

**SELECTIONS
FROM ISLAMIC
JURISPRUDENCE
Part 1**

BY

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Translated By

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The Aim of Translating This Book

﴿Praise be to Allah, Who has guided us to this, and in no way we could have been guided, unless Allah had guided us﴾

Chapter of the Heights. Verse NO 43

I'd like to indicate that I have translated this book "**Selections from Islamic Jurisprudence**" for the sake of God, hoping that it helps to clarify and simplify Islamic obligations and pillars for non-Arabic speakers.

*Nashwa
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In The Name of Beneficent, Merciful God

Preface

Praise be to Allah alone, Almighty. He is one not due to fewness, the First without beginning, and the Last without ending. When He is mentioned, the faithful feel tranquil. When we see Him, we are content. With His help, the believers rejoice. And His command is between the letters “B” and “e” (Be). Birds praise Him in their nests, and monsters glorify Him in their desert. He is aware of His servant’s action: privately and publicly. And of His signs is that the heaven and the earth remain by His command. He has encompassed all things in knowledge, and has forgiven the sins of the guilty because of His generosity and clemency.

Blessings and peace be upon the Seal of Prophets and Messengers, the Leader of white (bright)-faced and white (bright)-legged people, Prophet Muhammad. He has been the best to convey the message, fulfill trust, advise the nation, and uncover obscure. May God reward him the best for us, and please us with his companionship in the Abode of Eternity.

Having said that:

God says ﴿ And it is not for the believers to go forth [to battle] all at once. For there should separate from every division of them a group [remaining] to obtain understanding in the religion and warn their people when they return to them that might be cautious ﴾ Chapter of Repentance. Verse NO 122. And the Prophet says: “If Allah wants to do good to a person, He makes him comprehend the religion.” [Narrated by AL-Bukhari and Muslim].

This book “Selections from Islamic Jurisprudence” deals with the main obligations and pillars in Islam, and deals with the most important issues that Muslims face in their daily life. In our age, simplification of jurisprudence issues, away from footnotes labyrinth and impenetrable texts, is an urgent need. You should not use boring abundance or the brief which undermines true meaning. A lot of people do not bother themselves to search for information in jurisprudence books, instead, they are content with what spreads around them in the audio-visual media.

These “Selections” have been extracted from “Imam Shafii School” with reference to the other schools’ opinions in some rites, so that a Muslim does not think that there are any troubles in acts of worship. The issue of schools is not important in Islam, as they all have been established from the biography of the Prophet and the Book of Allah, and because the diversity between them is in branches, not in principles and pillars. It is just that some of the jurists are tightened in order to take the prudent opinion.

◇ An Example for That: In obligations of ablution, God says ﴿ And wipe over your heads (*imsahoo biruoosikum*) ﴾ ﴿ وامسحوا برؤوسكم ﴾ Imam Shafii has been content with wiping some of the head. While Imam Abu Hanifah has insisted on wiping all of the head. Both of them are true, as the word “over” (i.e. the letter “b” in the word “*biruoosikum*”) (“أي حرف الباء في كلمة ”برؤوسكم”) in Arabic language has five meanings. One of them, which Imam Shafii has taken, is “the dividing”. And another one, that Abu Hanifah has taken, is “the sticking” which means wiping all of the head.

Thus, Islamic Jurisprudence has men who have been gifted with patience, persistence, and sacrifice. They were not waiting for a dirham or a dinar from anybody, but their researches were for God's sake. Islamic Jurisprudence is about daily human movement, which he will be accountable for on the Day of Judgment. Jurisprudence provisions are between the following terms:

Obligation: Its doer is praised and its leaver is vilified. **Examples:** prayer, fasting, and obligatory charity (*zakah*).

The Sunnah: Its doer is praised and its leaver is not punished. **Examples:** forenoon prayer and voluntary charity.

Permissible Act: If you do it or leave it, you will not be praised or vilified. **Examples:** eating or drinking.

Disliked Act: Its leaver is praised and its doer is not vilified. **Examples:** the amusement that is not prohibited.

Prohibited Act: Its doer is vilified and its leaver is praised. **Examples:** lying, theft, and usury.

Note that:

- ① Duty = Obligation = Pillar. They all have the same meaning, except in pilgrimage.
- ② The Sunnah = Advisable Act = Recommended Act = Volunteering = Optional worship. All have the same meaning.
- ③ Disliked act may turn into prohibited act: Listening to music for a long time is disliked, and if this leads to neglecting duty or forgetting a prayer, it will be prohibited, i.e. leads to going to hell.

Another Example: What is the provision of marriage?

The Answer: It is a Sunnah. Leaving it, for the one who needs it, is disliked. Marriage to one woman is allowed, marriage to two or three women is permissible, but marriage to more than four women at the same time is prohibited.

◊ That is the mission of jurisprudents in religion. There are many jurisprudence disciplines and basics that are inherited from the first Muslim Generation, and the professional is the only one who is aware of them.

● Abu 'Ubaydah ibn AL Jarrah, the governor of Damascus (AL-Sham), sent a message to the Caliph 'Umar ibn AL Khattab to tell him that a group of Muslims had drunk wine and they had said, "The verse said ﴿Will you not desist?﴾ and did not settle it." Then, 'Umar counselled Imam Ali. Imam Ali said, "Order Abu-'Ubaydah to get them in public, and ask them one question: Is wine legal or prohibited? If they say: 'Prohibited', flog them. And if they say: 'Legal', order to cut their throats." Thus, as the Prophet said, which is legal is clear and which is prohibited is clear.

I ask Almighty God, Generous Lord of the Throne, to satisfy the thirst of Muslim Men and Women to the true religious knowledge, in order that He accepts our deeds well, lets us land at a blessed landing place and gathers us with the ones, upon whom Allah has bestowed favor, of the prophets, the steadfast affirmers of truth, the martyrs, and the righteous. And excellent are those as companions. Excellent is the Protector, and excellent is the Helper.

EL-Sayed Muhammad AL-Jameel Sarseeq

Some Islamic Arabic Terms and their equivalents in English

A		J		<i>Sheikh</i>	religious scholar
Abraham	Ibrahim	<i>Janabah</i>	sexual impurity	<i>Siwaak</i>	Tooth stick
<i>Adhan</i>	prayer call	<i>Jannah</i>	Paradise	<i>Subhaan-Allah</i>	Exalted is God
<i>AL-Ansaar</i>	the Supporters	<i>Junub</i>	sexually impure	<i>sujuud</i>	prostration
<i>AL-Ayaam AL-Bid</i>	the Bright Days the White Days	L		<i>Sunan Mu'akkadah</i>	emphasized Sunnah practices
AL-Masjid AL Aqsa	the Farthest Mosque	<i>Lailat AL-Qadr</i>	The Night of High Esteem	<i>Surah</i>	Chapter
AL-Masjid AL Haraam	the Sacred Mosque	M		T	
<i>'Alayhi AL Salatu Wa AL Salaam</i>	prayer and peace be upon him (P.P.B.U.H)	<i>Mahram</i>	unmaritable relation	<i>Takbeer</i>	Saying "Allah is the Greatest."
<i>Allahu Akbar</i>	Allah is the Greatest	<i>Makruh</i>	disliked	<i>Tamattu'</i>	'Umrah- pilgrimage separate performance
<i>Arkaan AL-Islam</i>	pillars of Islam	<i>Miqaat</i>	appointed time or place		
<i>'Ashuraa</i>	the tenth of Muharram	<i>Mu'adhin</i>	prayer caller	<i>Taraweeh</i>	rest prayer
<i>'Ayah</i>	verse	<i>Mubaah</i>	permissible		
D		N		<i>Tashahhud</i>	testification
<i>Du'aa AL Qunut</i>	humility invocation	<i>Naafilah</i>	optional worship voluntary worship	<i>Tasleem</i>	prayer-end greeting
F		<i>Najis</i>	impure	<i>Tawaaf</i>	circumambulation
<i>Fard</i>	obligatory	Q		<i>Tawaaf</i>	onrush
<i>Fiqh</i>	Jurisprudence	<i>Qiblah</i>	Ka'bah direction	<i>AL-Ifaadah</i>	encompassing
<i>Fitr</i>	fast-breaking	Qiraan	'Umrah- pilgrimage combination	<i>Tawaaf AL- Quduum</i>	arrival encompassing
G		R		<i>Tawaaf AL-Wadaa'</i>	farewell encompassing
<i>Ghusl</i>	bathing	<i>Rak'ah</i>	a prayer unit		
H		<i>Rak'aat</i>	prayer units	<i>Tayammum</i>	sand ablution earth purification
<i>Hadd</i>	fixed penalty	<i>Ruku'</i>	bowing down		
<i>Hadiith Nabawi</i>	Prophetic tradition	S		U	
<i>Hadiith Qudsy</i>	Sacred tradition	<i>Sahoor</i>	pre-dawn meal	<i>'Umrah</i>	minor pilgrimage lesser plgrimage
<i>Hajj</i>	pilgrimage	<i>Salah</i>	prayer		
<i>Hajj Mabruur</i>	accepted pilgrimage	<i>Salat AL 'Asr</i>	afternoon prayer	<i>Ummah</i>	nation
<i>Haraam</i>	prohibited	<i>Salat AL Dhuhr</i>	noon prayer	W	
<i>Henna</i>	camphire	<i>Salat AL Duha</i>	forenoon prayer	<i>Wudu'</i>	ablution
<i>Huduud</i>	fixed penalties	<i>Salat AL 'Isha'</i>	night prayer	Z	
I		<i>Salat AL Janaazah</i>	funeral prayer	<i>Zakah</i>	obligatory charity
<i>'Id</i>	festival	<i>Salat AL Jumu'ah</i>	Friday prayer		
<i>'Id AL-Adha</i>	the Festival of Sacrifice	<i>Salat AL Maghrib</i>	sunset prayer		
<i>'Id AL-Fitr</i>	Fast- breaking festival	<i>Salat AL Sobh</i>	morning prayer		
<i>'Iddah</i>	waiting period	<i>Salat AL Tahajjud</i>	optional night prayer		
<i>Ihraam</i>	consecration	<i>Salat AL Tasabeeh</i>	praises prayer		
<i>Imam</i>	the leader	<i>Salat AL Witr</i>	separate prayer odd prayer		
<i>Iqamah</i>	second call to prayer	<i>Saum</i>	fasting		
<i>I'tikaaf</i>	seclusion	<i>Shaytan (Satan)</i>	the Devil		

◆ The Two Scholars= AL-Bukhari and Muslim.

◆ A.H.= After Hijrah.

◆ The Hijri Calendar= Islamic Calendar.

◆ Year of Hijrah= Islamic year.

**Salla Allahu Alayhi Wa Sallam*= May Allah bless him and grant him peace.

A close-up, slightly blurred photograph of water being poured over a pair of hands. The water is clear and cascades down, creating a sense of cleansing and purity. The background is a soft, out-of-focus grey.

PURITY

**from Ritual Impurity
and
Ritual Uncleanness**

Purity from Ritual Impurity and Ritual Uncleanness

What draws attention in Islam is its deep concern for individual and community health, as a healthy mind lives in a healthy body. Thus, Islam is ahead of its time in establishing the basics of private and public health. When you trace the verses of the Holy Qur'an, you will find that they are interested in the purity of Muslims, so as to be able to fulfill their roles in worship and transactions. God says ﴿And your clothing purify﴾ ﴿Allah loves those who are constantly repentant and loves those who purify themselves﴾ ﴿Keep away from wives during menstruation. And do not approach them until they are pure﴾ ﴿And if you are in a state of sexual impurity, then purify yourselves﴾etc. Many verses are in this regard.

Prophetic traditions are in line with these recommendations of the concern for cleanness from the first moment of a person's day. ●It was narrated from Abi Hurairah that the Prophet (May Allah bless him and grant him peace) said, **“When one of you wakes up from his sleep, he must not put his hand in a utensil till he washes it (his hand) three times, for he does not know where his hand was (while he was sleeping).”** [Narrated by Muslim].

From this point of view, ablution starts. It is repeated five times daily and it cares about washing external body organs, which are often exposed to pollution, especially in the current age, due to countless pollution resources. ●It was narrated from Abi Hurairah that the Messenger of Allah (May Allah bless him and grant him peace) said, **“When one of you awakes up from his sleep, he must blow of his nose three times, for the Devil spends the night in the interior of his nose.”** [Narrated by the Two Scholars, AL-Bukhari and Muslim]. Also, Islam takes advantage of every opportunity to recommend a Muslim to be always clean, so that when the Muslim loses this cleanness, he feels that he is in an abnormal state.

●It was narrated from Abi Hurairah that the Prophet, prayer and peace be upon him (P.P.B.U.H), met him in one of the streets of AL-Madinah while he was in a state of sexual impurity, so he slipped away from him and took a bath. The Prophet noticed that he was not there, and when he came he said: **“Where were you, O Abu Hurairah?”** He said, “O Messenger of Allah, you met me when I was in a state of sexual impurity, and I did not want to sit in your presence until I had a bath.” The Messenger of Allah said: **“Glory be to Allah! A believer never becomes impure (Najis).”** [The Two Scholars].

When a Muslim has a minor or a major ritual impurity, it does not mean that he is unclean, but it means that he is in a state which necessitates purity. It is better to purify himself rapidly to be ready to perform the next prayer.

Islam's care about cleanness is continuous. It obligates a Muslim to have a bath in four cases, and makes bathing a Sunnah for him in more than ten cases. It does not allow him to present in worship places unless he is clean. And finally, he does not meet God unless he has been washed and enshrouded in the white cloth which is the most beautiful cloth. So, it has not been strange that the first section of Islamic Jurisprudence is cleanness ways and purification provisions.

Purification from ritual uncleanness

Uncleanness, in Arabic language, means dirt. It has two types:

- a) **Real Uncleanness**: It means presence of an impure substance such as urine, stool, a dog's saliva, and a pig's meat.
- b) **Sapiential uncleanness**: It relates to a Muslim. It occurs when the Muslim has a minor ritual impurity due to not performing ablution. Or, when he has a major ritual impurity due to doing something that makes him sexually impure (*Junub*) as sexual intercourse, or masturbation – which is called “Wank”.

Clarification: For God's saying in the Chapter of Repentance (*Surat AL-Tawbah*) ﴿**Indeed the polytheists are unclean, so let them not approach AL-Masjid AL-Haraam after this, their [final] year**﴾, interpreters have two opinions:

- a) Polytheists are actually unclean, as they do not purify themselves as Muslims do, or
- b) Their uncleanness is moral, as they have cast aside their minds and have become like unclean animals.

◆ Uncleanness is removed **ONLY** with water. It is forbidden to perform ablution or take a bath using previously used water, or water mixed with changing agents such as rose water or vinegar.

Water can be used for ablution or bathing is:

Sky water – rain or ice balls, wells water which is extracted using pumps, sea water, river water, and springs water.

● Abu Hurairah (May Allah be pleased with him) reported: A man came to the Messenger of Allah (P.P.B.U.H) and said, “O Messenger of Allah, we travel by sea and we take a little water with us, but if we use it for ablution (*Wudu'*), we will go thirsty. Can we perform ablution with sea-water?” The Messenger said, **“Its water is a means of purification and its dead meat is permissible.”** [Abu Daoud].

Some of Purity Provisions:

* Little uncleanness is excused. For Example: If blood drops or streets mud are scattered on your clothes, you can pray wearing them.

* Animals skins are purified by tanning, except for the skin of dogs and pigs. Their skin uncleanness is severe.

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said: **“If somebody keeps a dog, he will lose one *Qirat* (carat of the reward) of his good deeds every day, except if he keeps it for guarding the fields or the herd.”** [The Two Scholars – AL Bukhari and Muslim]. ● It was narrated from Motraf ibn Abd-Allah (May Allah be pleased with him) that Allah's Apostle said, **“When the dog licks the utensil, wash it seven times, and rub it with earth the eighth time.”** [AL Bukhari and Muslim].

﴿Whoever holds firmly to Allah has been guided to a straight path﴾

◇ It has been proved, according to **Medspcae.com**, that dogs can transmit a lot of infections, for example:

* Toxocariasis, it is an infection caused by the ingestion of larvae of the dog roundworm.

* Dipylidiasis, it is a common tapeworm infection of dogs caused by *Dipylidium caninum*.

