden Acts During Haram**

Having started the Ihram, and worn Ihram dress, the Ḥājj he must refrain from practising certain acts which become Haram to him as long as he has not finished the rites of the Hajj. These acts are:

1. Hunting, taking part in hunting, killing (except wild beasts which may injure people) and eating wild animals.

2. Having Sexual intercourse with one's spouse, as well as masturbation.

3. Concluding a marriage contract for oneself, for others6 or even taking part in it as a witness.

4. The use of perfume, eye make-up, hair ointments, looking in a mirror to beautify oneself, wearing rings as adornment and wearing jewelry by women, except what is common, provided that these are not to be shown to men, even to the near kin.

5. The wearing of sewn clothes by men, as well as wearing footwear that covers the upper part of the
feet, including socks.

6. Abusing, telling lies, showing lewdness, etc.

7. Al-Jidal, which means swearing by Allah!" to confirm an argument, such as saying: "Yes, by Allah! or No, by Allah!"

8. Killing insects of the body, like the flea.

9. Removing hair from the body.

10. Causing bleeding from the body, removal of a molar tooth and clipping the nails.

11. Walking knowingly under the shade, covering the head (for men), and covering the face for women.

12. Cutting down trees and plants from the Mecca district (as was known during the Prophet's days).

13. Carrying weapons.

**Recommendable Acts of Hajj**

If a Hājj wanted to leave Mecca after completing the manasik of the Hajj, it is Mustahabb for him to make Tawaful-Wada [farewell Tawaf], with seven rounds around the Ka'bah, to touch Al-Hajarul-Aswad, thank Allah, praise Him and send blessings on Muhammad and his progeny.

It is also Mustahabb to visit the holy shrine of the Messenger of Allah (s) in the Luminous Madinah before the Hajj or after it.

**The Kaffarahs (Atonements)**

If the Hājj deliberately committed any of the said Haram acts which should not be done during the Ihram, he would have to expiate for it. In most cases the expiation is to sacrifice a sheep, a camel, a cow, etc. In other cases according to the violation committed, it is to feed a poor person or more, or to fast for three days.

**Discussion**

Q1. Mark the true statement with T and the incorrect one with F.

a. Hajj is Wajib even for minors.

b. Hajj is Wajib for the sane, mature person who is able to afford it and to bear its difficulties, and is certain of safety.

c. In Hajjul-Qiran the Hājj brings his Hady with him.
Q2. What does the *Ihram* consist of?

Q3. After finishing the manasik in Mina, the *Hājj* returns to Mecca on the 10th to perform five acts, which are:

1. 
2. 
3. 
4. 
5. 

Q4. As soon as the *Hājj* wears the *Ihram*, he will be prohibited from doing certain acts. Describe five of these acts, briefly.

Q5. Why is it called *Hajjut-Tamatu*?

1. Sunanun-Nasa\'i, by An-Nasa\'i, vol 5, Kitab Manasikul-Hajj, p. 112.
3. It is called "Hajjut-Tamattu" because the Hājj may enjoy himself within the period between the Umrah and the Hajj, that is after finishing the acts of the Umrah, the things which had been Haram during Ihram become Halal for him, except the cutting down of trees and the plants of the old Mecca district.
4. The four sects say: “Every Hājj, whether Meccan or not, may choose to perform any one of the three different kinds of Hajj of: At-Tamattu, Al-Qiran, and Al-Ifrad without being Makruh. But Abu Hanifah says that it is Makruh for the Meccan to perform Hajjut-Tamattu and Al-Qiran.
5. The four sects say that this Tawaf is not Wajib, as there is no Wajib Tawaf after Tawaful-Hajj.
6. Abu Hanifah says: It is allowed to conclude a marriage contract and it would be valid.

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**Al–Jihad Fisabili–Llah [The Holy war for the sake of Allah]**

Allah, the Exalted, says:

"O you who believe! Shall I show you a trade that may deliver you from a painful torment? You should believe in Allah and His Messenger, and strive for the sake of Allah with your wealth and your lives. That is better for you, if you do know." (61:10&11)

Going through a ten–year history of the Islamic Message and the life of the Messenger of Allah (s) and
his Companions in the Luminous Madinah, we find that the said period was one of strife and struggle with the endurance of wealth and life, whereas his strife in Mecca was with the endurance of troubles for the sake of communicating the Message. During his stay in Al–Madinah, he sent and participated in about 80 war campaigns and expeditions, in which he fought offering his wealth and life.

The Messenger of Allah (s) fought with his wealth and life, and his generous Companions did the same, too, in the way of spreading Islam, defending themselves and their belief, and defeating the Taghuts [the tyrants], disbelief and corruption, as these are the objectives of Al–Jihad in Islam.

So, Al–Jihad is a Divine Wajib. Had it not been for Al–Jihad, Islam would not have spread, and the Taghuts would not have been destroyed. By neglecting the Jihad, the Kafirs, the colonialists and the despots would soon dominate our countries, usurp our wealth and abolish our belief and dignity. Therefore, a Muslim must strive for the sake of Allah with his tongue and pen, to propagate Islam.

Furthermore a Muslim is to fight in the way of Allah against the enemies of Islam and Muslims. He is to defend his religion, homeland, dignity, truth, and justice, offering wealth for the establishment and defence of these causes.

The Jihad is a Wajib Kifa’i. i.e. if a group of people offered to carry out the Jihad, and fulfilled the desired Islamic objectives, then others would be exempted from the participation in the Jihad. But if none of the Muslims volunteered to undertake the task, or their number was insufficient, those who stayed behind would be regarded as sinners committing the gravest of sins and disobedience.