◇ Dogs (according to <https://blogs.ubc.ca/dogmeat/category/4-proscons-of-eating-dog-meat/>) can also carry a lot of pathogens, including *Leptospira*, *Listeria*, *Salmonella*, *Trichinella*, roundworms, and *Rickettsia* (which causes typhus). One particularly dangerous pathogen dogs can carry is the rabies virus.

◇ Also it has been proved, according to **Medspcae.com**, that pigs can transmit a lot of infections, for example:

* Trichinellosis, it is an infection caused by nematodes of the genus *Trichinella*, which present in pigs.

* Gnathostomiasis, it is an infection caused by nematodes of the genus *Gnathostoma*.

* Cysticercosis, it is an infection caused by eggs of the pork tapeworm.

* Taenia infection, it is caused by *Taenia Solium* (pork tapeworm).

Clarification: Islam agrees with pity for animals, but without living with them.

Some of cleanness rules which are recommended by Islam:

● It was narrated from 'A'ishah (May Allah be pleased with her) that the Messenger of Allah (P.P.B.U.H) said: **“Ten things are from nature (Fitrah): trimming the moustache, letting the beard grow, using tooth stick (siwaak), rinsing the mouth, rinsing the nose, trimming the nails, washing the bases of the finger joints, plucking the armpit hair, shaving the pubes and cleaning one’s private parts with water** (after urination or defecation).”

Some of The Rules of Relieving Oneself (Urination and Defecation):

a) Be silent.

b) Do not enter the place when you are barefoot.

c) Do not urinate standing upright.

d) Do not face the sun or the moon, and do not turn your back to them (if possible).

e) Do not take a copy of the Holy Qur'an with you, unless you fear for it from damage or theft.

f) Say upon entering the toilet: “I seek refuge with Allah from devils – male and female (or all offensive and wicked things, evil deeds and evil spirits, etc.)” And say upon getting out the toilet: “*Ghufranak* (Grant me Your forgiveness), praise to Allah Who has relieved me of impurity and given me good health.”

g) Enter the toilet using the right foot first, and exit using the left foot first.

h) Save yourself from being soiled with your urine. ● Ibn 'Abas reported: The Messenger of Allah passed by two graves and said, **“Both of them** (the persons in these graves) **are tortured, and they are not being tortured for a cardinal sin** (to avoid). **One of them used not to save himself**

from being soiled with his urine, and the other one used to go about with gossip (among people to rouse hostilities).”

i) Do not relieve yourself in public thoroughfares, in a hole in the earth, in a place people use for shading, or under a fruit tree.

● It was narrated from Abi-Hurairah that the Prophet (P.P.B.U.H) said: **“Be on your guard against two things which provoke cursing.”** They (the companions present there) said: “O Messenger of Allah, what are those things which provoke cursing?” He said: **“Easing on the thoroughfares or under the shades** (where they take shelter and rest).”

● It was narrated from Mu'adh ibn Jabal that the Messenger of Allah said: **“Be on your guard against three things which provoke cursing: easing in watering places, on the thoroughfares, and in the shade** (of a tree).”

● It was narrated from Abi-Qatada (May Allah be pleased with him) that the Messenger of Allah (P.P.B.U.H) said, **“None of you should hold his penis with his right hand while urinating, clean himself** (from defecation or urine) **using his right hand, or breathe in the utensil** (from which he drinks).” [AL Bukhari and Muslim].

● Hafsah (May Allah be pleased with her) reported: The Messenger of Allah (P.P.B.U.H) used to use his right hand for eating, drinking, and wearing his clothes and used to use his left hand for other purposes. [Abu Daoud]

clarification:

◇ Using the right hand has the priority in all acts representing honor like:

Bathing, ablution, using tooth stick, sand ablution (*Tayammum*), nails trimming, moustache trimming, wearing clothes, eating and drinking, shaking hands, entering home or mosque.

◇ Using the left hand has the priority in acts that are against honor like:

Removing mucus from the nose, spitting, cleaning one's private parts, getting out home or mosque, or taking off shoes or clothes.

Things are prohibited due to the minor ritual impurity

If a Muslim has not performed ablution, the following acts are prohibited for him:

a) Prayer (obligation or optional).

b) Circumambulation of AL Ka'bah.

● The Prophet (P.P.B.U.H) said, **“Circumambulation is like prayer, the only difference is that God has allowed talking in it** (circumambulation).”

c) Touching the Qur'an and carrying it. God says ﴿**None touch it except the purified**﴾ Chapter of the Inevitable (*Surat AL-Waaqi'ah*). Verse NO 79

* Some scholars allowed carrying the Qur'an covered. AL Shafii allowed carrying it among luggage, and allowed reading it only, without touching it, and turning its pages using a pen or any other thing.

Things are prohibited due to the major ritual impurity [sexual impurity (*Janabah*) in men]

- a) Prayer (obligation or optional).
- b) Circumambulation of AL Ka'bah.
- c) Reading the Qur'an.
- d) Touching the Qur'an and carrying it.
- e) Staying in mosque. God says ﴿O you who have believed, do not approach prayer while you are intoxicated until you know what you are saying or in a state of sexual impurity [*Janabah*], except those passing through [a place of prayer], until you have washed [your whole body]﴾ Chapter of Women(*Surat AL-Nisa'*) Verse NO 43

●And the Prophet said: **“It is not permitted for a menstruating woman or one who is sexually impure to stay in the mosque.”** [Abu Daoud].

□What mentioned before is prohibited for a man and a woman if they are after sexual intercourse

Menses, Confinement, and False Menstruation

There are three types of the blood that discharges from a woman’s vulva: menses, confinement, and false menstruation.

Menses: It is the blood discharged from the woman’s vulva when she is healthy. It is a painful blood and it is called “menstrual period”. It does not occur before the age of nine, as a sign of puberty in women. Menopause mostly occurs in between the age of forty five to the age of fifty. Menstrual period lasts from one day and one night to five days, or to fifteen consecutive days.

False Menstruation: It is the blood discharged from the woman’s vulva in days other than the menstrual period, and not due to childbirth. It is urgent and entails treatment. It is not prohibited for the woman with false menstruation to pray or fast.

Confinement: It is the blood discharged after childbirth, and it ranges from one day in some women to forty or sixty days in the others.

Things Prohibited for the Menstruating Woman and the Woman in Confinement Period

- a) Prayer (obligation or optional).
- b) Mosque entry.
- c) Touching the Qur'an or carrying it.
- d) Reading the Qur'an.
- e) Circumambulation of AL Ka'bah, either it is arrival encompassing, onrush encompassing, or farewell encompassing.
- f) Sexual intercourse. God says ﴿And they ask you about menstruation. Say, “It is a harm, so keep away from women [wives] during menstruation. And do not approach them until they are pure. And when they have purified themselves, then come to them from where Allah has ordained for you. Indeed, Allah loves those who are constantly repentant and loves those who purify themselves﴾ Chapter of the Heifer. Verse NO 222

● 'A'ishah (May Allah be pleased with her) reported: We set out with the Prophet, with the sole intention of performing pilgrimage (*Hajj*), and when we reached Sarif, (a place near to Makkah) I got my menses. When the Prophet came to me, I was weeping. He asked, **“Why are you weeping?”** I said, “I wish if I had not performed pilgrimage this year.” He asked, **“May be that you**

got your menses?" I replied, "Yes." He then said, **"This is the thing which Allah has ordained for the daughters of Adam. So, do what all pilgrims do with the exception of circumambulation (AL-Tawaf) round AL Ka'bah till you are clean."** [The Two Scholars].

- 'A'ishah reported: We passed this (period of menstruation), and we were ordered to complete the (abandoned) fasts, but were not ordered to complete the (abandoned) prayers.

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BATHING (SHOWERING)

It is washing the whole body with the intention of purification.

- It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Messenger of Allah (P.P.B.U.H) said, **"It is the right of Allah upon every Muslim that he should take a bath (at least) on one day during the seven days (of the week) and he should wash his head and body."** [AL Bukhari and Muslim].

The Obligatory Bathing (Conditions in which bathing is an obligation):

a) Purification from menses and confinement.

b) After sexual intercourse.

- It was narrated from 'A'ishah (May Allah be pleased with her) that the Messenger of Allah (P.P.B.U.H) said, **"When the two circumcised parts meet, the bathing is obligatory."** [AL Bukhari].
- The Prophet said to Fatimah bint Abi Hubaish: **"Give up the prayer when your menses begins and when it finishes, take a bath and start praying."**

c) Semen discharge from the woman or the man after having a libidinal dream, or masturbation.

- Um Salamah (the mother of the believers) reported: The wife of Abi Talha came to Allah's Apostle and said, "O Allah's Apostle! Allah is not ashamed of the truth, does a woman have to take a bath (do *Ghusl*) if she has a wet dream (nocturnal sexual discharge)?" Allah's Apostle replied, **"Yes, if she sees a discharge."** [The Two Scholars].

d) Washing a dead body, except the martyr in a battle against the unbelievers.

- It was narrated from Jabir ibn Abd Allah (May Allah be pleased with them) that the Prophet ordered the martyrs of Uhud to be buried with their blood (on their bodies). Neither was the funeral prayer (*Salat AL-Janaazah*) offered for them, nor were they washed. [AL Bukhari].

Conditions in Which Bathing is Sunnah:

a) Bathing on Fridays. It is the most important one of them.

Its time: From the emergence of dawn till the end of Friday prayer (*Salat AL Jumu'ah*).

- The Prophet (P.P.B.U.H) said, **"If any one of you performs ablution on Friday that is all right, and if any of you takes a bath, that is better."**
- It was narrated from Salman AL-Farisi (May Allah be pleased with him) that Allah's Apostle said: **"If a man takes a bath on Friday, purifies himself as much as he can, uses oil and perfume which is available in the house, sets forth for the mosque, does not sit between two persons (to make a seat for himself), performs the prayer that is prescribed for him and listens to the leader (AL Imam) silently, his sins between this Friday and the previous Friday will be forgiven"** [AL-Bukhari]

- b) The Two Festivals Bathing. Its time: From midnight to the sunset of the first day of the Festival.
- c) Bathing before consecration of pilgrimage, consecration of minor pilgrimage ('Umrah), or consecration of them together.
- d) Bathing before throwing pebbles on the three days of Tashreeq.
- e) Before entering Makkah, and before entering AL-Madinah.
- f) Before standing at Arafat.
- g) Before circumambulation of AL Ka'bah.
- h) Before spending the night at Muzdalifah.
- i) Before the eclipse, or the lunar eclipse prayer.
- j) Before rain invoking prayer.
- k) Having washed a dead body, the person who did so should take a bath.
- l) The unbelievers bathing after conversion to Islam.
- m) Bathing of the one who has passed-out, after he becomes awake.

Bathing Obligations:

- 1) Intention: It resides in the heart.
- 2) Getting rid of body uncleanness, if there is any of it.
- 3) Water must reach all parts of the skin, including hair roots.

The Sunan (the Sunnah practices) of Bathing:

- 1) Mentioning the name of Allah.
- 2) Performing ablution before it.
- 3) Washing right organs before left organs.
- 4) Body massage.
- 5) Bathing acts succession.

Bathing Validity Conditions:

- 1) Water must be pure, not mixed with any other substances such as rose water, etc.
- 2) There isn't any barrier which prevents the reach of water, such as fats, nail polish, BUT *henna* does not affect bathing validity.

Bathing Disliked Acts:

- 1) Wasting water.
- 2) If a person gets someone else for bathing, in spite of his ability to do it on his own.



ABLUTION



(*Wudu'*)



Ablution (Wudu')

Its Legitimacy: It has been made obligatory in the Night Journey of the Prophet Muhammad from Makkah to Jerusalem and his Ascent to the Seventh Heaven. It has been made obligatory together with prayer. It was an obligation to perform ablution before each prayer. But then, this provision has become abrogated in the Battle of the Trench, in the fifth year of Hijrah (5 A.H). It has become obligatory only to remove the minor ritual impurity.

Ablution Validity Conditions:

- 1) Water is pure, not mixed with other substances.
 - 2) Water must be not previously used for purification.
 - 3) There is not any barrier which prevents the reach of water to the skin. But if there are wounds dressed in bandages that can be endangered, sand ablution upon them is a must.
 - 4) Perfect ablution, which means to be sure of washing an organ carefully, and beyond what is required.
- 'Uthman ibn Affan (May Allah be pleased with him) reported: The Messenger of Allah (P.P.B.U.H) said, **“He who performs ablution perfectly (i.e., according to Sunnah), his sins will come out from his body, even coming out from under his nails.”** [Muslim].
 - It was narrated from Abi-Hurairah, that the Messenger of Allah said: **“Do you think that if there was a river by the door of any one of you, and he bathed in it five times each day, would there be any trace of dirt left on him?”** They said: “No trace of dirt would be left on him.” He said, **“That is the likeness of the five daily prayers. By means of them, Allah erases sins.”** [The Two Scholars].
 - It was narrated from Abi-Hurairah, that the Messenger of Allah said: **“On the day of Judgment, my followers (Ummah) will come with bright faces, hands, and feet from the traces of ablution. Whoever can increase the area of his radiance, should do so.”** [AL Bukhari].
 - Ibn 'Amr ibn EL-'As (May Allah be pleased with them) reported: A group of people hurried and performed ablution hastily, so their heels appeared not touched with water. So, the Messenger of Allah said, **“Woe to the heels because of the hell-fire.. Make your ablution thorough.”** [Muslim].

Ablution Obligations:

- 1) Intention.
- 2) Washing the whole face, lengthwise: from the hair root (the top of forehead) to the down of chin bone, and widthwise: in between the ears.
- 3) Washing the hands along with the elbows. 4) Wiping some of the head or all of it.
- 5) Washing the legs along with the heels.
- 6) Previous steps have to be performed in the same order in which they are mentioned.

● The Prophet said: **“Begin with what Allah had begun with.”** [Reported by AL-Nasa'i].

God says ﴿O you who believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the heels﴾

Chapter of the Table (AL-Ma'idah).

The Sunnah Practices of Ablution:

- 1) Mentioning the name of Allah.
- 2) Washing the hands.
- 3) Wiping all of the two ears.
- 4) Rinsing the mouth and rinsing the nose.
- 5) Entering water through the thick beard, and in between fingers and toes.

● The Prophet said: **“Perform ablution perfectly and let water run between your fingers.”**

[AL-Tirmidhi].

6) Beginning with the right organ, then followed by the left organ.

7) Succession of ablution acts.

Ablution Disliked Acts:

- 1) Wasting water.
- 2) Washing the organ more or less than three times.

● Ibn 'Umar (May Allah be pleased with them) reported: The Prophet (P.P.B.U.H) passed by Sa'd when he was performing ablution, and he said: **“What is this extravagance?”** Sa'd said, “Can there be any extravagance in ablution?” The Prophet said: **“Yes, even if you are on the bank of a flowing river.”**

3) If a person gets someone else for ablution, in spite of his ability to do it on his own.

4) Exaggeration in rinsing water in the mouth, and in rinsing water in the nose during fasting.

● Laqit ibn Sabra (May Allah be pleased with him) said, “I said to the Messenger of Allah: ‘Tell me about ablution.’ And he said: **‘Perform a perfect ablution, run water between the fingers and toes, and if not fasting, sniff water up well inside the nose.’**” [Abu-Daoud and AL-Tirmidhi].

● It was narrated that Amr ibn Absah said: “The Messenger of Allah said, **‘When a person performs ablution and washes his face, as God commanded, his sins exit through his face with water. When he washes his hands along with his elbows, his sins exit through his fingertips with water. When he wipes his head, his sins exit through his hair ends with water. When he washes his feet along with his heels, his sins exit his toes with water.’**” [Muslim].

Invalidators of ablution (things that cause the minor ritual impurity):

- 1) Sleeping.
- 2) What comes from the two natural orifices (front or back private parts).
- 3) When there is no mind due to syncope, drunkenness, illness, or madness. A person, in one of these states, is to perform ablution after he becomes awake.
- 4) When an adult male touches an adult female, who is not a *Mahram* to him, without a barrier, even if she is dead.

N.B Mahram means: Unmaritable relation – husband or any other relative to whom a woman is prohibited to marry (like her uncle, father, brother). Or, wife or any other relative to whom a man is prohibited to marry (like his aunt, mother, sister).

5) When a person touches his private part or the private part of someone else with his palm either the toucher or the touched one is young or old.

● The Prophet (P.P.B.U.H) said, **“Whoever touches his sexual organ, let him perform ablution.”**

[AL-Tirmidhi].

SAND ABLUTION = EARTH PURIFICATION = (Tayammum)

Definition: It is wiping face and hands along with elbows with pure sand instead of ablution or washing an organ.

It has been ordained in the fourth or the sixth year of Hijrah. God says ﴿**And if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and find no water, then seek clean earth and wipe over your faces and your hands** [with it]. **Indeed, Allah is ever Pardoning and Forgiving**﴾ Chapter of Women. Verse NO 43

● It was narrated from 'A'ishah (May Allah be pleased with her) that she borrowed a necklace from Asmaa and it was lost. So, Allah's Apostle sent a man to search for it and he found it. Then, the time of the prayer became due and there was no water. They complained to Allah's Apostle about it, so the verse of sand ablution was revealed. [AL-Bukhari].

Conditions of Performing Sand-Ablution:

- 1) When time of prayer comes with absence of water.
- 2) If using water for ablution is harmful.
- 3) When there is water, but there is a critical need to keep a man or an animal alive.

Sand Ablution Obligations:

- 1) Intention.
- 2) Wiping face after the first strike.
- 3) Wiping hands along with elbows after the second strike.
- 4) Previous steps have to be performed in the same order in which they are mentioned (i.e., striking the earth, then wiping the face, and striking the earth again, then wiping the hands along with the elbows).

The Sunnah Practices (Sunan) of Sand Ablution:

- 1) Mentioning the name of Allah.
- 2) Using tooth stick (*Siwaak*) before it.
- 3) Succession of its steps.
- 4) Spreading the fingers in each strike.
- 5) Decreasing some of the earth that is on the hands before wiping.
- 6) Beginning with the right hand.

Invalidators of Sand Ablution: They are the same as invalidators of ablution, and in addition:

- 1) Occurrence of water, before or after performing sand ablution, so that it is before prayer.
- 2) The ability of using water for those who had been unable to use it before.

Note that:

- ① Imam Shafii has seen that a Muslim must perform sand ablution before each obligated prayer or before each Ka'bah's circumambulation, but he can perform sand ablution, only once, before more than one optional prayer.
- ② It isn't allowed to use the dust of gypsum or lime. Sand-ablution must be performed using normal earth, even if it is in a small amount.
- ③ If a Muslim performed sand ablution, then water appeared before the prayer, his sand ablution became invalid and he would have to perform ablution (*Wudu'*).

THE TOOTH STICK = (Miswaak) = (Siwaak)

Using tooth stick for teeth cleaning is recommended in each time, except after sunset for the fasting person. The best tooth stick is that taken from Arak trees (Salvadora persica).

Tooth stick is recommended in three conditions:

- 1) Upon feeling of changed mouth smell.
- 2) After getting up.
- 3) Before rising to perform prayer.

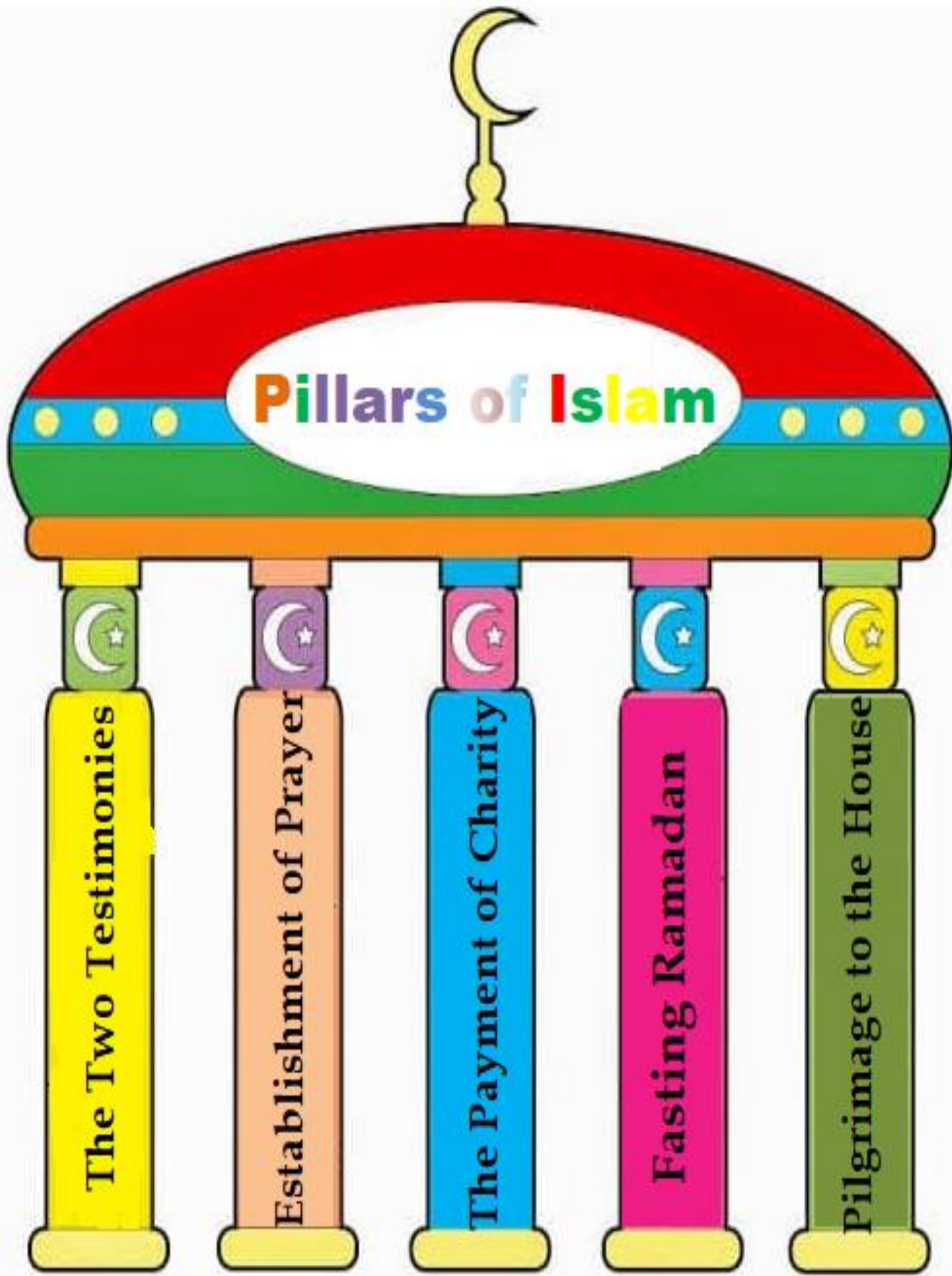
It is a Sunnah to hold it with the right hand, and begin with the right side of the mouth.

● It was narrated from 'A'ishah (May Allah be pleased with her) that the Prophet (P.P.B.U.H) said: **“The tooth stick purifies the mouth and pleases God.”** [AL-Nasa'i].

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **“If I had not found it difficult for my community, I would have commanded them to use the tooth stick before every prayer.”**

And in another narration: **I would have commanded them to use the tooth stick before every ablution.** [Narrated by the Two Scholars].





Pillars of Islam (Arkaan AL-Islam)

- ① Testifying that there is no true god except Allah and that Muhammad is His slave and Messenger.
- ② Establishment of prayer (*Salah*). ③ Payment of obligatory charity (*Zakah*).
- ④ Fasting the month of Ramadan (*Saum*).
- ⑤ Performing pilgrimage (*Hajj*) to the House of Allah (Ka'bah) for whoever is able to bear the journey.

Pillars of Islam are of three types:

- 1) Physical worship, as prayer and fasting.
- 2) Financial worship, as charity.
- 3) Both physical and financial, as pilgrimage.

Necessary Correction:

Some people incorrectly think that the five pillars of Islam are enough for a Muslim to be forgiven for his bad treatment of others. And this is a mistaken belief, as Islam and faith are the summation of success in life elements which are: religion and this world, or acts of worship and transactions.

Here is an example for clarification:

Suppose that Islam is a great palace. The five pillars of Islam would serve as the walls and columns, and dealing with people (i.e., purchase, marriage, education, neighborhood and social relationships) would serve as the doors and windows that make this palace livable. Success in performing acts of worship does not substitute for success in transactions.

God's rights: He may tolerate in them, if His servant's repentance is sincere.

Servants' rights: Are based on miserliness, so on Judgment Day, the servant needs critically to have merits to avoid going to hell. To be more precise, we will provide these two traditions:

● In Sahih Muslim, Abu-Hurairah reported that the Prophet (P.P.B.U.H) said: **“Do you know who is the bankrupt?”** They said: “The bankrupt among us is the one who has neither money with him nor any property.” He said, **“The real bankrupt of my nation (Ummah) is the one who comes on the Day of Judgment with prayers, fasts and obligatory charity, but he comes having abused this one, falsely accusing that one, unlawfully consuming the wealth of this one, spilling the blood of that one, and beating this one. So his merits are credited to the account of those (who suffered at his hands). And if his merits are exhausted before they clear the account, then their sins will be entered in his account and he will be thrown in the Hell.”**

● In Sahih AL-Bukhari, Abu-Hurairah reported that the Prophet said, **“Whoever has oppressed another person concerning his reputation or anything else, he should beg him to forgive him before the Day of Judgment when there will be no money (to compensate for wrong deeds), but if he has good deeds, those good deeds will be taken from him according to his oppression which he has done, and if he has no good deeds, the sins of the oppressed person will be loaded on him.”**

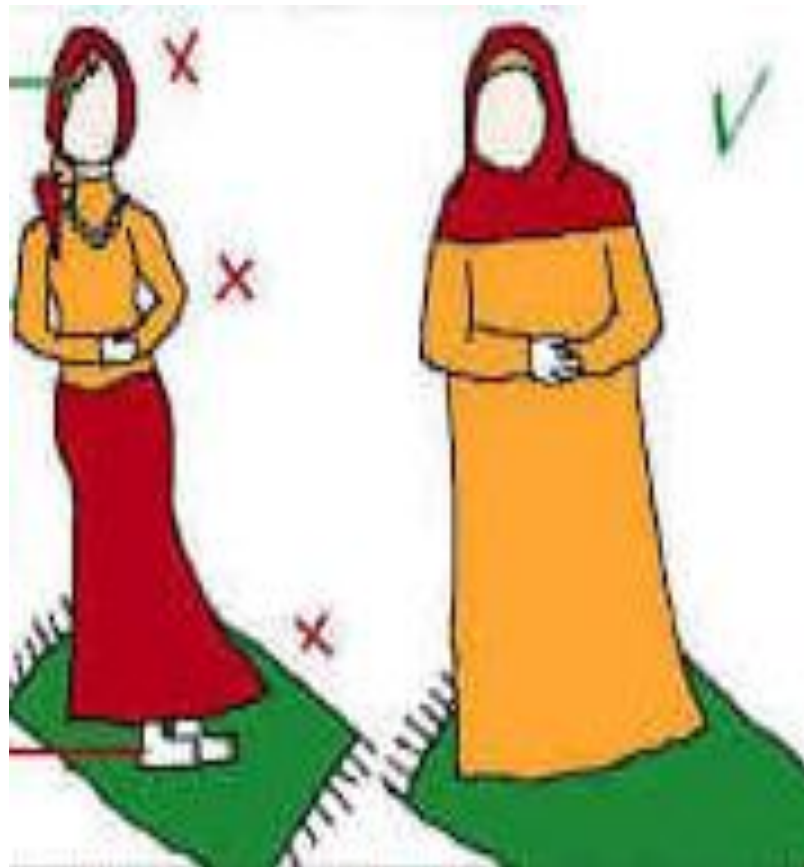
So, a Muslim who wants to escape going to hell, should consider his situation from God's rights and people's rights daily before he meets God.

It remains for us to mention that, these five pillars are essential in a Muslim's faith, so whoever denies one of them is an infidel according to scholars' consensus. A delegation from Thaqif came to the Prophet offering to be Muslims without performing prayers, but the Prophet refused and said: **“There is no good in a religion with no prayer.”** And when some Muslims refused to pay obligatory charity (*Zakah*), Abu Bakr spoke loudly and said, “By Allah, I will kill those who differentiated between prayer and charity.”

Indeed, whoever testifies that there is no god but Allah, but refuses to testify that Muhammad is the Messenger of Allah, is NOT a Muslim according to scholars' consensus.



PRAAYER (*Salah*)



PRAYER (Salah)

It is words and deeds which begin with (*Takbeer*) which means saying “Allah is the Greatest (*Allaahu Akbar*)”, and end with prayer-end greeting (*Tasleem*).

The five prayers have been made obligatory in Makkah in the Night Journey of Prophet Muhammad from Makkah to Jerusalem and his Ascent to the Seventh Heaven, when he reached to the Lote Tree of the farthest limit (Sidrat AL-Muntaha). God says ﴿**Certainly the believers have succeeded ①**﴾ **They who are during their prayer humble ②**﴾ And says ﴿**And they who carefully maintain their prayers**﴾ And says ﴿**And enjoin prayer up on your family [and people] and be steadfast therein**﴾.

● It was narrated from Anas ibn Malik that the Prophet (P.P.B.U.H) said, **“Allah enjoined fifty prayers upon my nation (Ummah), and I had been going back to Him and asking Him for reduction till He made them five prayers every day and night.”** [The Two Scholars].

Upon Whom Prayer is Obligatory?

It is obligatory on the rational adult Muslim (male or female). However, the command of performing it begins at an early age, so that the Muslim accustoms to it from his childhood.

It is the responsibility of parents in this stage of their child’s life till he becomes an adult at the age of eleven or thirteen, then their charge will be providing advice, and applying **“Carrot and Stick”** approach.

● It was narrated from Amr ibn Shu'aib (May Allah be pleased with him) that the Prophet said: **“Command your children to perform prayer when they are seven years old, and beat them for (not performing) it when they are ten, and do not let (boys and girls) sleep together.”** [Abu-Daoud].

Prayer is The Most Important Pillar of Islam:

Many Prophetic and Sacred traditions are provided in priority and importance of the five prayers, and in warning against leaving or neglecting them. They were one of the Prophet’s priorities. When it was time to pray, the Prophet used to say, **“O Bilal, give us comfort by it.”** He also said, **“My comfort has been provided in prayer.”** And if he had a distress, he used to pray and talk intimately to Allah. The Prophet’s last words (recommendation), before his death, were: **“Prayer and those whom your right hands possess (slaves)... Prayer and those whom your right hands possess.”**

Why Are The Five Prayers The Most Important Pillar of Islam

① **They are the only pillar that the Prophet has received from God directly from above seven heavens without inspiration:** That occurred in the Night Journey of Prophet Muhammad from Makkah to Jerusalem and his Ascent to the Seventh Heaven, and Muslims committed to performing them in Makkah, in spite of severity of conditions. But, obligatory charity, fasting, and pilgrimage have been made obligatory after migration to AL-Madinah, by the trustworthy of inspiration “Gabriel”.

② **They are personal physical worship:** No one can deputize to for a Muslim in performing them, and no ransom is accepted instead of them.

● It was narrated from Anas ibn Malik that the Messenger of Allah said, **“Whoever forgets a prayer or sleeps and misses it, let him pray it when he remembers it. There is no expiation for it, except this.”** [Muslim].

③ **They make a Muslim meet his God five times daily,** while fasting makes him meet God for one month per year. Obligatory charity and pilgrimage are performed by the one who is capable of them.

④ A rational adult Muslim is not exempted from them at all, as long as he is alive. They are lapsed only in the case of a menstruating woman and in confinement. In case of illness, a Muslim (a man or a woman) prays the patient's prayer. In case of travel, a Muslim can shorten prayers and combine between them. In case of war, he prays fear prayer.

● Imran ibn Husain reported: "I had piles, so I asked the Prophet about the prayer. He said, **'Pray while standing and if you cannot, pray while sitting and if you cannot do even that, then pray lying on your side.'**" [AL-Bukhari].

● Ibn Abbas (May Allah be pleased with them) reported: "Allah has enjoined the prayer on the tongue of your Prophet (P.P.B.U.H): two prayer units (*rak'atain*) for the traveller, four prayer units (*rak'aat*) for the resident, and one prayer unit (*rak'ah*) in danger." [Muslim].

⑤ They include the five Islam pillars: They involve testification, which includes the two testimonies. Their performance represents the charity of the day that human lives. Also, they include fasting; a Muslim refrains from eating and drinking during their performance. Finally, in prayer, a Muslim is heading to Ka'bah as other Muslims do when they perform pilgrimage.