Different Kinds of Al–Jihad

Al–Jihad is divided into four kinds:

1. Islamic Propagation Jihad. This is the Jihad waged by Muslims to spread the Message of Islam and to invite the non–Muslims to Islam, as the Messenger of Allah (s), his Companions, and the Muslims after him, used to do. It is a Wajib for whoever is capable enough of undertaking it.

2. Defensive Jihad: This is a Wajib for the purpose of defending the Islamic territory, Islam and Muslim property. When an aggressive enemy attacks Muslims, such as the imperialists who occupy the Islamic lands, like the Zionists who usurped Palestine, then this Jihad would become Wajib on men, women, and others, to defend themselves, their religion, home, and dignity.

Included in this kind of Jihad is the defence against the imperialistic political, cultural, and economical domination, whose aim is to usurp the wealth of the Muslims, weaken their policy and isolate them from their religion. So, all Muslims are to try to encounter the economic and cultural colonialism by all possible means within their reach, so as to drive it away from their country, thus protecting the Islamic sovereignty, integrity and independence.

3. The Anti–Mutiny Jihad becomes Wajib when some rebel Muslims rise up against, and disobey, the
Islamic State which rules according to the Book of Allah, and the Sunnah of the Messenger of Allah (s), and acts on the basis of equity and truth. Such rebels must be fought until the Mutiny and the rebellion are suppressed, or the rebels repent and amend.

4. The Jihad against Ahuldh–Dhimmah [The Jews and Christians] who had broken the covenants they had concluded with Muslims concerning their own affairs with the Islamic State.

Defending One's Life, Property and Honour

The Messenger of Allah (s) said: "Whoever is unjustly killed in defence of his household is a martyr. Whoever is unjustly killed in defence of his property is a martyr. Whoever is unjustly killed in defence of his neighbour is a martyr. And whoever is killed for the sake of Allah, the Exalted and Almighty, is a martyr." ("Kanzul-Ummal"/4/425, H. 11227)

Islam takes great care in safeguarding human dignity, man's life and property. Giving him, the right to defend himself, his property, household, dignity, honour and whatever belongs to him. If he or his property were transgressed by some people, such as thieves; robbers, and the like, he would, consequently, have the right to defend himself, his wealth, honour, dignity and household, and he would not be questioned by Allah, nor would he be responsible before the law for the damage or loss inflicted upon the aggressor, who began the aggression.

But he has to ward off the aggression in the quietest way possible, then gradually uses force until he wards off the aggression against himself, his wealth, honour and dignity. But he has no right to transgress the law regarding the aggressor or to go beyond the limits of self-defence.

Discussion

Q1. Explain the basic objectives of the Jihad in Islam.

Q2. How should the Muslims who revolt against an Islamic State be dealt with?

Q3. Read the following passage and explain it to your fellow student: "Defending oneself, wealth, honour and dignity is one's legitimate right in Islam, but one has no right to transgress the law regarding the aggressor or to go beyond the limits of self-defence."

The Schools of the Islamic Figh
We have learnt that *Fiqh* (jurisprudence) means knowing about the Islamic precepts and laws, the *Halal*, the *Haram*, the *Wajib*, the *Makruh*, the *Mustahabb* the valid, the *Batil* and other rules and regulations.

We have also known that these Islamic precepts and laws have been taken from the Glorious Qur'an and the pure Traditions (Sunnah) of the Prophet (s). We have further known that the Muslims during the days of the Messenger of Allah (s), used to directly refer to him to receive instructions on the devotional rituals.

Such as, the *Salat*, the *Hajj*, the *Sawm*, the *Taharah*, etc, or on the issues concerning business dealings, such as the regulations of transactions, buying, selling, leasing, handling land, marriage, divorce, penal code, and so on.

After the demise of the Messenger of Allah (s), certain issues came forth concerning the *Salat*, the *Sawm*, family affairs, business, buying and selling, and many other happenings the like of which did not happen during the days of the Prophet (s). People needed to know their relevant Islamic precepts. They used to refer to some of the Companions of the Prophet (s), like Ali Ibn Abi Talib (a.s.), Abdullah Ibn Abbas, and Abdullah Ibn Mas'ud.

The last two took the precepts from *Imam* Ali as he was considered the most knowledgeable among the Prophet's Companions. It is narrated from the Prophet (s) as saying "I am the city of knowledge and Ali is its gate." In fact, in this period, we find the Fatawa (verdicts) differ, on some occasions, among the Companions (r.).

When the next generation of, the Tabi'un, followed, it witnessed more people practising *Ijtihad*, with differences of opinion in their Fatawa. Yet, there were still no sects, as there are today. All the Muslims used to refer to the *Ulama* of the Companions, or the Tabi'un, and, to the *Imams* of Ahlul-Bayt (a.s.).

At that period there were the *Imams*, *Imam* Ali Ibn Al-Husayn, As-Sajjad (a.s.), the *Imam* Muhammad Ibn Ali Al-Baqir (a.s.) and the *Imam* Ja'far Ibn Muhammad As-Sadiq (a.s.). People referred to them, and took the Islamic precepts from them, and acted accordingly.

It is useful to clarify how the schools of Islamic jurisprudence rose and started working. The division and discord rose widely among the Muslims. After the murder of the third Caliph, Uthman Ibn Affan (may Allah be pleased with him), the Muslims pledged allegiance with the *Imam* Ali Ibn Abi Talib (a.s.), but Mu'awiyah Ibn Abi Sufyan refused that Bay'ah [allegiance], and was followed only by the people of Ash-Sham [Syria of today].