⑥ They are the only pillar that has many forms and types. For example:

The five obligated prayers, Friday prayer which is performed in a particular way and under special conditions, regular Sunnah prayers which follow each obligatory prayer, occasions prayers as: the two festivals prayers, funeral prayer, or rain-invoking prayer.....etc, and emphasized Sunnah practices (*Sunan Mu'akkadah*) like optional night prayer, forenoon prayer.....etc.

⑦ They are the only pillar that if a Muslim is lazy in performing it or he forgets it, he will be in the group of hypocrites. God says ﴿**Indeed, the hypocrites [think to] deceive Allah, but He is deceiving them. And when they stand for prayer, they stand lazily**﴾ Chapter of Women. And He says ﴿**They have disbelieved in Allah and His Messenger and that they come not to prayer except while they are lazy and that they do not spend except while they are unwilling**﴾ Chapter of Repentance. He also says ﴿**So woe to those who pray**④ [But] **who are heedless of their prayer**⑤﴾ Chapter of Neighborly Needs [*Surat AL-Maaoon*].

⑧ They are the pillar that if a Muslim leaves it, he will be an unbeliever:

● It was narrated from Buraidah (May Allah be pleased with him) that the Messenger of Allah (P.P.B.U.H) said, **"The covenant that differentiates us from them (the unbelievers) is our performance of prayer. Whoever leaves it becomes an unbeliever."** [AL-Tirmidhi].

● Jabir (May Allah be pleased with him) reported: The Messenger of Allah (P.P.B.U.H) said: **"Between a man and polytheism and disbelief is the abandonment of prayer."** [Muslim].

⑨ They are the first deed for which a servant of Allah is held accountable on the Day of Judgment.

● It was narrated from Abi-Hurairah that the Messenger of Allah (P.P.B.U.H) said, **"The first of man's deeds for which he will be called to account on the Day of Judgment will be prayer. If it is found to be perfect, he will be safe and successful; if it is incomplete, he will be unfortunate and a loser. If any shortcoming is found in the obligatory prayer, the Lord (Almighty and Sublime) says: 'Look and see if you can find any voluntary prayers with which to complete what is lacking from his obligatory prayers.' Then, the rest of his actions will be treated in the same manner."**

[AL-Tirmidhi].

⑩ They are the key way leading to Paradise.

● It was narrated from Ibadah ibn AL-Samit that the Prophet said: **"Allah (The Almighty and Sublime) has written five prayers for mankind and whoever does them and does not neglect any**

of them out of disregard towards them, will have a promise from Allah that He will admit him to Paradise.” [Abu-Daoud, AL-Nasa'i, and Ibn Majah].

●Uthman ibn Affan (May Allah be pleased with him) reported: I heard the Messenger of Allah (P.P.B.U.H) saying, “When the time for a prescribed prayer comes, if any Muslim performs its ablution and its acts of humbleness and bowing well, it will be an expiation for his past sins, so long as he has not committed a major sin, and this applies for ever.” [Muslim].

////////////////////
The Provision of The Abandonment of Prayer

a) If a Muslim abandons prayer denying its obligation and not confessing it, he will be an unbeliever. Prayer is one of the five Islam pillars, so the one who abandons it is considered an apostate, i.e., he is killed, not washed, not shrouded, not prayed over him, and not buried in Muslim graveyards.

b) If he abandons it due to laziness, but he confesses its obligation, he will be invited to repentance. If he does not perform prayer again, he will be killed and considered a hypocrite. But he will be dealt as a Muslim, i.e., he will be washed, shrouded, prayed over him and buried in Muslim graveyards.

Obligated Prayers:

- | | |
|----------------------------------------------|-----------------------------------------------|
| 1) Morning prayer (<i>Salat AL Sobh</i>). | 2) Noon prayer (<i>Salat AL Dhuhr</i>). |
| 3) Afternoon prayer (<i>Salat AL Asr</i>). | 4) Sunset prayer (<i>Salat AL Maghrib</i>). |
| 5) Night prayer (<i>Salat AL 'Isha'</i>). | |

Prayer times:

●Jabir ibn Abd-Allah reported: The Prophet used to pray the noon prayer at midday, the afternoon prayer when the sun was still hot, and the sunset prayer after sunset. The night prayer was offered early if people gathered, and used to be delayed if their number was less, and the morning prayer was offered when it was still dark.

- Each prayer time has four degrees relating to its provision: great reward time, permissible time, disliked time, and prohibited time.

For example: Suppose that the noon prayer call is at 12 p.m. and the afternoon prayer call is at 3 p.m. Great reward time starts after the noon prayer call. The prayer is still permissible till disliked time starts at 2.30 p.m. If the afternoon prayer call is due and the noon prayer has not been performed, this will be the prohibited time.

◆ Whoever is lazy about noon prayer till afternoon prayer call is due, he commits a great sin. God says **“Indeed, prayer has been decreed upon the believers a decree of specified times”** Chapter of Women. And He also says **“So woe to those who pray”** ④ [But] **“who are heedless of their prayer”** ⑤ Chapter of Neighborly Needs (*Surat AL-Maaoon*).

- If the one who has not performed the noon prayer dies, he will go to hell.
- Delaying prayer beyond its time, without an excuse, necessitates seeking forgiveness of Allah from this sin and performing the missed prayer.

Means of seeking forgiveness:

- * Performing Sunnah prayers, or paying optional charity, or optional fasting, or reading Qur'an.
- * Then, seeking forgiveness of Allah and promising Him not to do so again.

An important question is remaining: Will Allah accept his repentance? And if he repeated it intentionally, would Allah accept his repentance?

The answer for this question is unknown, as Allah forgives whom He wills and punishes whom He wills.

A Muslim has only to avoid these problems and perform prayers on their times.

●Abdullah ibn Mas'ud reported that the polytheists kept the Messenger of Allah on the Day of the Battle of the Trench (*AL Khandaq*) from the afternoon prayer till the sun became red or it became yellow. Upon this the Messenger of Allah (P.P.B.U.H) said: **“They have distracted us from (performing) the middle prayer. May Allah fill their bellies and their graves with fire.”** Ibn Mas'ud says, “Then, the Prophet performed it between the sunset prayer and the night prayer.”

●Abdullah ibn Mas'ud reported: I said: “O Messenger of Allah, which of the deeds is nearer to Paradise?” He (the Prophet) replied: **“Prayer at its proper time (at the beginning of its time).”** [Muslim].

●It was narrated from Abi-Hurairah that the Prophet said, **“Shall I not tell you something by which Allah erases sins and elevates (your) ranks?”** They said: “Yes, O Messenger of Allah.” He said, **“Performing ablution thoroughly in spite of difficult circumstances, frequent going to the mosque, and waiting eagerly for the next prayer is over; indeed that is the firm hold (*AL Ribat*).”** [Muslim].

●Anas ibn Malik reported: the Messenger of Allah said, about those who delay the afternoon prayer, **“That is how hypocrites pray: One of them sits until the sun becomes yellow and between the horns of the Devil, then rises and prays four prayer units quickly, hardly remembering Allah in them at all.”** [Muslim and Malik].

✽This division, which we have mentioned, includes all prayers except sunset and night prayers.

Sunset prayer: Its time is specified. It is equivalent to the time required for ablution, prayer call, and performing five prayer units (three obligatory and two optional units); the only time remaining after that is the disliked and prohibited time. So, sunset prayer time is called **“the gem”**.

And as for night prayer: Its delaying to the last third of night is a Sunnah, but it is NOT delayed to the morning prayer call.

●Abdullah ibn 'Umar (May Allah be pleased with them) reported: “We stayed one night waiting for the Messenger of Allah to pray the night prayer. He came to us when one-third of the night or more had passed, and he said when he came out: **‘You are waiting for a prayer for which the followers of no other religion are waiting. Were it not a burden on my people, I would have normally led them in prayer at this time.’** Then he ordered the caller to prayer (*AL-Mu'adhin*) who declared that the time of the prayer had come.” [Muslim].

●It was narrated from Abi-Hurairah that the Prophet (P.P.B.U.H) said: **“If it were not that it would be too difficult for my people, I would have ordered you to delay night prayer until the third of the night, or its half.”** [Ahmad, AL-Tirmidhi, and Ibn Majah].

Prayer Validity Conditions:

- 1) Purity of organs from uncleanness and impurity.
- 2) Ablution before prayer.
- 3) Being certain that it is time to pray.
- 4) Heading to Ka'bah direction (*AL Qiblah*), except in war.
- 5) Covering private parts with clean clothes.

The private parts of a man are between his umbilicus and knees; the private parts of a woman include all of her body, except her face and hands. There is a debate about covering her feet. In summary, she should wear a pair of socks when she prays outside her home.

6) Standing on a clean place. In the schools of Shafii, Malik, and Abu-Hanifah, prayer is disliked in graveyards, slaughterhouses, dumps, barns, public baths, on the road, and on the roof of AL-Ka'bah. But Imam Ahmad ibn Hanbal considered prayer in these places is invalid.

Note: There is an exemption from heading to AL-Ka'bah direction in fear prayer, and in voluntary prayer during travel.

Pillars of Prayer

The Pillar of Prayer: Validity of prayer depends on it, and prostration of forgetfulness does not deputize for it.

① **Standing up:** If a praying person is able to do it. Sitting is not permissible in obligatory prayer if a praying person is able to stand up. If he was unable to stand up, he would pray sitting. If he was unable to sit, he would pray lying on his side. If he was unable to lie on his side, he would pray lying on his back with his face towards AL-Ka'bah direction and make gestures using his hands, head, and eyes referring to bowing down (*Ruku'*) and prostration (*Sujuud*). For voluntary prayer, it is permissible to pray sitting, but Allah decreases its reward.

● Imran ibn Husain (May Allah be pleased with him) reported: "I asked the Prophet about who prays sitting down. He said, **'Whoever prays standing up is better, and one who prays sitting down will have half the reward of one who prays standing up. And whoever prays lying down will have half the reward of one who prays sitting down.'**" [AL-Bukhari].

② **Intention.**

③ **Saying "God is the Greatest", as in case of consecration (*Takbeerat AL-Ihraam*).** For example: When you say, "I intended to pray the four prayer units of the obligatory noon prayer... God is the Greatest." If you said that, with your face towards AL-Ka'bah direction and raising your palms just in front of your shoulders, you would already start prayer.

④ **Reading Chapter of the Opening: (In the name of Beneficent, Merciful God) is a verse of it.** It is seven verses. ● It was narrated from Ibadah ibn AL-Samit that the Prophet said, **"There is no prayer for the one who does not recite the Opening Chapter (*Fatihah AL Kitab*)."** [The Two Scholars].

● It was narrated from Abi- Hurairah that the Prophet said, **"If you recited 'All praise be to Allah, the Lord of the Universe', you should recite 'In the name of Beneficent, Merciful God.' It is the epitome or basis of the Qur'an, and epitome or basis of the Book, and the seven oft-repeated verses."**

⑤ **The last sitting, including testification and saying prayers for the Prophet in the last testification.**

⑥ **The first prayer-end greeting.**

⑦ **Performing pillars in the previously mentioned order.**

⑧ **Feeling at ease in bowing down, in the two prostrations, and in the sitting between them.**

● Abu-Hurairah reported: "Allah's Apostle entered the mosque and a person followed him. The man prayed and went to the Prophet and greeted him. The Prophet returned the greeting and said to him, **'Go back and pray, for you have not prayed.'** The man went back and prayed in the same way as before, returned and greeted the Prophet who said, **'Go back and pray, for you have not prayed.'** This happened thrice. The man said, 'By Him Who sent you with the Truth, I cannot offer the prayer in a better way than this. Please, teach me how to pray.' The Prophet said, **'When you stand for prayer say AL-Takbeer (God is the Greatest) and then recite from the Holy Qur'an (of what you know by heart) and then bow till you feel at ease. Then raise your head and stand up straight, then prostrate till you feel at ease during your prostration, then sit with calmness till you feel at ease (do not hurry) and do the same in all your prayers.'**" [AL-Bukhari and Muslim].

Note: The previous tradition is called "The tradition of the man who performed his prayer badly"

The Sunnah Practices of Prayer (*Sunan AL-Salah*)

a) Before beginning of prayer:

- 1) Call to prayer (*Adhan*).
- 2) Second call to prayer (*Iqamah*).

And both of them are for obligatory prayer only.

In the call to morning prayer, the caller says, "Prayer is better than sleep." twice.

The caller to prayer must be a rational male Muslim.

● It was narrated from Malik ibn AL-Huwairith that the Messenger of Allah (P.P.B.U.H) said, **"When the time for prayer comes, one of you should pronounce the call for it, and the oldest of you should lead the prayer."** [The Two Scholars].

● Anas reported: "Bilal was commanded to say the phrases of the call to pray twice and the phrases of the second call once." [AL-Bukhari].

b) After prayer entering:

- 1) The first testification (*Tashahhud*) after two prayer units.

- 2) Humility invocation (*Qunut*):

a) In morning prayer, after bowing down in the second prayer unit.

b) In separate prayer (*Salat AL-Witr*) in the second half of Ramadan.

● Malik ibn AL-Huwayrith reported: We came to the Prophet, may Allah bless him and grant him peace, being young men of a similar age. We spent twenty nights with him. He thought that we desired our own people and he asked us about those of our family we had left behind, and we told him. He was merciful and kind, and said, **"Go back to your family. Instruct and command them. Pray as you have seen me praying. When it is time for the prayer, then let one of you pronounce its call and let the oldest of you lead you in prayer."** [AL-Bukhari and Muslim].

*An Educational Mission.

The Prophet was the first to apply the educational missions approach. If a tribe converted to Islam, they would send a delegation to AL-Madinah to experience Muslims' life with the Prophet and his companions. Then the members of the delegation return to their home to disseminate what they have learnt, according to God's saying ﴿**And it is not for the believers to go forth [to battle] all at once. For there should separate from every division of them a group [remaining] to obtain understanding in the religion and warn their people when they return to them that they might be cautious**﴾ Chapter of Repentance. Verse NO 122

Non-Emphasized Sunnah Practices of Prayer

- ① Raising palms in saying "God is the Greatest" as in case of consecration.

● It was narrated from Salim, from his father, that: The Messenger of Allah used to raise his hands until they were in level with his shoulders when he started to pray, when he said "God is the Greatest" for bowing, and when he raised his head from bowing. And he did not do that (i.e. raising his hands) in prostration. [AL-Bukhari].

- ② Saying "I have turned my face towards Him Who has created the heavens and the earth, as a monotheist, and I am not of the polytheists." after saying "God is the Greatest."

- ③ Putting the right hand on the left hand under the chest.

- ④ Seeking refuge, then (*Basmallah*) which means saying "In the name of Beneficent, Merciful God" in reading Chapter of the Opening.

- ⑤ Saying "Ameen" in the end of the Opening Chapter.

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that Allah's Apostle (P.P.B.U.H) said: **"When the reciter (AL-Imam) says 'Ameen', say 'Ameen', for if a person's Ameen coincides with the Ameen of the angels, his previous sins will be forgiven."** [The Two Scholars].

⑥ Reciting a Chapter or verses after reciting the Opening Chapter according to a person's ability.
Imam Shafii allowed reading from Qur'an (i.e. putting it in front of the praying person), but Abu-Hanifah objected to that. Ibn Hanbal allowed it in voluntary prayer only.

⑦ Loudness in the first two prayer units of sunset and night prayers, and in the two prayer units of morning, Friday, and the Two Festivals prayers.

⑧ Saying "God is the Greatest" between acts of prayer.

⑨ Glorification of Allah in bowing down and prostration.

⑩ Saying "Allah hears the one who praises Him." after raising from bowing down.

● It was narrated from Ibn 'Abbas that the Prophet (P.P.B.U.H) said, **"I have been forbidden to recite the Qur'an in the state of bowing and prostration. As for bowing down, honor the Lord in it, and as for prostration, do your best in invocation, that is worthy of being accepted."** [Muslim].

● It was narrated from Abi-Hurairah that the Messenger of Allah said: **"The nearest a servant comes to his Lord is when he is in prostration. So increase invocation in prostrations."** [Muslim].

True Prostration:

Make your hands away from your face, and raise your elbows above the earth. As for a woman, she makes her body parts near each other.

● Maimunah bint AL-Harith, the mother of believers, reported: When the Messenger of Allah prostrated, he kept his hands so much apart from each other that when it was seen from behind, the armpits became visible.

● It was narrated from Anas ibn Malik that the Prophet (P.P.B.U.H) said, **"Be moderate in prostration and do not rest your forearms along the ground like a dog."** [AL-Bukhari].

● Ibn Abbas reported from the Apostle of Allah: **"I have been commanded to prostrate on seven bones: forehead, and then pointed with his hands towards his nose, hands, feet, and the extremities of the feet. And we were forbidden to fold back clothing and hair."** [The Two Scholars].

● Rifaa ibn Rafi (May God be pleased with him) reported: "One day we were praying behind the Messenger of Allah, when the Messenger of Allah raised his head from bowing down and said, **'Allah hears the one who praises Him (Sami' Allahu Liman hamidah).'**' A man behind him said, 'Our Lord, praise belongs to You- blessed, pure and abundant praise (*Rabbana wa laka AL-Hamd, Hamdan Kathiran Tayiban Mubarakan fihi*).' When the Messenger of Allah had finished, he said, **'Who was it who spoke just now?'** The man said, 'I did, Messenger of Allah.' And the Messenger of Allah said, **'I saw more than thirty angels rushing to it to see which one of them would record it first.'**" [AL-Bukhari and Muslim].

⑪ Putting hands on knees in the sitting for testification.

✿ Stretch the left hand.

✿ Do not extend the right hand.

✿ Raise the right index finger.

● Ibn 'Umar reported: When the Messenger of Allah sat for testification, he placed his left hand on his left knee, his right hand on his right knee, and raised his right finger which was next to his thumb, making invocation in this way, and he stretched his left hand on his left knee. [Muslim].

⑫ The second prayer-end greeting.

Humility (Qunut) in Morning Prayer

Imam Shafii allowed it, but Abu-Hanifah did not approve it. Ibn Hanbal sees that *AL-Qunut* is a Sunnah which is performed in serious events or wars by humility to Allah and invocation against an enemy, as the Prophet has done.

I testify that our chief (Sayedona) Muhammad.....

Scholars have disliked saying “I testify that our chief Muhammad...” in testification, according to the Prophet’s saying **“Do not make me your chief in prayer.”** and his saying in his traditions:

“And I testify that Muhammad is His servant and Apostle.” And his saying **“Say: ‘O Allah, bless Muhammad and his family.’”** On the other hand, Imam Shafii considered the tradition **“Do not make me your chief in prayer.”** a weak tradition, therefore he allowed to say “Our chief Muhammad.”

Things in which a woman differs from a man in prayer

As for a man:

- 1) His private parts (that must be covered) in prayer are between his umbilicus and knee.
- 2) He speaks loudly in loudness situations in prayer.
- 3) He raises his belly above his thighs and his elbows above his sides in prostration.
- 4) If something happens to him during prayer, he says “Exalted is God.” to remember Allah.

As for a woman:

- 1) She makes her body parts near each other and uncovers only her face and hands in prayer.
- 2) She speaks loudly in loudness situations, only, if she prays alone, with her unmaritable relations (*Mahaarim*), or with other women. She lowers her voice when she prays in presence of strangers.
- 3) If something happens to her during prayer, she claps by striking her right palm on the back of her left hand.

●Sahl ibn Sa'd AL Sa'idi reported: The Messenger of Allah came back from visiting 'Amr ibn 'Awf tribe and found that Abu-Bakr had led people (in the prayer). When the praying persons realized the Prophet’s coming, they started to clap. Abu-Bakr turned, and moved back to the row. The Prophet stepped forward and led the prayer. When the Prophet had finished his prayer, he said, **“Why did I see you clapping so much?! If something happens to one of you in prayer, he should say: ‘Exalted is God (Subhan Allah).’ When he says, ‘Exalted is God’, he will be heard. Clapping is only for women.”** [Muslim].

PROSTRATION OF FORGETFULNESS

Before beginning to pray, a Muslim must finish everything concerns him and devote himself to standing in front of Allah. It is preferred that the place be empty of inscriptions and drawings, because if there are any of them, the Devil will not let him perform prayer well. Devil promised Allah to do so and said in Chapter of the Heights (*Surat AL-'Aaraaf*) **“Because You have put me in error, I will surely sit in wait for them on Your straight path¹⁶ Then I will come to them before them and from behind them and on their right and on their left, and You will not find most of them grateful [to You]¹⁷”**

It is God’s mercy to us that if a Muslim forgot something in his prayer, he would not stop performing it, instead, he would continue it and then he would prostrate twice after testification and before prayer-end greeting.

When does a praying person perform forgetfulness prostration?

1) The pillar of prayer: Prostration of forgetfulness does not deputize for it. If you remember it soon, perform it, complete your prayer, and perform the two forgetfulness prostrations at the end of the prayer. But Imam Malik sees that forgetting a pillar makes prayer invalid, therefore the praying person should perform prayer-end greeting and perform this prayer again.

2) When you forget the first testification in the four unit-prayers.

3) If there is a doubt about the number of prayer units, then you pray according to the least number

4) Perform forgetfulness prostration also when you are sure that you have added something in your prayer.

● It was narrated from Anas ibn Malik that the Prophet (P.P.B.U.H) said, **“I am made forget, in order to legislate laws.”** It means that the Prophet’s forgetfulness was intended to legislate prostration of forgetfulness. It is not a defect in fulfilling his mission.

● Abu-Hurairah reported: The Messenger of Allah led us in the afternoon prayer and gave salutation (*Tasleem*) after two prayer units. Dhul-Yadain stood up and said: “O Messenger of Allah, has the prayer been shortened or have you forgotten?” The Messenger of Allah said, **“Nothing like this happened** (neither the prayer has been shortened nor have I forgotten).” Dhul-Yadain said: “O Messenger of Allah, something has definitely happened.” The Messenger of Allah turned towards people and said: **“Is Dhul-Yadain true** (in his assertion)?” They said: “O Messenger of Allah, he is true.” Then the Messenger of Allah completed the rest of the prayer and then performed two prostrations. [The Two Scholars].

*Some jurisprudents see that forgetfulness prostration is to be performed after the two prayer-end greetings.

Invalidators of Prayer

1) Change of intention: When a praying person decides, during the prayer, to change the type of the prayer, (for example: changing it from an obligatory prayer to a voluntary prayer), or the number of prayer units.

2) When AL Ka'bah direction (*AL-Qiblah*) is at the back of the praying person.

3) When private parts are uncovered. 4) Invalidation of ablution.

5) When there is an apparent uncleanness on the praying person or on his clothes.

6) Sudden menses or confinement.

7) A lot of action during prayer. For example: walking three steps in any direction, or when his movements are more than three in one prayer unit.

8) Eating, drinking, laughing in prayer, or saying words other than those of prayer.

*Abu-Hanifah sees that giggling in prayer invalidates prayer and ablution also.

*In all cases mentioned previously, a praying person has to give salutation and end his prayer.

For performing prayer perfectly and increasing its reward:

① A praying person should put a widthwise barrier in front of him, in his prostration position, so as not to allow people to pass in the spot in which he is praying, thus he prevents embarrassment of the others who want to pass in the remaining area.

● Ibn 'Umar reported: Whenever the Messenger of Allah went out on the festival day (*'Id day*), he ordered to carry a bayonet and it was fixed in front of him, and he prayed towards its direction, with the people behind him. He used to do it in the journey. [AL-Bukhari].

② It is prohibited for a Muslim to pass in front of a praying person in his prostration spot.

● It was narrated from Abi-Juhaim that the Messenger of Allah (P.P.B.U.H) said: **“If the one who passes in front of a person who is praying knew what (burden of sin) there is on him, it would be better for him to stand for forty than to pass in front of him.”** [AL-Bukhari].

③ It was narrated from Abi-Hurairah that the Messenger of Allah (P.P.B.U.H) said: **“When one of you finishes the last testification, he should seek refuge in Allah from four things: the punishment in Hell, the punishment in the grave, the afflictions of life and death, and the evil of the false Christ.”** And in the narration of 'A'ishah: **“from the punishment in the grave, from the affliction of the false Christ, from the afflictions of life and death, and from sin and debt.”** [Muslim].

● 'A'ishah (May Allah be pleased with her) reported: When the Messenger of Allah (P.P.B.U.H) gave salutation, he would not remain seated except long enough to say: **“O Allah, You are Peace, and peace comes from You, blessed are You, O Possessor of Glory and Honor.”** [Muslim].

● Mu'adh ibn Jabal (May Allah be pleased with him) reported: The Messenger of Allah held my hand and said, **“O Mu'adh, By Allah, I love you and advise you not to miss invocation after every prayer saying: O Allah, help me in remembering You, in giving You thanks, and worshipping You well.”** [Abu-Daoud].

● AL-Mughirah ibn Shu'bah reported: The Messenger of Allah (P.P.B.U.H) used to say at the conclusion of prayer: **“There is no god but Allah. He is alone, Who has no partner. To Him belongs the dominion and to Him praise is due and He is Potent over everything. O Allah! No one can withhold what You have given, and no one can give what You have withheld, and no wealth or fortune can benefit anyone, for from You comes all wealth and fortune.”** [Muslim].

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Messenger of Allah said, **“If anyone exalts Allah after every prayer thirty-three times, praises Allah thirty-three times, declares His Greatness thirty-three times, ninety-nine times in all and says to complete a hundred: ‘There is no god but Allah, having no partner with Him, to Him belongs dominion and to Him is praise due, and He is Potent over everything.’, his sins will be forgiven even if these are abundant as the foam of the sea.”** [Muslim].

④ Severe hunger prevents humbleness in prayer. Also who resists urination or defecation can not be humble in his prayer.

● 'A'ishah (May Allah be pleased with her) reported: I heard the Messenger of Allah say, **“No prayer can be (rightly said) when the food is there (before the worshipper), or when he is prompted by the call of nature (urination or defecation).”** [The Two Scholars].

⑤ When you are standing in your prayer, you should point your eyes to the spot of your prostration. And in your bowing, make your body as a 90-degree angle and do not raise your head, but point your eyes to your feet.

● It was narrated from Anas ibn Malik (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said: **“How is it that some people raise their eyes towards the sky during the prayer?!”** He stressed (this point) and added, **“People must refrain from raising their eyes towards the sky in prayer; otherwise, they will lose their eyesight.”** [AL-Bukhari and Muslim].

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet said, **“The most burdensome prayers for the hypocrites are night prayers and morning prayers. And if they knew their merits, they would come to them even if they had to crawl.”** [The Two Scholars].

To overcome this impasse, you should get out of bed immediately after waking up, remember Allah using any form, and seek refuge in Allah from the Devil. If you got up lazily, you would give the Devil an opportunity to sneak to you and arouse laziness and sickness in yourself.

●It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Messenger of Allah (P.P.B.U.H) said, **“When anyone of you sleeps, the Devil (Shaytan) ties three knots at the back of his neck, and he seals the place of each knot with ‘You have a long night, so sleep.’ If he wakes up and remembers Allah, a knot is untied. If he performs ablution, a knot is untied. If he prays, a knot is untied. He begins his morning in a happy and refreshed mood; otherwise, he gets up in bad spirits and lazy.”** [The Two Scholars].

Making up for the missed prayer

A menstruating woman, a woman in confinement period, and crazy persons, do not make up for the missed prayer.

Times in which prayer is disliked

●'Uqbah ibn 'Amir reported: there were three times at which Allah’s Messenger forbade us to pray, or bury our dead: when the sun begins to rise till it is fully up, when it is directly overhead at noon till it passes its zenith, and when it draws near to setting till it sets. [Muslim].

●And in another tradition, the Prophet (P.P.B.U.H) said, **“The sun rises and with it the horn of the Devil, then when it gets higher the horn leaves it. When the sun is in the middle of the sky the horn joins it, and when the sun declines the horn leaves it, when it is closer to setting it joins it. And when it has set it leaves it.”**

The following are excluded from this dislike:

- ① The missed obligatory prayer. It must be performed at any time.
- ② When it is time of eclipse prayer, rain-invoking prayer, funeral prayer, circumambulation prayer, mosque greeting prayer, ablution prayer, a prostration of recitation, or a prostration of thankfulness
- ③ Prayer in the Sacred House. The Prophet (P.P.B.U.H) said, on the day of the Conquest of Makkah, **“O Banu 'Aba Manaf, do not prevent anyone from circumambulating this House and praying at any time he wants of night or day.”** [AL-Tirmidhi].

TRAVELLER’S PRAYER SHORTENING

Prayer shortening has been legislated in the fourth Islamic Year. It is a new addition to facilitation of Islam in acts of worship. Abu-Hanifah sees it is an emphasized Sunnah, and AL Shafii sees that it is better for those who have travelled more than three days. It is permissible to, indeed duty on, the traveller to shorten four units-prayers (noon, afternoon, and night prayers) to two prayer units.

God says **﴿And when you travel throughout the land, there is no blame upon you for shortening the prayer﴾** Chapter of Women.

●'A'ishah reported: Allah enjoined the prayer when He enjoined it, it was two units only (in every prayer) both when in residence or on journey. Then, the prayers offered on journey remained the same, but (the units of) the prayers for non-travellers were increased. [AL Bukhari].

●'Umar ibn AL-Khattab (May Allah be pleased with him) reported: The Prophet (P.P.B.U.H) said: **“It is an act of charity that Allah has bestowed upon you, so accept charity.”** [Muslim].

●Anas ibn Malik reported: The Prophet resided in Makkah and its surroundings for ten days, and he shortened his prayers in all these days.

Conditions of prayer shortening:

- 1) Travel is not for disobedience. NO prayer shortening for the one who has travelled to kill, rub others, or to participate in amusement events.
- 2) Travel distance must be 81 km according to Abu-Hanifah School, or 89 km according to Imam Shafii School.
- 3) Travel direction must be specified. But the one, who is wandering aimlessly, does not shorten his prayer.

Prayer shortening provisions:

- ① If a Muslim travelled, and when he arrived he decided to reside there, he would not be allowed to shorten his prayer.
- ② If his residence period in the country (to which he had travelled) exceeded fifteen days, he would not shorten his prayer (according to Abu- Hanifah School). According to Malik School, if he intended to stay four days in the country to which he had travelled (the day of entering this country is not included in them), he would be considered a resident there and would not shorten his prayer.
- ③ If he missed a prayer in his country, he would not shorten it, but he would perform it in full.
- ④ If he prayed, during his travel, behind a resident leader (*Imam*), he would do it in full.
- ⑤ A Muslim is considered a traveller as soon as he passes the end of his country borders or the gateway, and his travel ends as soon as he enters his country borders.
- ⑥ If a sailor travelled in a ship with his family and money in it, he would be allowed to shorten his prayer (according to Imam Shafii, Malik, and Abu-Hanifah Schools). But Ahmad ibn Hanbal sees that this sailor is not allowed to shorten his prayer.
- ⑦ If he travelled to fulfill a need and could not determine time period required for it, he would be allowed to shorten his prayer (according to Imam Malik School).

COMBINATION of TWO PRAYERS

Its legitimacy: it has been legislated in Tabuk Holy Battle, in the ninth year of Hijrah. Allah commanded it to relieve His servants.

Causes of prayers combination in the four schools:

- [1] Shafii: He has allowed combination of two prayers when conditions of prayer shortening are met. It will be advanced combination only.
- [2] Imam Malik: He has allowed combination of two prayers in case of road travel for any distance, even if a person is not travelling to perform pilgrimage. For example: Severe illness, rain and mud, and presence of a pilgrim at Arafat or Muzdalifah.
- [3] Imam Ahmad ibn Hanbal: He allowed combination in case of travelling to perform pilgrimage, provided that the distance travelled is equal to that required to shorten prayer. And in case of severe illness, blindness, extreme cold, and wild wind.
- [4] Abu-Hanifah: He allowed combination to a pilgrim only at Arafat (advanced combination), and at Muzdalifah (delayed combination), on the basis of the following tradition:
 - Abdullah ibn Mas'ud reported: By Him besides Whom there is no god but He, the Apostle of Allah has never performed a prayer out of its proper time, except two prayers: he combined noon and afternoon prayers at Arafat (advanced combination), and combined sunset and night prayers (delayed combination) at Muzdalifah. [AL-Bukhari and Muslim].

Types of prayers combination

A traveller can both shorten and combine two prayers (noon and afternoon prayers), (sunset and night prayers).

Note: No amendment in this, i.e., you cannot combine noon and sunset prayers, afternoon and night prayers, etc.