He established an independent state in Ash-Sham, and appointed his own *Faqih* and traditionists. This
caused a juristic split among the Muslims, at a time when the Muslims and the great Companions (of the Prophet (s)) believed the Imam Ali (a.s.) to be the Guided Caliph, the most learned of all, and the authority of the Ummah. When war started between Ali (a.s.) and Mu‘awiyah Ibn Abi Sufyan, there was the inclination to follow the Imam Ali and his two sons, Al–Hasan and Al–Husayn, all being members of Ahlul–Bayt whom Allah Almighty kept uncleanness away from and purified a [thorough] purifying, and whom the Qur’an honoured and whose love and guardianship Allah enjoined on the people.

Hence Shi’ism established as an adherence to Ahlul–Bayt, and their followers increased. So adherence to Ahlul–Bayt means: Loving and adherent following of them, and believing in their right to the Imamate [Imaman] i.e. Khilafah after the Prophet (s), and their being authoritative sources in the sciences of Shari‘ah and its teachings.

Thus, adhering to Ahlul–Bayt, or Shi‘ism, as a strong and distinct movement, appeared during the struggle with Mu‘awiyah and after the martyrdom of the Imam Ali Ibn Abi Talib (a.s.), and when his son, the Imam Al–Hasan, the son of the daughter of the Prophet (S.A) came to the Caliphate.

After the death of the Imam Al–Hasan (a.s.) and Mu‘awiyah, the struggle between the Imam Al–Husayn Ibn Ali Ibn Abi Talib (a.s.) and Yazid Ibn Mu‘awiyah. There was a war between them in Karbala (in Iraq) on the 10th of the month of Muaharram, in the year of 61 A.H. The Imam Al–Husayn (a.s.) was martyred with 78 of his companions and household.

So far there were no distinct jurisprudential schools, as there are now. However, there were two political groups: On one side there were the Shi‘ah of Ahlul–Bayt (a.s.): Ali, Al–Hasan, Al–Husayn and their offspring after them. On the other side there were those who supported the Umayyads. And at that time there were Muftis, who differed in opinion and Fatwa (verdict) from the Imams of Ahlul–Bayt (a.s.).

In the later half of the first century (A.H.) the Islamic teachings and knowledge, spread, such as the interpretation of the Qur’an, traditions (Hadith), Fiqh, and theology developed and Al–widely spread. There appeared distinguished, Ulama and Faqishs, such as Sa‘id IbnulMusayyab, Al–Hasanul–Basri, Sufyanuth–Thawri, who were contemporaneous with Imam Muhammadul–Baqir Ibn Ali Ibn AlHusayn Ibn Ali Ibn Abi Talib (a.s.), who was known as "Al–Baqir“ for his profound knowledge and vast learning. Other scholars used to learn and acquire knowledge from him.

**The Rise [Appearance] of the Jurisprudential [Fiqhi] Sects**

The second century witnessed a further spread of jurisprudence (Fiqh), and there appeared many schools of Fiqh and many Faqishs (jurisprudents) who practised Ijtihad and inferred many Fiqhi precepts. The Ijtihad and the inference of Fiqhi precepts continued afterwards, and there appeared many Faqishs who differed in their opinions and precepts such as the difference in hanging down the arms or folding them in the Salat, or in some precepts of the Wudu, or of the Siyam, marriage, divorce, heritage, etc.
Hereunder we mention today's most renowned Islamic jurisprudential sects:

1. The school of Ahlul-Bayt (a.s.), which is known as the Ja'fari Sect, or the Imami Shi'ah.

2. The Hanafi Sect.

3. The Maliki Sect.

4. The Shafi'i Sect.

5. The Hanbali Sect.

Now we are talking briefly about these Islamic Fiqhi Sects.

**The school of Ahlul-Bayt (a.s.)**

It is also called the Ja'fari Sect after the Imam Ja'far As-Sadiq Ibn Muhammad Al-Baqir Ibn Ali, Zaynil-Abidin, Ibn Al-Husayn Ibn Ali Ibn Abi Talib (a.s.). It is also known as the Imami Shi'ah, because they believe in the twelve Imams of AhlulBayt (a.s.)

Al–Imam Ja'far As–Sadiq (a.s.) was the Imam of the Muslims, and the teacher of his contemporary renowned Ulama and scholars. So they admitted his deep knowledge, virtues, piety and devotion.

He was born in the year 82 A.H. during, the Umayyad rule. He was brought up and educated under the supervision of his father, the Imam Muhammad Al-Baqir (a.s.). He used to lecture on the teachings of the Shari'ah in the Prophet's Masjid, as his father used to do. He narrated, quoting his father (a.s.) who quoted his fathers (a.s.) who quoted their grandfather, the Messenger of Allah (s).

He issued thousands of Fatawa concerning different Fiqhi issues. He offered the Ulama and the students a vast knowledge of Islamic teachings, such as monotheism, exegesis of the Qur'an, and the like, with which he enriched the Muslims and gave them deep knowledge of their religion.

Some scholars estimated the number of the trustworthy narrators and students of theology who received their knowledge from the Imam Ja'far As–Sadiq (a.s.) as well as those who narrated quoting him, to be 4000 students and narrators.

Among those who studied at his school were a number of the wellknown narrators of the Hadith (Tradition,) and heads of the Islamic Sects, such as the Imam Abu Hanifah, the Imam of the Hanafi Sect, the Imam Malik Ibn Anas, the Imam of the Malikis, and others.