✿ You perform the noon prayer on time and follow it with the afternoon prayer (advanced combination), or you perform the noon prayer after the call to the afternoon prayer and follow it with performing the afternoon prayer (delayed combination). This occurs according to your travel conditions.

✿ Also you can combine sunset and night prayers before or after the call to the night prayer.

Prayer combination provisions

- 1) In travel, you are not obliged to perform Friday prayer; instead, you perform noon prayer.
- 2) Prayer combination conditions: are the same as those of prayer shortening, in addition to:
 - a)) Performing the two prayers in order.
 - b)) There is no long separation between the two prayers.
- 3) The intention text will be, for example, “I have intended to pray the two prayer units of the obligatory noon prayer combined and shortened.”
- 4) It is permissible to the resident to combine two prayers (advanced combination only), and that occurs in case of heavy rain.

● Ibn 'Abbas reported: The Prophet (P.P.B.U.H) performed the noon and afternoon prayers together, and the sunset and the night prayers together without being in a state of fear or in a state of journey. [Muslim].

● Ibn 'Umar reported: I saw Allah’s Apostle, whenever he was in a hurry during the journey, delaying the sunset prayer, performing it in three prayer units, and performing prayer end greeting. After waiting for a short while, he would pronounce the second call (*AL-Iqamah*) to the night prayer, offer two prayer units, and perform prayer end greeting. [AL-Bukhari].

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GROUP PRAYER

Its provision: Shafii sees that it is an emphasized Sunnah. Others see that it is a sufficiency duty on men, and Sunnah for women, and it is better for women to perform it at their homes.

Group prayer excellence:

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **“A man’s prayer in a group is twenty-five times more rewarding than his prayer at home or in his shop, and it is because when he performs his ablution properly and proceeds towards the mosque with the purpose of performing prayer in a group, he does not take a step without being raised a degree (in rank) for it and having a sin remitted for it, till he enters the mosque. When he is performing prayer, the angels continue to invoke Blessings of Allah on him as long as he is in his place of worship in a state of ablution. They say: ‘O Allah! Bestow Your blessings upon him, be Merciful to him.’ And one is regarded in prayer as long as he is waiting for the prayer.”** [AL-Bukhari].

● Abu-AL Darda' (May Allah be pleased with him) reported: I heard the Messenger of Allah saying, **“If there are three men in a village or in the desert among whom prayer is not offered (in a group), the Devil must have certainly overcome them. Therefore, stick to the group prayer, for the wolf eats a solitary sheep that stays far from the flock.”** [Abu-Daoud]. The Messenger meant by **“the wolf eats a solitary sheep that stays far from the flock.”** that the Devil sneaks into the one who prays alone.

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Messenger of Allah (P.P.B.U.H) said: **“By Him in Whose Hand my soul is, I was about to order for collecting firewood (fuel), and then order someone to pronounce the call to the prayer, and then order someone to lead the prayer, then I would go from behind and burn the houses of men who did not present themselves for the group prayer.”** [AL Bukhari and Muslim].

Group prayer provisions

① Group prayer should be in mosque, which is the best place for prayer, or in any clean place. It is better to perform the obligatory prayer in mosque, then perform the voluntary prayer following it (the Sunnah) at home.

● It was narrated from Ibn 'Umar (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“Offer some of your prayers at home; do not make them graves.”** [AL-Bukhari].

● It was narrated from Zaid ibn Thabit (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said: **“O people! Perform your (voluntary) prayers in your homes because the best prayer of a man is that he performs at home, except the obligatory prayer.”** [AL Bukhari].

② If you came to prayer while the leader was bowing down in the first prayer unit and had not raised his head yet, you would say the intention text, for example: “I have intended to pray three prayer units of the obligatory sunset prayer in a group... Allah is the Greatest.” Say: “Allah is the Greatest.” again and bow down. If the leader had not raised his head from bowing down yet, it would have been considered a prayer unit. Performing bowing down is the core of considering it a complete prayer unit.

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **“If you come to pray while we are prostrating ourselves, you must prostrate and do not consider it anything (prayer unit). And if you come to pray, while we are still bowing down, and bow with us, you have been present at the prayer.”** [Abu-Daoud and AL Hakim].

③ A man leads men and women; a woman leads women only. It is not allowed for a woman to lead men.

The one who has performed ablution can pray behind the leader who has performed sand ablution.

④ Priority, in prayer leading, is given to the one who is aware of prayer provisions perfectly, then to the best reciter, then to the most God fearing, then to the oldest one, then to the one whose clothes are the cleanest. If the prayer is performed in a house, priority in leading will be to the house owner. If it is performed in mosque, priority in leading will be to *Sheikh AL Masjid* (the religious scholar who is appointed to lead praying persons in that mosque).

⑤ **Arrangement of rows**: Men first, then boys, then women. Priority is given to scholars and Qur'an memorizers to pray in the first row, in order to support the leader. If the leader forgot something in his prayer, they would say, “Exalted is God” to remind him. If he was mistaken in reciting, they would remind him. And if something happened to him, they would be the nearest to him so that he appoints one of them as a successor to lead people and complete the prayer instead of him.

🌟 **How to appoint a successor?**

The leader walks backwards and points, without talking, to his successor. If the leader went out the mosque without appointing a successor, this prayer would be invalid.

⑥ Leadership of the rebellious and the innovator of a heresy is disliked.

● It was narrated from Abi Mas'ud AL-Ansari that the Prophet (P.P.B.U.H) said, **“A man who is well versed in the Book of Allah and can recite it better, should lead the prayer.”** [Muslim].

● Abu-Mas'ud AL Badri reported: The Messenger of Allah used to gently pat our shoulders when we were standing in rows at the time of prayer and say, **“Keep (the rows) straight and do not differ from each other; otherwise, your hearts will differ due to disaccord. Let those of you who are mature and prudent be nearer to me, then those who are next to them, and then those who are next to them.”** [Muslim].

● Abu-Sa'id AL-Khudri reported: When the Messenger of Allah saw that his companions tended to stand in the back rows, he said to them, **“Come forward and be close to me and let those who come after you follow your lead. If people continue to lag behind, Allah will put them back.”** [Muslim].

● It was narrated from Abi-Hurairah that Allah's Apostle (P.P.B.U.H) said, **“The best rows for men are the first rows, and the worst ones are the last ones. And the best rows for women are the last ones, and the worst ones for them are the first ones.”** [Muslim].

● Zainab AL-Thaqafiyyah reported: The Messenger of Allah said to us: **“When any one of you comes to the mosque, she should not apply perfume.”** [Muslim].

⑦ If the group prayer started with a leader and one praying person, he would stand on the leader's right. As for a woman, if she was alone, she would stand behind the leader.

● Ibn 'Abbas reported: “I spent a night with my maternal aunt Maymunah. The Prophet got up to pray at night. So, I got up and stood on his left. He took me by the head and made me stand on his right.” [AL-Bukhari and Muslim].

⑧ A leader must be careful not to prolong reciting, taking into account conditions of the praying persons behind him.

● It was narrated from Anas that Allah's Apostle (P.P.B.U.H) said, **“When I start prayer I intend to prolong it, but on hearing the cries of a child, I shorten it because of the distress caused to his mother by his crying.”**

● Jabir ibn Abd-Allah (May Allah be pleased with them) reported: Mu'adh ibn Jabal AL-Ansari led his companions in the night prayer and prolonged it for them, so a man complained about him to the Prophet. The Prophet (P.P.B.U.H) got angry and said thrice, **“O Mu'adh! Are you putting people to trial (Fitnah)? It would have been better if you had recited: ‘Exalt the name of your Lord, the Most High’ (Chapter of the Most High), ‘By the sun and its brightness’ (Chapter of the Sun), ‘By the night when it covers’ (Chapter of the Night), for the old, the weak, and the needy pray behind you.”** [The Two Scholars].

Conditions of validity of following a prayer leader

- 1) A praying person must have the intention to follow the prayer leader.
- 2) The prayer of the leader and the praying person must have the same number of prayer units.
- 3) They must perform the prayer in the same place, so following a leader in the radio, or on T.V is not valid.
- 4) Knowing the leader movements during the prayer, like (bowing down, prostration, testification,

etc) and following him, even by another person repeating what the leader says loudly.

5) The praying person must not be in front of the leader in place.

6) The praying person must not be faster than his leader in the prayer. Many warnings have been mentioned relating to that:

● It was narrated from Abi Hurairah that Prophet (P.P.B.U.H) said, **“The prayer leader is appointed to be followed, so do not differ from him. Recite AL-Takbeer (Allah is the Greatest) when he recites it, and bow down when he bows down. When he says, ‘Allah hears the one who praises Him.’ then say, ‘Our Lord, to You be the praise.’ Prostrate when he prostrates.”** [AL-Bukhari and Muslim].

● It was narrated from Abi Hurairah that Prophet (P.P.B.U.H) said, **“Does not he, who raises his head before the leader, fear that Allah may transform his head into that of a donkey?”** [AL-Bukhari].

✽ Guidelines to be known

① The longer the way to the mosque, the greater the reward.

● It was narrated from Abi Musa AL-Ash'ary that the Messenger of Allah said: **“The person, who will receive the highest reward for prayer, is the one who comes to perform it in the mosque from the farthest distance.”** [The Two Scholars].

● Jabir ibn Abd-Allah reported: Our houses were away from the mosque. Therefore, we decided to sell our houses so that we come near the mosque. The Messenger of Allah forbade us (to do so) and said: **“There is for every step (towards the mosque) a degree (of reward) for you.”** [Muslim].

② If you are in the mosque after you have already prayed, and a group prayer is going to be performed, repeat your prayer with them again.

● It was narrated from Mihjan that he was in a gathering with the Messenger of Allah (P.P.B.U.H) when the call to prayer was pronounced. The Messenger got up, prayed, then he came back and Mihjan was still sitting there. The Messenger said to him: **“What prevented you from praying with people? Aren't you a Muslim?”** He said, “Of course, Messenger of Allah, but I have already prayed with my family.” The Messenger of Allah said, **“When you come, pray with people, even if you have already prayed.”** [AL-Nasa'i].

③ Mosques have their holiness and sacredness, as they are houses Allah has ordered to be raised.

God says ﴿In mosques which Allah has ordered to be raised and that His name be mentioned therein, exalting Him within them in the morning and the evenings﴾³⁶ [Are] men whom neither commerce nor sale distracts from the remembrance of Allah and performance of prayer﴾ Chapter of Light (*Surat An-Nur*).

God also says ﴿And [He revealed] that mosques are for Allah, so do not invoke with Allah anyone﴾ Chapter of Jinns. Verse NO 18

✽ Mosques are neither places for discussing issues of this world, nor cafes for talking with each other.

● It was narrated from Abi Hurairah (May Allah be pleased with him) that Prophet (P.P.B.U.H) said, **“If anyone hears a man inquiring in the mosque about something he has lost, he should say ‘May Allah not restore it to you’, for mosques are not built for this purpose.”** [Muslim].

● It was narrated from Abi Hurairah that Allah's Apostle (P.P.B.U.H) said, **“When you see someone selling or buying in the mosque, say: ‘May Allah not profit your business.’”** [AL-Tirmidhi].

✽ Whoever goes to the mosque must be clean and does not eat disgusting foods. God says

﴿O children of Adam, take your adornment at every mosque﴾ Chapter of the Heights.

- It was narrated from Jabir (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“He who has eaten onion or garlic or leek should not approach our mosque, because the angels are also offended by (the strong smells) that offend the children of Adam.”** [Muslim].
- Yahya related to me from Malik from Zayd ibn Aslam that Ataa ibn Yasar told him that the Messenger of Allah was in the mosque when a man came in with dishevelled hair and beard. The Messenger of Allah motioned with his hand that he should be sent out to groom his hair and beard. The man did so and then returned. The Messenger of Allah said, **“Isn’t this better than that one of you come with his head dishevelled, as if he were a Devil?”** [Malik].

❖ Also quietness, calmness, and respecting holiness of the mosque are necessary.

- Abdullah ibn Abi Qatadah narrated: My father said, “While we were praying with the Prophet, he heard the noise of some people. After the prayer he said, **‘What is the matter?’** They replied, ‘We were hurrying for the prayer.’ He said, **‘Don’t do that, whenever you come for the prayer, you should come with calmness, and pray whatever you get (along with the leader) and complete the rest which you have missed.’** [The Two Scholars].

Excuses that allow absence from group prayer

Extreme cold and mud, heavy rain, illness, fear of unfair person, presence of food at the time of the group prayer, a blind person who does not find a leader for him, and feeling the call of nature.

- Ibn 'Umar reported: The Messenger of Allah used to command an announcer who made the call to prayer. He then announced: **“Pray in your dwellings.”** on a cold or rainy night during journey. [AL-Bukhari].

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FRIDAY PRAYER (Salat AL-Jumu'ah)

It is a different, not shortened prayer. You must perform one prayer unit, at least, to make it valid. If you missed the second prayer unit, and came after the leader had raised from bowing down, your Friday prayer would not be valid and you should perform the noon prayer (four prayer units) instead of it.

Its provision: It is an individual duty on every male Muslim.

Its legitimacy: It has been made obligatory in Makkah in the Night Journey of Prophet Muhammad from Makkah to Jerusalem and his Ascent to the Seventh Heaven, along with the five prayers, but the Prophet has performed it only after migration. He did so because one of its validity conditions is that being in public and in a group, and circumstances in Makkah did not allow that. The Prophet performed the first Friday prayer at the entry of AL-Madinah among the members of Salim ibn 'Aouf tribe, after several days of his arrival in AL Madinah.

God says ﴿O you who have believed, when [AL Adhan] is called for the prayer on the day of Jumu'ah [Friday], then proceed to the remembrance of Allah and leave trade. That is better for you, if you only knew﴾ Chapter of Friday. Verse NO 9

- Ibn Mas'ud reported: The Prophet said about people who are absent from Friday prayer: **“I was about to command a person to lead people in prayer, and then burn those who absent themselves from Friday prayer in their houses.”** [Muslim].

Conditions of its obligation

Islam, adulthood, mindfulness, maleness, residence, and healthy body.

Conditions of its validity

- 1) Number of praying persons must be forty resident males.
- 2) It must be performed at noon.

If one of the two previous conditions was not met, it would be performed, instead, as a noon prayer (four units). It must not be performed by following the radio or T.V.

Its obligations and pillars

- 1- Two speeches before prayer. The leader stands during them, if possible, and sits between them.
- 2- Two prayer units.

*The first speech must include praising God, saying "Pray and peace be upon His Messenger.", recommendation of God fear and reciting some of the Holy Qur'an.

*The second speech must include what previously mentioned in the first speech, in addition to invocation for believers.

*An orator must be male, and if he is exhausted after delivering the two speeches, another person can lead people in the prayer.

●Ibn 'Umar said that the Messenger of Allah used to deliver two speeches on Friday and sit down between them. [AL-Bukhari and Muslim].

Sunnah practices on Friday (*Sunan AL Jumu'ah*)

① Bathing and applying perfume before going to the mosque. Also, trimming the nails, hair cutting, and wearing white clothes.

●It was narrated from Ibn AL-Sabbaq (May Allah be pleased with him) that the Messenger of Allah said on a Friday, "**Muslims! Allah has made this day a festival day, so take a bath and it will not harm whoever has perfume to apply some of it, and use a tooth-stick.**" [Ibn-Majah].

② Going early to the mosque.

●It was narrated from Abi-Hurairah that the Messenger of Allah said, "**Whoever takes a bath on Friday, like the bath which is obligatory after sexual discharge and then goes (to the mosque), he is like one who offers a she-camel as a sacrifice to seek the pleasure of Allah, whoever comes in the second hour is like one offers a cow, whoever comes in the third hour is like one offers a ram with horns, whoever comes in the fourth hour is like one who offers a hen, and whoever comes in the fifth hour is like one who offers an egg. And when the prayer leader comes out (ascends the pulpit), the angels (who write the names of those who come to the mosque before the coming of the leader) close (their record) in order to listen to the speech.**" [Muslim].

③ Listening carefully to the speech.

●It was narrated from Abi-Hurairah that the Messenger of Allah said: "**When you tell your companion (on Friday) to be silent while the leader is delivering the speech, you are guilty of idle talk.**" [Muslim].

④ The leader should shorten his speech and prolong the prayer.

●'Ammar ibn Yasir (May Allah be pleased with them) reported: I heard the Messenger of Allah saying: "**Prolonging prayer and shortening the speech indicate the religious knowledge of the person. Make your prayer long and your speech short.**" [Muslim].