**The Scholars' Testimonies in Favour of Imam Ja'far As–Sadiq**

His contemporary scholars, Fiqis, Imams and historians had all recognized the Imam Ja'far–As–Sadiq's merits, knowledge and asceticism. His merits were also admitted by those who came after him. He was
mentioned with respect, esteem and exaltation. Here are some statements about him:

1. *Imam* Malik Ibn Anas, the *Imam* of the *Malikis*, praising the *Imam* As-Sadiq (a.s.) said: "I used to see frequent Ja'far Ibn Muhammad for quite a time. I never saw him in other than these three states: he was either Musalli, Sa'im or reciting the Qur'an." 2 He also said: "No eye had ever seen, no ear had ever heard, and no heart had ever the occurrence of a more merited [person] than Ja'far Ibn Muhammad As-Sadiq, in his knowledge, devoutness and piety." 3

2. Umar Ibn Al-Miqdam said: "Whenever I looked at Ja'far Ibn Muhammad I realized that he was a descendant of the prophets. No book of *Hadith*, philosophy, asceticism or preaching is void of his speech. They all repeat: "Ja'far Ibn Muhammad As-Sadiq said so-and-so." 4

3. Al-Ya'qubi the famous historian, said: "He was the best of the people, and the best authoritative one versed in the religion of Allah. The people of learning, who took knowledge from him, or heard him lecturing, used to say, when quoting him: The welllearned scholar (*Al-Alim*) told us." 5

4. Describing him, Ash-Shahrastani said: "He was of superabundant knowledge of religion, and had a complete hold of philosophy. He renounced all worldly pleasures, and forsook all desires...." 6

5. The *Imam* Abu Hanifah, the *Imam* of the *Hanafis*, describing Ja'far Ibn Muhammad–As–Sadiq (a.s.), said: "I have never seen a more learned authority [on religion] than Ja'far Ibn Muhammad As-Sadiq. When Al–Mansur summoned him, he also sent for me and said: ‘O Abu Hanifah, the people are infatuated with Ja'far Ibn Muhammad, so, prepare for him some hard questions”. So, I prepared forty questions. He sent for me in Al–Hirah. I came, entered, and saw Ja'far Ibn Muhammad sitting on his right side. As soon as I saw Ja'far Ibn Muhammad I dreaded him more than I dreaded Abu Ja'far Al–Mansur. I greeted him, he nodded to me and I sat down. Then he [Al–Mansur] turned to him and said: ‘O Abu Abdillah! this is Abu Hanifah. Ja'far said ‘yes’, then added: ‘he did come to us,’ (as if he did not like the gossip about his recognizing a man on seeing him.) Al–Mansur turned to me and said: ‘O Abu Hanifah! Ask Abu Abdillah your questions, I began asking him my questions and receiving his answers by saying ‘You say so–and–so, the Madanis say so–and–so, and we say so–and–so,:) ‘Sometimes he might agree with them, and sometimes he might disagree with all of us, until I asked all my forty problems." Then Abu Hanifah added: 'Did we not narrate that the most learned is the one who knows better where people differ?’ 9.

6. The late *Shaykh* Muhammad Abu Zuhrah, Head of the honoured Al–Azhar, said of him: "...We, with the help of Allah and His blessings, had decided to write about the *Imam* Ja'far As–Sadiq. So far I have written about seven of the noble *Imams*. I did not postpone my writing about him because of any inferiority in him. In fact, he has the merit of preceding most of them, and a special merit over the great ones of them, since Abu Hanifah used to quote him, found him the best knowledge able of what people differ about, and regarded him to have vastest and most comprehensive knowledge of the religion.

*Imam* Malik used to attend his [lectures] as a student and a narrator. He has the merit of teaching Abu
Hanifah and Malik, and this suffices him as an honour. [So,] he cannot be put off because of any defect, nor can anyone else be brought forward because of any superiority. Furthermore, he was a grandson of Ali Zaynul-Abidin (a.s.), who was the master of his contemporary people of Al-Madinah at his time in matters of merits, honour, piety and knowledge.

As his students, he had notables like Ibn Shihab Az-Zuhri and many of the Tabi’un. He was the son of Muhammad Al-Baqir (a.s.), who split open knowledge, and reached its inner core (that is the meaning of Al-Baqir). He is the one on whom Allah bestowed intrinsic and additional honour, through his honourable lineage, the Hashimite kinship and the Muhammadan progeny.

Thus, we get to know the high position of Ja’far Ibn Muhammad AsSadiq (a.s.) to whom the "sect of Ahlul-Bayt" (a.s.) is ascribed, and which is also called "The Ja’fari Sect". He was one of the Imams of Ahlul-Bayt (a.s.), born when his grandfather, Ali Ibn Al-Husayn, Zaynul-Abidin, was still living, and he was brought up in his and his father’s lap. Both his father and grandfather were Imams of the Muslims, heads of Ahlul-Bayat and teachers of Muslim scholars.

He was a coeval of his grandfather and father for a while, and he learnt from them his Islamic knowledge and teachings. The Imam Ja’far As-Sadiq lived for 66 years. He was born in the year 82 A.H. and died in the 148 A.H. He was buried in the Luminous Madinah, in the Baqi Cemetery, near the honoured Masjidun-Nabi [the Prophet's mosque].

Imam Ja’far As-Sadiq narrated thousands of Ahadith, and quoted his fathers, the Imams of Ahlul-Bayt and the Messenger of Allah (s) whereas the narrators and the Ulama used to quote him in many fields of knowledge, such as Tafsir [exegesis of the Qur’an], jurisprudence, monothesim, ethics (Akhaq), etc. He argued with the scholars and philosophers, refuted the nonreligious, the atheists and the sneakers into Islam, proving the falsity of their deviated opinions and destructive thoughts. He played a significant scientific role in preserving Islam and spreading its teachings.

He used to quote his fathers on the authority of the Messenger of Allah (s), in narrating different Ahadith, saying: "My Ahadith are my father’s, my father’s Ahadith are my grandfather’s; and his are the Ahadith of Ali Ibn Abi Talib; and the Ahadith of Ali Ibn Abi Talibs are the Ahadith of the Messenger of Allah; and the Ahadith of the Messenger of Allah are the words of Allah. The Almighty and High."

The sect of Ahlul-Bayt is prevalent now in different parts of the world, especially in Iraq, Lebanon, Iran, Pakistan, Indonesia, Turkey, Arab Peninsula, India and other places.