⑤ Friday voluntary prayer (*Sunnat AL Jumu'ah*) is after the obligatory Friday prayer, and it is four prayer units.

●It was narrated from Abi-Hurairah that the Messenger of Allah said: "**When anyone among you performs prayer after the Friday prayer, he should pray four prayer units.**" [Muslim].

c) Personal prayers:

*Praises prayer.

*Guidance prayer.

*Repentance prayer.

*Need prayer.

- All of them are two prayer units, except the praises prayer which is four prayer units.

❖ A Muslim performs the following prayers alone:

*Praises prayer.

*Guidance prayer.

*Need prayer.

*Repentance prayer.

*Mosque greeting prayer.

*AL-Ka'bah circumambulation prayer.

*Forenoon prayer.

*Returning from travel prayer.

And he performs the following prayers in a group:

*Rain invoking prayer.

*The two festivals prayers.

*Lunar eclipse prayer.

*Eclipse prayer.

*Rest prayer.

*Funeral prayer.

OBLIGATORY CHARITY



Zakah

OBLIGATORY CHARITY (Zakah)

Obligatory charity in Islamic Jurisprudence and law: It is a proportion of the wealth (2.5%) of every Muslim to be paid, when this wealth reaches the minimum value and one full lunar year passes.

Its legitimacy: It has been made obligatory in the second Islamic Year after the obligation of fast-breaking charity, i.e., after the month of Ramadan.

Note that: It may be said literally (*AL-Zakah*), God says ﴿**And establish prayer and give Zakah and bow with those who bow** [in worship and obedience]﴾ Chapter of the Heifer (*Surat AL-Baqarah*). And also says ﴿**And woe to those who associate others with Allah**﴾ Those who do not give Zakah﴾ Chapter of Detailed (*Surat Fussilat*).

*And it may be expressed as (*AL-Sadaqah*). God says ﴿**Take, [O Muhammad], from their wealths a charity (Sadaqah) by which you purify them and cause them increase**﴾ And also says ﴿**AL-Sadaqat expenditures are only for the poor and for the needy**﴾ The two previous verses are in Chapter of Repentance.

*Also, it can be expressed as “an expenditure”. God says ﴿**And those who hoard gold and silver and spend it not in the way of Allah - give them tidings of a painful punishment**﴾ And God says ﴿**And what prevents their expenditures from being accepted from them but that they have disbelieved in Allah and His Messenger**﴾ The two previous verses are in Chapter of Repentance.

Evidence of its legitimacy:

God says ﴿**Take, [O Muhammad], from their wealths a charity (Sadaqah) by which you purify them and cause them increase**﴾ And says ﴿**And they who are observant of Zakah**﴾ Chapter of the Believers. ﴿**And those within their wealth a known right**﴾²⁴ For the [needy] petitioner and the deprived²⁵﴾ Chapter of the Ways of Ascent.

﴿**O you who have believed, spend from the good things which you have earned and from that which We have produced for you from the earth**﴾ Chapter of the Heifer.

● Ibn 'Abbas reported: The Prophet appointed Mu'adh as governor of Yemen and said to him, **“Invite people to testify that there is no true god except Allah and I am Allah’s Apostle, if they obey you to do so, then teach them that Allah has enjoined on them five prayers in every day and night, and if they obey you to do so, then teach them that Allah has made it obligatory for them to pay the charity from their property and it is to be taken from the wealthy among them and given to the poor.”** [The Two Scholars].

□ Paying charity is obligatory in all types of property, like money, crops, or cattle.

1) Crops and fruit charity:

a) If crops and fruits are produced without using machines, and irrigated with rain water, their charity will be one tenth.

b) If they are irrigated using machines, and there is an effort exerted to produce them, their charity will be one half of one tenth after deduction of expenses. It is given on the harvest day.

God says ﴿**Eat of [each of] its fruit when it yields and give its due [charity] on the day of its harvest**﴾ Chapter of the Cattle.

● It was narrated from Sulayman ibn Yasar and from Busr ibn Sa'id that the Messenger of Allah said, **“For whatever is watered by the sky and springs, one-tenth. For whatever is irrigated (artificially), one half of one-tenth.”** [AL-Bukhari].

2) Money charity

If the minimum value is reached, which equals the price of 85 grams of 21- caliber gold, you must give its charity, which equals 2.5%, after one full lunar year from that date. Its value is connected with the changing gold price.

For example: Assume that the price of one gram of gold equals 130 pounds.

$$130 \times 85 = 11050 \text{ pounds.}$$

$$2.5/100 \times 11050 = 276.25 \text{ pounds.}$$

Thus, the charity will be 276.25 pounds, and so on.

In conclusion, at the end of each lunar year, a Muslim must count his savings. If they exceeded the price of 85 grams of gold, he would pay its charity (which equals 2.5%).

Note that:

1) NO charity is paid upon the house in which you live, the car which you use, household appliances which you use in your home, or the jewellery which your wife and daughters use.

2) Charity must be paid upon all savings.

For example: jewellery which is not used, the land which is not used, and money saved for any purpose. Charity of any of them is paid if one full lunar year has passed.

3) Charity must be paid upon inherited money, after one full lunar year passes from the date of inheritance.

4) If you have lent someone for several years, and you took your money back, pay charity upon it immediately for one year only.

Warnings of manipulation of charity

*Some of the rich use the opportunity provided by a religious occasion such as the month of Ramadan, the Festival of Sacrifice, etc. They distribute meat or clothes and consider that as a substitute for paying charity. This is a serious sophistry to escape giving charity. The Fire torment will be for those manipulators on the Day of Judgment.

*A Muslim must be sincere and honest with God to bless his property and does not consider the great value of 2.5%, but he should consider the good money remaining (97.5%). He should learn a lesson from what God did to the Companions of the Garden, who intended to deprive the poor from their garden charity, and then in the morning they found out that Allah had destroyed their garden. In addition, they will be punished on the Day of Judgment.

God says **﴿Indeed, We have tried them as We tried the Companions of the Garden, when they swore to cut its fruit in the [early] morning¹⁷ Without making exception¹⁸ So there came upon the Garden an affliction from your Lord while they were asleep¹⁹ And it became as though reaped²⁰ And they called one another at morning²¹ [Saying], "Go early to your crop if you would cut the fruit."²² So they set out, while lowering their voices²³ [Saying], "There will surely not enter it today upon you [any] poor person²⁴ And they went early in determination, [assuming themselves] able²⁵ But when they saw it, they said, "Indeed, we are lost;²⁶ Rather, we have been deprived²⁷ The most moderate of them said, "Did I not say to you, 'Why do you not exalt [Allah]?"²⁸ They said, "Exalted is our Lord! Indeed, we were wrongdoers²⁹ Then they approached one another, blaming each other³⁰ They said, "O woe to us; indeed we were transgressors³¹ Perhaps our Lord will substitute for us [one] better than it. Indeed, we toward our Lord desirous³² Such is the**

punishment [of this world]. **And the punishment of the Hereafter is greater, if they only knew** ﴿33﴾ Chapter of the Pen.

There is a threat of a painful punishment, in the Holy Qur'an and Prophetic traditions, for those who ignore paying charity. God says ﴿**And those who hoard gold and silver and spend it not in the way of Allah- give them tidings of a painful punishment**﴾ ﴿34﴾ **The Day when it will be heated in the fire of Hell and seared therewith will be their foreheads, their flanks, and their backs,** [it will be said], **"This is what you hoarded for yourselves, so taste what you used to hoard**﴾ ﴿35﴾ Chapter of Repentance.

And says ﴿**Woe to every scorner and mocker**﴾ ﴿1﴾ **Who collects wealth and** [continuously] **counts it** ﴿2﴾ **He thinks that his wealth will make him immortal** ﴿3﴾ **No! He will surely be thrown into the Crusher** ﴿4﴾ Chapter of the Scandal-Monger.

He also says ﴿[And asking them], **"What put you into Saqar?"**﴾ ﴿42﴾ **They will say "We were not of those who prayed**﴾ ﴿43﴾ **Nor did we used to feed the poor**﴾ ﴿44﴾ Chapter of the One Wrapped up

● It was narrated from Abi-Hurairah that the Prophet said, **"Any person who possesses gold or silver and does not pay what is due on it (i.e. charity), on the Day of Judgment, sheets of silver and gold will be heated for him in the fire of Hell and with them his flank, forehead, and back will be cauterized. When they cool down, they will be heated again and the same process will be repeated during a day the extent of which will be fifty thousand years, until judgment is pronounced among servants, and he sees whether his path is to take him to Paradise or to Hell."** [The Two Scholars].

● It was narrated from Abi-Hurairah that the Prophet said, **"Anyone whom Allah has given wealth but he does not pay its charity, then, on the Day of Judgment, his wealth will be presented to him in the shape of a bald-headed poisonous male snake with two spots. It will encircle his neck and bite his cheeks and say: 'I am your wealth. I am your hoarded treasure.'" [AL-Bukhari].**

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Fast-Breaking Charity

Its provision: It is obligatory.

Its time: It is paid in the interval of the last ten days of the month of Ramadan, prior to fast-breaking festival prayer. It prohibited to delay its paying after the festival day without an excuse.

The aim of it is to compensate for underperformance or poor performance of the fast of Ramadan. Also, it aims to make poor Muslims feel the joy of fast-breaking festival.

Its value: It varies from one country to another according to the price of its mean food. The Islamic Centre or Dar AL-Iftaa (Fatwa Council) in each country is responsible for defining the charity value.

Who is obliged to pay it?

A Muslim pays it for himself and for whom he spends on, like his wife, his children, his father, his mother, a servant who is resident with him, even his infant.

● Ibn 'Umar reported: The Messenger of Allah prescribed fast-breaking charity one *Sa'* (a standard measure that equals 2.6 or 3 KG) of dates or barley for every slave or freeman, male or female, young or old among the Muslims, and he ordered that it be paid before the people went out to offer the festival prayer. [AL-Bukhari].

To whom charity and fast-breaking charity are given?

*They are given to the poor and the needy, the indebted, the strangers, and necessitous persons. It is also paid for every work in the way of Allah.

*If the sum of money is large, it is not permissible to give it to less than three persons.

*It is not permissible to pay charity to anyone of those: the rich, the infidel, and whom you spend on as your father, your mother, your wife, and your children. It is also not permissible to pay it to places of entertainment and disobedience.

God says ﴿Charity expenditures are only for the poor, for the needy, for those employed to collect [charity], for bringing hearts together [for Islam], for freeing captives [or slaves], for those in debt, for the cause of Allah, and for the wayfarers— an obligation [imposed] by Allah. And Allah is All-Knowing and All-Wise﴾ Chapter of Repentance. Verse NO 60

What is the difference between obligatory charity and alms (voluntary charity)?

Charity is an Islamic pillar and an obligation. Its value in money, crops, and fruits is defined.

Alms (voluntary charity) is a Sunnah and a means of nearness to Allah. Its value is not defined.

Charity is paid after the passage of one full lunar year, but **alms** is paid at any time.

◊ A true Muslim is the one who pays charity according to Islamic Legislation, then if he is generous, he gives alms in additional situations according to his tolerance, following the example of the Prophet and his companions, as in the case of performing obligatory prayers and adding performance of Sunnah prayers to them.

Note that:

- You have no right in what is not necessary in your life, but you are to give it to the poor. Innovation in welfare and luxury topples you from the Prophet and his companions and makes your account, on the Day of Judgment, long (not easy). The more you exaggerate in luxury, the less your bliss in the Hereafter.

● It was narrated from Ibn Abbas that the Prophet (P.P.B.U.H) said, **“Those who eat to their fill in this world, will be starved tomorrow in the Hereafter.”** [AL-Tabarani].

- 'Umar ibn Abd-ALaziz was informed that one of his children had a ring with a stone that cost one thousand dirhams, so he wrote to him and said, “Sell it and use the money to make one thousand hungry persons fulfill their need of food.

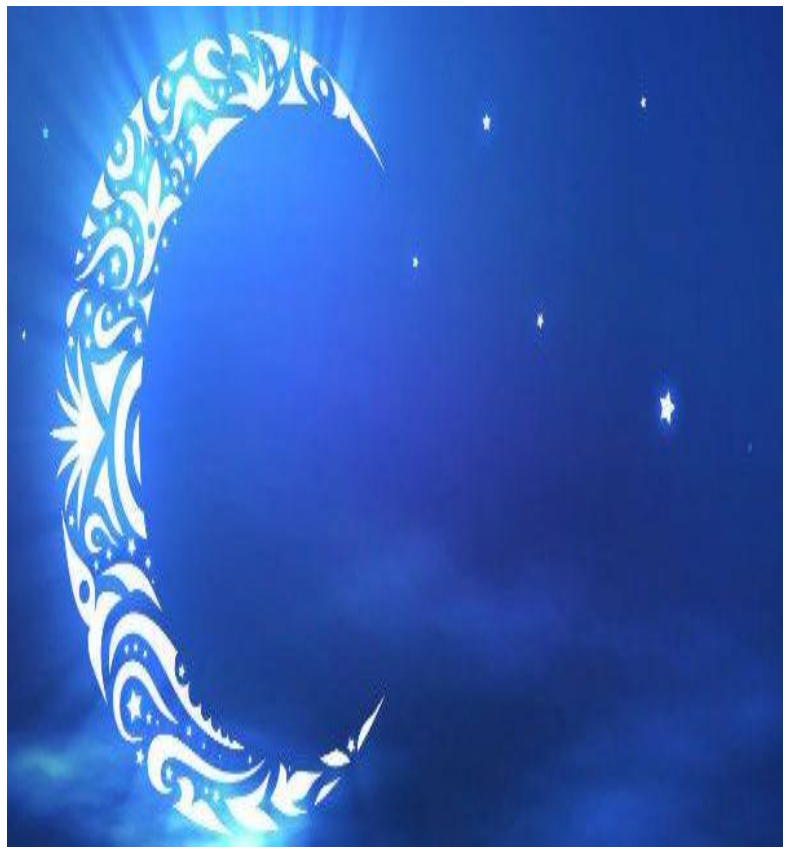
● Abu-Hurairah reported: The Prophet went out (of his house) one day due to severe hunger, and there he met Abu-Bakr and 'Umar (May Allah be pleased with them) who went out for the same reason. One of the Supporters (*AL-Ansaar*) hosted them and fed them with date fruit and a sheep. After that, the Prophet said to his companions: **“By Him in Whose Hand is my soul, you will certainly be questioned about bliss on the Day of Judgment.”** [Muslim].

● It was narrated from Abi-Hurairah and Mu'adh that the Prophet said: **“The feet of the servant of Allah will not move, on the Day of Judgment, until he is asked about four things: about his life and what he did with it, about his body and for what he wore it out, about his knowledge and what he did with it, and about his wealth and how he earned it and where he spent it on.”** [AL-Tirmidhi].

● It was narrated from Abi-Sa'id AL-Khudri that Allah's Apostle (P.P.B.U.H) said, **“Whoever has an extra mount should offer it to him who is without it, and whoever has surplus money should give it to him who has nothing.”** He named various kinds of properties until we thought that none of us had any right in surplus property. [Muslim].

● It was narrated from Abi-Sa'id AL-Khudri that the Messenger of Allah said, **“What I am afraid of in regard to you after my death is that the pleasures and the adornment of this world will be available to you. No doubt this wealth is a sweet vegetation (fresh). Blessed is a Muslim who gives out of it to the needy, the orphan, and the wayfarer.”** [AL-Bukhari].

FASTING



Saum

FASTING (Saum)

Fasting in Arabic Language means refraining.

The Blessed Virgin Mary (Maryam) said ﴿**Indeed, I have vowed to the Most Merciful abstention, so I will not speak today to [any] man**﴾ Chapter of Maryam.

As for Islamic legislation: It means refraining from fasting violators and lusts from emergence of dawn to sunset.

Provisions of fasting are various:

*Obligatory fasting.

*Sunnah or voluntary fasting.

*Disliked fasting.

*Prohibited fasting.

*Duty fasting.

■ Duty fasting is added by the followers of Abu-Hanifah school, and it is performed as a vow or an expiation.

[1] Obligatory Fasting: in the month of Ramadan

Its legitimacy: Fast of Ramadan has been made obligatory in the month of Sha'ban in the second year of Hijrah.

Fast of Ramadan must begin when: the new crescent is sighted after the sunset of the twenty-ninth day of the month of Sha'ban.

Or, when the month of Sha'ban is complete (thirty days).