The Hanafi Sect (School)

It was named after Abu Hanifah (may Allah be pleased with him), the Imam of the sect. Abu Hanifah's full name is, An-Nu'man Ibn Thabit Ibn Zuti, from Persia. His grandfather was from Kabul. He was born in 80 A.H. and died in Baghdad in 150 A.H. and was buried near the Tigris River, his shrine is still known there.
Abu Hanifah was brought up in the city of Kufah, where he was engaged in business for a while, then he turned to acquiring knowledge. He studied under one of the Tabi’un by the name of Hammad Ibn Abi Salamah, for some 18 years. He soon became one of the Ulama of his time, having his own opinion and practising Ijtihad. He depended on both his own opinion and analogy, besides the Qur’an and the Sunnah, in inferring his religious verdicts.

Many of his contemporary scholars and Imams of other sects refuted him and criticised his dependence on "Opinion and Analogy". Both the Imams Muhammad Al-Baqir and Ja’far As-Sadiq (a.s.) criticised his resort to the "Opinion and Analogy", asking him to stick only to the Qur’an and the Sunnah. The Imams Malik and Ahmad Ibn Hanbal rejected his argument, too.

His school of thought spread in Iraq and in some other parts of the Islamic world. He lived for 52 years under the Umayyads’ rule, but he did not support their rule, as he believed that the caliphate belonged only to the sons of Ali (a.s.), and he issued Fatwa in support of the revolution of the Alawis [the progeny of Ali Ibn Abi Talib (a.s.)], which was led by Zayd Ibn Ali Ibn Al–Husayn Ibn Ali bn Abi Talib (a.s.). He even issued a Fatwa allowing the Zakat to be paid to those revolutionaries to support them.

It is worthwhile to mention that Abu Hanifah studied for two years under Zayd Ibn Ali Ibn Al-Husayn, as well as under Abdullah Ibn Al-Hasan Ibn Ali Ibn Abi Talib (a.s.). He also met Al–Imam Al-Baqir Ibn Ali Ibn Al–Husayn, argued with him and learnt from him. The Umayyads asked Abu Hanifah to accept the position of a judge, but he refused.

Thereupon, their men imprisoned and whipped him for some days until he nearly died, but the prison-keeper helped him to escape from prison. He travelled to Mecca, and Al–Madinah, living in both places at different times. There he met the Imam Ja’far As–Sadiq (a.s.) studied under him for two years and learnt from him. He often used to refer to these two years by saying: "Had it not been for those two years, An–Nu'man would have perished." He remained there until the fall of the Umayyads and the establishment of the Abbasids.

Abu Hanifah refused to cooperate with the Abbasids. Consequently he was imprisoned by Al–Mansur [the second Abbasid Caliph] who had him whipped until he died after 110 lashes. Abu Hanifah (may Allah be pleased with him) used to say, concerning his Ijtihadi opinions: "This is my opinion and it is the best which I can think of. If anyone brings another [opinion] we can accept it. It is Haram for anyone to issue a Fatwa based on my words without knowing my proof." After Abu Hanifah’s death, his students, like Abu Yusuf the judge, were on good terms with the Abbasids, making use of their posts as judges to spread their opinions.

The Miliki Sect (School)

It is named after the Imam Malik Ibn Anas Ibn Malik Al–Asbahi (may Allah be pleased with him). He belonged to the Banil–Asbah tribe of Yemen. Imam Malik Ibn Anas was born in the Luminous (Madinah
in 93 A.H., studied under some jurisprudents of his time, like Nafi', the freed slave of Abdullah Ibn Umar (may Allah be pleased with him), and Ibn Shihab Az-Zuhri, and others. He also studied under the Imam Ja'far AsSadiq (a.s.) learning Ahadith and Fiqh from him.

He used to say about Al–Imam As–Sadiq (a.s.): "No eye had seen better than Ja'far Ibn Muhammad." He lived 40 years under the rule of the Umayyads during which he attained fame as a scholar. After the fall of the Umayyads and the establishment of the Abbasid rule, he displayed his inclination towards the Alawis, and his belief in their right of the Caliphate.

He issued a Fatwa asking people to support Muhammad Ibn Abdillah Ibn Al–Hasan Ibn Ali Ibn Abi Talib (a.s.), who proclaimed his revolution against the Abbasid rule. He did not see any validity in the allegiances given to the Abbasids, because they were taken forcibly from the people. The Abbasid ruler of AlMadinah, Ja'far Ibn Sulayman, flogged him with fifty lashes until his right shoulder was dislocated due to the force of the lashes.

The Abbasid Caliph, Abu Ja'far Al–Mansur, changed his mind and improved his relations with Imam Malik, and asked him to write a jurisprudential book and spread it among the people so that they may act according to it. Imam Malik wrote his book 'Al–Muwatta including in it his Fatawa and Fiqhi opinions.

By this his Fiqh spread out, especially in North Africa and particularly in Andalusia (Spain). His students, who were also judges, helped in spreading his thoughts and opinions. He used to differ with Abu Hanifah on acting according to the jurisprudential opinion and Analogy. Imam Malik died in 179 A. H.. Concerning his own Fiqhi opinions he used to say: "I am but a human being, I may be right or wrong, so, refer what I say to the Book and the Sunnah."

The Shafi'i Sect (School)

It was named after Imam Muhammad Ibn Idris Ibn Abbas Ibn Uthman Ibn Shafi (may Allah be pleased with him). His lineage goes back to Hashim Ibn Abdil Munalib, the Prophet's grandfather.

Imam Ash–Shafi'i was born in 150 A.H., the same year in which Imam Abu Hanifah died. His mother undertook raising him up in Yemen, as he was an orphan. As a child of ten years of age, he travelled to Mecca where he learned to read and write. He travelled into the desert, where he lived for seventeen years.

He, then, started learning Fiqh and religious knowledge under a number of the Ulama of his time, such as Muslim Ibn Khalid Al–Makhzumi and Malik Ibn Anas (the Imam of the Malikis) under whom he studied his AlMuwatta on Fiqh.

After the death of the Imam Malik, he returned to Yemen where he undertook some official responsibilities. During the rule of Ar–Rashid in 148 A.H. he and some other groups were accused by the governor of Yemen, of being supporters of the Alawis and that they propagated for them.
They were dispatched to Baghdad to be tried with others. Some were killed, while Ash-Shafi'i escaped death, travelled to Egypt and lived there. His school of thought spread there as well as in other Islamic counties, by him and his followers. Imam Ash-Shafi'i died in 198 A.H.

He used to say about his fiqhi opinions: “If a true Hadith was contrary to my opinion17, strike my opinion against the wall.”18

**The Hanbali Sect (School)**

It was named after its Imam, Ahmad Ibn Muhammad Ibn Hanbal (may Allah be pleased with him), whose lineage went back to an Arbic tribe. He was born in 164 A.H. in Baghdad, where he was educated at the age of fifteen.

He was a student of Ash-Shafi'i, Abu Yusuf the judge (himself a student of Abu Hanifah) and other Ulama. He also learned from other Fiqhihs of his time, such as Jarir, a student of Allmam As-Sadiq. His school of thought did not spread like the other sects among the Muslims. The followers of this sect are now mostly in Al-Hijaz and in some other regions of the Islamic world. Ahmad Ibn Hanbal died in Baghdad in 241 A.H.

**Explanation**

These five Islamic sects, which we have been talking you about are not the only Islamic schools of jurisprudence, though they are the most famous ones. As a matter of fact there are many other sects, such as the sect of Imam Zayd Ibn Ali Al-Husayn Ibn Abi Talib, which is now current in Yemen. It is very close to the sect of Abu-Hanifah, who, as we have mentiond, studied under Zayd Ibn Ali.

There were other sects followed by the Muslims who acted according to their own opinions, such as the sect of Al-Awza'i who died in 157 A.H. This sect spread among the people of Ash-Sham during the days of Imam Malik. It also spread in Andalusia, then died away and was replaced by Ash-Shafi'i's sect.

Another sect was that of Al-Hasanul-Bari who died in 110 A.H., the sect of Ash-Shi'bi who died in 105 A.H., the sect of Sufyan AthThawri who died in 161 A.H., the sect of Ibn Hazm Al-Andalusi, and other sects which also had jurisprudential opinions and Fatawa practised by the people, but they died away, and there remained only the five sects; (The Ja'fari, the Hanafi, the Maliki, the Shafi'i and the Hanbali)

Moreover, there is the Zeydi sect which has followers in Yemen, and The Ibadiyyah sect, which has followers in the Arabian Peninsula.

**All Muslims Are a Single Ummah**

We know that Islam, which had been brought by the Prophet Muhammad (s) has no sects and no differing precepts. The present differences have stemmed from the Ijtihad of the jurisprudents.
Therefore, it is *Wajib* (incumbent) on every Muslim to search for the correct religious precept when he sees that the jurisprudents differ on it, and to follow the jurisprudent whom he finds to be most fit to be followed.

The Head of Al-Azhar, the late *Shaykh* Mahmud Shaltut (may Allah have mercy on him) issued a *Fatwa* to the effect that the Muslims are one *Ummah*, and that the differences among the sects are but differences in *Ijtihad* and *Fatwa*. He said:

1. Islam does not impose upon any of its followers to act according to a particular sect. In fact, every Muslim has the right to start following any one of the sects whose teachings had strictly been quoted and written down in its books. However, any person who had followed any one of such sects would also have the right to switch to any other one without being blamed for it.

2. The *Ja'fari* sect, known as the sect of the twelve-*Imami Shi'ah*, is a sect by which worship is allowed and lawful, like any other Sunni sect. All Muslims are to understand this and rid themselves of their unjustified sectarian fanaticism. Neither the religion of Allah, nor the *Shari'ah* have ever belonged to a particular sect or confined to it. But all are *Mujtahids* and acceptable of Allah, the Exalted. Those who are not trained to be *Mujtahids* themselves are allowed to be *Muqallids* of the *Mujtahids*, and act according to their jurisprudential decisions, whether these be on issues of worship or transactions*19.*

Therefore, we know now that the diverse jurisprudential opinions dominant these days are but the opinions of different *Mujtahids* and *Faqihs*, inferred according to their respective *Ijtihad*. However, we have to carefully go through the different *Fatwas* about which there are differences of opinion among the *Faqihs*. We must then act according to the precept which was based on correct proof, and a sound understanding.

**Discussion**

Q1. Complete the following statements:
   a. The sect of *Ahlul-Bayt* (a.s.) was called the *Ja'fari* Sect after the name of *Imam ..........* It is also called ..........

   b. The *Fiqh* spread and the Islamic jurisprudential sects appeared in the ...... century A.H.

   c. There remained of the well-known Islamic jurisprudential sects none but the following the sects:

   d. Retell the opinions of some *Ulama* concerning *Imam* Ja'far AsSadiq (a.s.).

Q2. Write a short essay, inviting Muslims to unity and to avoid divisions.

*(Wal-Hamdu Li-Llahi Rabbil-Alamin)*
Historians say that a number of Muslims began gathering around Imam Ali (a.s.) as his Shi'ah [followers] as early as when Muslims differed on the Bey'ah [allegiance to the Prophet's successor] in the Saqifah meeting, on the same clay of the Prophet's demise. But the first who issued (released) the term Shi'ah was the Prophet (s) himself. As Ibn Al-Athir narrated from the Messenger of Allah (s) as saying: "O Ali you and your Shi'ah will come to Allah well-pleased (with Him) and well-pleasing (Him), whereas your enemy will come to Allah enraged and furious, on their necks chains, and they have their heads aloft."

"Malik" by Muhammad Abu Zuhrah, p. 28, quoted from "Al–Madarik" by AlQadi Iyad, p. 212.


Ibid, p. 249, quoted by Abu Na'im in his "Hilyatul–Awilya".


Abu Ja'far Al–Mansur, the second Abbasid Caliph.

Al–Hirah; a town in Iraq, formerly the capital of the Abbasids before Baghdad was built.


Al–Imam As–Sadiq" by Muhammad Abu Zuhrah, p. 3.

Abu Hanifah" by Muhammad Abu Zuhrah, pp. 32–34, quoted from Manaqib Abi–Hanifah" by Makki, an extract from "Mabadi'ul–Ammah Lil–Fiqha–Ja'fari" by Hashim Ma'ruf Al–Hasani.

Al–Imamus–Sadiq Wal–Madhahibul–Arba'ah" by Asad Haydar, vol. 1, p. 175, quoted from "Jala'ul Uyun by Al–Alusi, p. 107, quoted from Ibn Taymiyyah.

Some historians have said: He wrote "Al–Muwatta" at the demand of the Abhasid caliphs Al–Mansur and Al–Mahdi.


Some historians said: "His grandfather, Nafi', was a slave of Abu Lahab, the Prophet's uncle, and he was not from Banu Hashim."

By that he meant that if his Fatwa was different from the Hadith, it would be Batil.

"Ar–Rasul Wash–Shi'ah" by Hasan As–Sa'id, p. 85.

**Glossary of the Arabic and Islamic Terms**

**A**

*Adhan*: The special call announcing that it is now time for performing the *Salat*.

*Ahlul–Bayt*: The family of the Messenger of Allah (s) consisting of the Prophet (s) himself, his daughter Fatimah (a.s.), her husband *Imam* Ali Ibn Abi Talib (a.s.), and their offspring who became *Imams*.

*Alim* (pl. *Ulama*): An Islamic scholar.

*Akhlæa*: ethics, manners, morality.

*Akhæqi*: ethical, moral
Asr: Afternoon.

B

Basmalah: Short for "Bismillahir-Rahmanir-Rahim", i.e. "In the name of Allah, the Merciful the Beneficent".

Batil: A ritually invalid or incorrect act.

D

Dhimmi: A follower of a Divine Book (a Christian or a Jew) who lives under the Islamic Rule, and gets protection for fulfilling his obligations towards the Islamic state.

Dhul-Hijjah: The 12th month of the Islamic calendar.

Du’a: Invocation; benediction; prayer, supplication.

F

Faqih: (Pl. Fuqaha): An Islamic jurisprudent.

Fatwa: (Pl. Fatawa): A decree issued by a religious authority on the religious matters.

Fiqh: The Islamic Jurisprudence.

G

Ghurub: Sunset

Ghusl: A ritual bathing in a specified manner

H

Hadath: A state or act which either invalidates Wudu only or requires ritual Ghusl

Al-Hadathul-Akbar: The act or state of impurity requiring Ghusl, such as the states of Janabah, Hayd, etc.

Al-Hadathul-Asghar: The state or act which invalidates Wudu, such as, urinating excreting faeces, sleeping, and passing (breaking) intestinal wind.

Hadith: A narrative (narration) quoted from the Prophet (s), his Companions and our 12 Imams (a.s.).
Hady: The animal offered for the sacrifice during the Hajj rituals.

Hayd: A woman in the state of menstruation.

Hājji: A person who is performing the Hajj rituals.

Hajj: The ritual pilgrimage to Mecca.

Halal: Religiously lawful, permitted, allowed.

Haram: Religiously unlawful, forbidden, prohibited.

Hayd: Menses, menstruation, monthly Period.

Hijrah: The year on which the Prophet (s) and his Companions migrated from Mecca to Al-Madinah.

Hilal: The new moon.

Ibnus-Sabil: A wayfarer (traveller) who is cut off his means

Eid: Feast.

Eidul-Adha: The feast on the 10th day of Dhul-Hijjah.

Eidul-Fitr: The feast on the 1st day of Shawwal.

Iftar: Breaking the fast, breakfasting.

Ihram: The wrappings, the dresses worn by the Hājji during the Hajj, the period of wearing them.

Ijtihad: The capability and endeavouring of the Mujtahid to deduce the Islamic precepts from their basic sources: the Qur'an and the Sunnah by means of valid proofs.

Al-Ikhfat: Reciting inaudibly (softly) [in prayers].

Iman: Faith or belief in Allah and His Messenger.

Iqamah: A traveller’s stay for a specified period in a place, a Mustahabb preparatory recitation before performing the Salat.

Irtimasi: By immersion in water.

Isha: The period following sunset at dusk time

Istita’ah: Ability, capability.

Itmam / Tamam: To perform the 4 Rak’ah Salats completely not in the Qasr form.
J

Jabirah: A splint, bandage, ointment, etc. put on a wound.

Al-Jahr: Reciting audibly. [esp. in prayers]

Jama’ah: Congregation (al), in congregation, a group.

Janabah: The state of being Junub after masturbation or sexual intercourse.

Jihad: Holy war, campaign for the sake of Allah.

Jima: Sexual intercourse.

Jumu’ah: Friday.

Junub: One who is impure because of being in a state of Al-Hadathul-Akbar Al-Janabah which requires the Ghusl for the Salat.

K

Ka’bah: The holy place in Mecca, and is the goal of Islamic pilgrimage, and the direction of the Qiblah.

Kafan: The cloths in which a dead body is wrapped, shroud.

Kaffarah: Atonement, expiation.

Kafir: A disbeliever, infidel.

Khutbah: A speech, an oration, a sermon.

Khums: One-fifth of the acquired wealth.

Kurr: A quantity of water regarded as Tahir and Mutahhir if not less than 377.5 kg or in volume 384.0 litres.

M

Maghrib: The time of disappearance of the reddish colour of the eastern horizon after sunset.

Makruh: Undesirable, advised not to be done.

Ma’mum: One who performs the Salat behind an Imam.

Manasik: Certain rituals done on certain occasions, such as Manasikul-Hajj.
Mash: Wiping a certain part of the body, as in Wudu.

Masjid: Mosque.

Massul-Mayyit: Touching the dead body of a human being, an act requiring a Ghusl.

Maytah: The dead body of an animal, or the meat of an animal not slaughtered according to the Islamic precepts.

Mayyit: The deceased, a human dead body, corpse.

Mecca: Name of the holy town in Al-Hijaz, where some of the Hajj rituals are performed, and where the Ka'bah is situated.

Mubah: Religiously permissible, allowed.

Mu'adhdhin: One who recites the Adhan aloud.

Muftir: One who is not fasting.

Mufattir: (Pl. Mufattirat): Acts or things which render fasting Batil.

Mujnib: One who is Junub or is in the state of Janabah.

Mukallaf: One who has reached the puberty age and, therefore, has become responsible for the performance of the religious duties.

Muqaddimah: Preparatory act, introductory act.

Muqallid: One who follows the opinions (Fatwas) of a religious authority in the religious matters.

Musafir: A traveller, one who is on a journey.

Musalli: One who is performing the Salat.

Mustahabb: Supererogatory, a recommended and desirable act which procures Divine reward, commendable.

Mustahiqq: One who deserves receiving due-alms.

Mustati': One who is capable of going to the Hajj.

Mutanajjis: That which has become Najis (impure and unclean).

Mutahhir: (Pl. Mutahhirat) That which makes a Mutanajjis thing Tahir.
**Mutawaddi**: One who has performed the *Wudu*.

**N**


*Nafsa*: A woman in the state of *Nifas*.

*Najasah*: (Pl. *Najasat*) Things which are ritually impure or not *Tahir*, and cannot be made *Tahir* by itself.

*Najis Ayni*: adj. impure (not *Tahir*) in itself.

*Nifas*: Bleeding period after childbirth.

*Nisab*: Prescribed quantity, number of items liable to due *Zakat* and *Khums*.

*Niyyah*: intention.

**Q**

*Qiblah*: The direction of *Ka'bah* to which every *Musalli* must face when performing the *Salat*.

*Qada*: Performing a lapsed obligatory *Salat* or *Sawm* which had not been performed in its due time.

*Qasr*: A shortened form of the 4 *Rak'ah Salat* to a 2 *Rak'ah Salat*, for the travellers.

**R**

*Rajab*: The 7th month of the Islamic Calendar.

*Rak'ah*: A unit of the *Salat*.

*Ramadan*: The 9th month of the Islamic Calendar.

*Rukn*: A principal part of the *Salat*.

*Ruku*: The ritual bowing in the *Salat*, ritual genuflection.

**S**

*Sa'im*: One who is fasting.

*Sajdah*: (or *Sujud*) The ritual prostration in the *Salat*; or in worshipping.

*Sajdatus–Sahw*: Two *Sajdahs* performed as an atonement for an inadvertent act done in the *Salat*.
Sawm (or Siyam): Fasting in Ramadan month.

Ash-Shahidatan: The two testimonies: *Ashhadu An La Ilaha IllaLlah, Wa Ashhadu Anna Muhammadan Rasulu-Llah*. [I testify that there is no God except Allah, and that Muhammad (s) is His Messenger].

Shari’ah: The Islamic Divine Law.

Shawwal: The 10th month of the Islamic Calendar.

Subh: Morning.

Sunnah: The traditions and conduce of the Prophet (s)

Tabi’un: Those who lived with, and learnt from the Companions of the Holy Prophet (s)

Tafsir: an exegesis, explantion.

Taghut: Tyrant.

Tahirah: The state of being Tahir.

Tahir: Ritually being pure and clean according to the Shari’ah.

Takbir: To say: "Allahu Akbar".

Takbiratul-Ihram: The first Takbir in the Salat said just after making the Niyyah.

Tamam / Itmam: Performing the 4 Rak’ah Salats completely, not Qasr.

Taqlid: To follow a Mujtahid’s Fatwas in performing one’s religious duties.

Tarakhkhus: (Limit of) A distance at which a traveller cannot hear the Adhan from the town he has left behind, or a distance from which it is difficult to distinguish the walls of the town.

Tartib: Sequence, ordinal of the ritual acts.

Tawaf: Circumambulation around the Ka’bah as a part of the rituals of the Hajj.

Tawhid: Monotheism, Oneness of God.

Tayammum: A kind of "dry purification" done with clean soil instead of the Wudu or the Ghusl.
U

Ummah: Nation, the whole Muslim community.

Umrah: A kind of Hajj to Mecca (minor Hajj)

W

Wajib: Obligatory, binding.

Wajib Ayni: Obligatory on every Mukallaf individually.

Wajib Kifa'i: A duty which remains Wajib upon the Muslims as a whole, but if some individuals have carried it out, other Muslims would be exempted from the responsibility.

Wudu: Islamic Ritual ablution usually before the Salat.

Z

Zakat: A certain Islamic obligatory tax on certain items.

Zakitul-Fitr (Al-Fitr): A Due-Alms given on Eidul-Fitr.

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