● The Prophet said, **“Start fasting on seeing the crescent (of Ramadan), and stop fasting on seeing the crescent of (of Shawwal), and if (due to clouds) the actual position of the month is concealed from you, complete the number (thirty days) of Sha'ban.”** [AL-Bukhari].

God says ﴿**Whoever sights [new moon of] the month, let him fast it**﴾ Chapter of the Heifer.

Conditions that necessitate fasting Ramadan:

1) Being a Muslim. Shafii sees that if a Muslim reverted from Islam and then returned to it, he would make up for missed days of fasting Ramadan in the years which he had spent in apostasy.

2) Adulthood. But, boys and girls are commanded to fast at the age of seven, so as to get used to it.

3) Mindfulness. Who lost his mind would not fast.

Fasting obligations

1) Predominating the intention to fast before dawn by saying: “I have intended to fast this day with faith and seeking its reward from Allah.” or “I have intended to fast this month.”

Or, by action, when he eats pre-dawn meal (*Sahoor*).

– But in voluntary fasting, you can intend to fast at any time of the day before sunset, on condition that you have not done anything that is contrary to fasting, as eating, drinking, or lusts, thus the intention can be in the morning or at noon.

● It was narrated from Hafsa, the wife of the Prophet, that the Prophet (P.P.B.U.H) said, **“Whoever did not intend to fast before dawn, then there is no fast for him.”**

2) Abstaining from eating, drinking and lusts from emergence of dawn to sunset (the call to sunset).

Recommended things during fasting and in the month of Ramadan:

① Hastening fast-breaking and delaying pre-dawn meal.

● It was narrated from Sahl ibn AL-Sa'idy (May Allah be pleased with them) that Allah's Apostle said, **“My nation will remain on the right path as long as they hasten fast-breaking and delay pre-dawn meal.”** [The Two Scholars].

● It was narrated from Ibn 'Abbas that the Prophet (P.P.B.U.H) said, **“Seek help by eating pre-dawn**

meal for fasting that daytime, and taking a brief rest (sleeping at midday) **for praying at night.”**

●It was narrated from Abi Sa'id AL-Khudri that the Prophet said, **“Pre-dawn meal is a blessing, so do not neglect it. Even if one of you drinks a draught of water, Allah and His angels will send blessings upon those who have pre-dawn meal.”** [narrated from Ahmad ibn Hanbal].

② Giving up obscene words.

●Abu-Hurairah (May Allah be pleased with him) reported: The Messenger of Allah said, **“Allah the Mighty and Sublime says: ‘Every act of the son of Adam is for him, except fasting which is (exclusively) for Me, and I will reward him for it. Fasting is a shield. If anyone of you is fasting, he should neither use obscene words nor should he raise his voice in anger, and if anyone abuses him or quarrels with him, he should say: ‘I am fasting.’”** [AL-Bukhari].

●It was narrated from Abi-Hurairah that the Prophet said, **“Whoever does not leave forged speech and acting according to it, then Allah is not in any need of him leaving his food and drink (i.e. Allah will not accept his fasting).”** [AL-Bukhari].

③ Having dates in fast-breaking.

●It was narrated from Salman ibn 'Amir that the Prophet (P.P.B.U.H) said, **“When one of you breaks his fasting, let him break it on dates for there is blessing in them; if he does not have any, break his fast with water for it is pure.”** [Abu-Daoud and Tirmidhi].

④ Investment of both night and daytime of Ramadan.

Ramadan is a month in which merits are multiplied, so a Muslim must take advantage of it in every obedience that makes him closer to God, such as Qur'an reciting, remembrance of God, or giving alms, especially since there is the Night of High Esteem (*Lailat AL-Qadr*), which is better than a thousand months, in one of its last ten days.

●It was narrated from Abd-Allah ibn 'Umar that the Messenger said, **“Search for the Night of High Esteem in the last seven days, or seek it in the last ten nights.”** [Muslim].

●It was narrated from 'Aishah (May Allah be pleased with her) that the Prophet said, **“Seek the Night of High Esteem in the odd nights of the last ten days of Ramadan.”** [AL-Bukhari and Muslim].

●It was narrated from Abi-Hurairah that the Prophet (P.P.B.U.H) said, **“He who fasts during Ramadan with faith and seeking its reward from Allah, will have his past sins forgiven, and he who spends the Night of High Esteem in prayer with faith and seeking its reward from Allah, will have his past sins forgiven.”** [AL-Bukhari and Muslim].

[2] Voluntary Fasting (AL-Sunnah)

① Fasting six days in Shawwal, directly after the Festival of Fast-Breaking.

●It was narrated from Abi Aiyub AL-Ansaari that the Prophet (P.P.B.U.H) said, **“Whoever fasts during the month of Ramadan and then follows it with six days of Shawwal will be (rewarded) as if he has fasted the whole year.”** [Muslim].

●It was narrated from Abi

-Sa'id AL-Khudri that the Prophet said, **“Whoever fasts a day in the way of Allah, Allah will separate his face (a distance of) seventy autumns (years) from the Hell.”** [The Two Scholars].

●'Aishah reported: Allah's Apostle used to fast on the tenth of Muharram (*Ashuraa*). Later when fasting the month of Ramadan was prescribed, he said about the tenth of Muharram, **“It became optional for one to fast on it or not.”** [Muslim].

② Fasting on Monday and Thursday every week.

● It was narrated from Abi-Hurairah that the Prophet said, **“Deeds of people are presented (to Allah) on Mondays and Thursdays. So I like that my actions be presented while I am fasting.”** [AL-Tirmidhi and AL-Nasa'i]. And in a narration: He said about Monday, **“That is the day on which I was born and the day on which I received revelation.”** [AL-Bukhari].

③ Fasting on the three white days (AL-Ayaam AL-Bid) every Islamic month (13th, 14th, 15th).

● Abdullah ibn 'Amr reported: Allah's Apostle was informed that I have said: “By Allah I will fast all the days and pray all the nights as long as I live.” The Apostle said, **“You cannot do that. So fast (sometimes) and do not fast (sometimes). Pray and sleep. Fast for three days a month, for the reward of a good deed is multiplied by ten times, and so fasting on three days a month equals fasting a year.”** [AL-Bukhari].

● Abu-Hurairah reported: My friend (the Messenger of Allah) has instructed me to do three things: Fasting three days every month, the two prayer units of forenoon prayer, and performing the odd prayer (AL-Witr) before sleeping.” [AL-Bukhari].

● Abu- Dharr AL-Ghiphary reported: The Messenger of Allah commanded to fast the three white days: The thirteenth, fourteenth, and fifteenth and he said, **“Fasting on them is (equivalent to) fasting a lifetime.”** [AL-Nasa'i].

④ Fasting on the Day of Arafah (the ninth of Dhu al-Hijjah) for non-pilgrims.

● It was narrated from Abi-Qatadah that the Prophet (P.P.B.U.H) said, **“Fasting the Day of Arafah, I hope from Allah, expiates (the sins) of the year before and the year after it.”** [AL-Bukhari].

⑤ Fasting possible days of the month of Muharram.

● It was narrated from Abi-Hurairah that the Prophet said, **“The best month for fasting after Ramadan is Muharram, and the best prayer after the prescribed prayer is the prayer in the middle of night.”** [Muslim].

⑥ Fasting possible days of the month of Sha'ban.

● 'Usamah ibn Zaid said: “I said: ‘O Messenger of Allah, I do not see you fasting any month as much as Sha'ban.’ He said, **‘That is a month to which people do not pay much attention, between Rajab and Ramadan. It is a month in which deeds are taken up to the Lord of the worlds, and I like that my deeds be taken up when I am fasting.’**” [Abu-Daoud and AL-Nasa'i].

● 'Aishah reported: The Messenger of Allah used to fast to such an extent that we thought that he would never break his fast, and he would go without fasting to such an extent that we thought he would never fast. And I never saw the Messenger of Allah fast for a complete month except for the month of Ramadan. And I never saw him fast in a month more than he did in the month of Sha'ban. [The Two Scholars].

[3] Disliked Fasting

1) Fasting on the doubtful day (the 30th of Sha'ban) is disliked, except when it coincides with a habit like fasting on Monday and Thursday, and one of these days coincides with the 30th of Sha'ban.

● It was narrated from 'Ammar ibn Yasir that the Prophet said, **“Whoever fasts the doubtful day, he has then disobeyed Abu-AL Qasim (the Prophet).”** [Abu-Daoud, AL-Tirmidhi, and AL-Nisa'i].

– If a Muslim fasted on this day with the intention of volunteering, or hesitated between volunteering and fasting on the first day of Ramadan, then it turned out to be the first day of

Ramadan, his fasting would be **invalid** and he would have to make up for that day. Thus, there is no need for this confusion.

– It is important to note that it is **impermissible** to fast one day with two intentions. For example: You cannot fast on the Day of Arafah with the intention of volunteering and the intention of making up for a missed day simultaneously.

2) Fasting on any of Friday, Saturday, or Sunday alone, except when any of them coincides with a habit like fasting on the three white days (13th, 14th, 15th).

●Juwairiyah bint AL-Harith, the Mother of the believers,said that the Prophet visited her on a Friday and she was fasting. He asked, **“Did you fast yesterday?”** She said, “No.” He asked, **“Do you intend to fast tomorrow?”** She said, “No.” He said, **“In that case, give up your fasting today.”** [AL-Bukhari].

[4] Prohibited Fasting

1- It is prohibited for a menstruating woman, or a woman in confinement period to fast.

Her fasting would be disobedience. She would make up for these missed days of fasting (menses or confinement days), even if she fasted on them.

2- Voluntary fasting is prohibited for a woman if her husband is present, unless she asks his permission.

●It was narrated from Abi-Hurairah that the Prophet (P.P.B.U.H) said, **“No woman should fast when her husband is present (in the house) but with his permission. And she should not admit any (Mahram) in his house, while he (her husband) is present, but with his permission.”**

[The Two Scholars].

3- Fasting on both of the Festival of Fast-Breaking and the four days of the Festival of Sacrifice is prohibited. Both of Imam Ahmad ibn Hanbal and Abu-Hanifah excluded the pilgrim who performs pilgrimage and the minor pilgrimage ('Umrah) separately (*Tamattu'*) and the pilgrim who combines 'Umrah and pilgrimage from this prohibition.

Things disliked during fasting:

1) Tasting food with tongue, unless it is necessary to do so. For example: If a wife is cooking food, she can taste its salinity to avoid her husband's anger.

2) Chewing something like gum.

3) Introductions to sexual intercourse or emission of semen, due to difficulty of controlling it.

■ He whose fasting became invalid for any reason, he would abstain from food for the rest of the day and not speak out his fast-breaking, out of respect for the holiness of Ramadan.

Things that make a fasting person break his fast and make fasting invalid:

1) Things that reach the belly or the head from a natural orifice as mouth, anus, using dropping into ear, eye, or nose.

2) Masturbation (wank), or semen emission after sexual desire.

3) Sexual intercourse.

4) Discharge of menses or confinement blood.

5) Loss of mind.

Some of fasting provisions:

① If the elderly and the patients with a chronic illness are unable to fast, they can break their fasting, on condition that a righteous Muslim physician advises them to do so, and they should give the poor a sum of money equals the cost of breakfast and pre-dawn meals of every day they have not fasted on it. God says ﴿**And upon those who are able** [to fast, but with hardship] - **a ransom** [as substitute] **of feeding a poor person** [each day] ﴾ Chapter of the Heifer.

② Pregnant or nursing women do not fast if they fear for their health. They must make up for missed days of fasting, but if they fear for the safety of the foetus or the infant, they do not fast and they must give the poor a sum of money equals the cost of breakfast and pre-dawn meals of every day they have not fasted on it.

③ A patient with a temporary disease does not fast, on condition that a righteous Muslim physician advises him to do so, and after his recovery, he makes up for missed days of fasting.

④ If a traveller for a distance of 84 km is unable to fast, he can break his fast. Afterwards, he makes up for missed days of fasting.

*Conditions on which a traveller breaks his fasting:

1) Previously mentioned conditions of shortening prayer are met (see page 27).

2) The traveller begins his journey before emergence of dawn.

● 'Aishah reported that Hamzah AL-Aslami (May Allah be pleased with him) asked the Prophet and said, "Should I fast during the journey?" The Prophet said: "**Fast if you wish and break your fast if you wish.**" [Abu-Daoud]. And in Sahih Muslim he said: "**It is a concession from Allah. Whoever takes it has done well, and whoever wants to fast, there is no sin on him.**"

● Abu-Sa'id AL-Khudri reported: "We went out into a battle with Allah's Messenger on the 16th of Ramadan. Some of us fasted and some of us broke the fast. But neither the fasting person found fault with the one who broke it, nor the breaker of fasting found fault with the one who observed it." [Muslim].

● Jabir ibn Abd-Allah reported: Allah's Apostle was on a journey and saw a crowd of people, and a man was being shaded (by them). He asked, "**What is the matter?**" They said, "He (the man) is fasting." The Prophet said, "**It is not righteousness that you fast on a journey.**" [The Two Scholars].

*If a Muslim always travels, as a train driver or a motorist, he must fast.

God says ﴿**And whoever is ill or on a journey-then an equal number of other days**﴾ Chapter of the Heifer. And He says ﴿**But to fast is best for you, if you only knew**﴾ Chapter of the Heifer.

⑤ He who has sexual intercourse with his wife, must expiate this sin with fasting for two consecutive months. If he did not afford it, he would have to feed sixty poor persons. This is because he had committed a great sin.

● It was narrated from Abi-Hurairah that Allah's Apostle said, "**Whoever breaks the fast during Ramadan without a cause or an illness, then if he fasted for all time, his fasting would not make up for it.**" [The Two Scholars].

⑥ Whoever had to make up for missed days of fasting Ramadan, and was lazy about doing so

without an excuse, till the new month of Ramadan was due, he would make up for these days and expiate with feeding a number of poor persons equals the number of these missed days.

⑦ Whoever forgets that he is fasting, and eats or drinks in the daytime of Ramadan, his fasting is valid, and he is to rinse his mouth and complete fasting that day.

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“If anyone forgets that he is fasting and eats or drinks, he should complete his fast, for it is only Allah Who has fed him and given him drink.”** [AL-Bukhari].

⑧ Whoever wakes up in the morning in a state of sexual impurity, his fasting is valid. He is to bathe immediately to be able to perform prayers.

● Aishah (May Allah be pleased with her) reported: The dawn broke upon the Messenger of Allah during Ramadan in a state of sexual impurity (*Janabah*) after having sexual relations with his wives. Then, he took a bath and fasted.” [Agreed upon].

⑨ Whoever gets up, does not know if it has been called to the morning prayer or not, and eats or drinks, then he discovers that it has been called to the morning prayer, his fasting becomes invalid. He is to abstain from eating and drinking on this day, and afterwards he makes up for this day.

⑩ He who dies and obligatory, vow, or expiation fasting is due on him, one of his relatives (ascendants or descendants) fasts on his behalf, or feeds a number of poor persons equals the number of these missed days.

● Ibn Abbas reported: A man came to the Prophet and said, “My mother died and she ought to have fasted one month (for her missed Ramadan). Shall I fast on her behalf?” The Prophet (P.P.B.U.H) said, **“Yes, Allah’s debts have more right to be paid.”** [The Two Scholars].

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Seclusion (*I'tikaaf*)

Its provision: It is an emphasized Sunnah.

Its time: It is recommended in the last ten days of Ramadan. Imam Malik sees that it is at least one day and one night.

● Aishah reported: With the start of the last ten days of Ramadan, the Messenger of Allah used to tighten his waist belt (i.e. work hard), pray all the night, and keep his family awake (to pray and recite Qur'an, etc...). [Agreed upon].

● Abu-Sa'id AL-Khudri reported: The Messenger of Allah used to seclude himself (do *I'tikaaf*) in the middle ten days of Ramadan. One year he was secluding and then, when it came to the night of the twenty-first, which was the night before the morning of which he used to come out of his seclusion, he said, **“Whoever secluded himself with me, should stay in seclusion for the last ten days, for I was informed (of the date) of this night (the Night of High Esteem), but I was caused to forget it. So, seek it in the last ten days and seek it every night with an odd number.”** [AL-Bukhari].

Conditions of seclusion:

1) Intention. 2) Staying at mosque.

* A woman should seclude herself after obtaining her husband's permission.

* Imam Malik sees that a woman can seclude herself in the mosque of her house (i.e. certain place

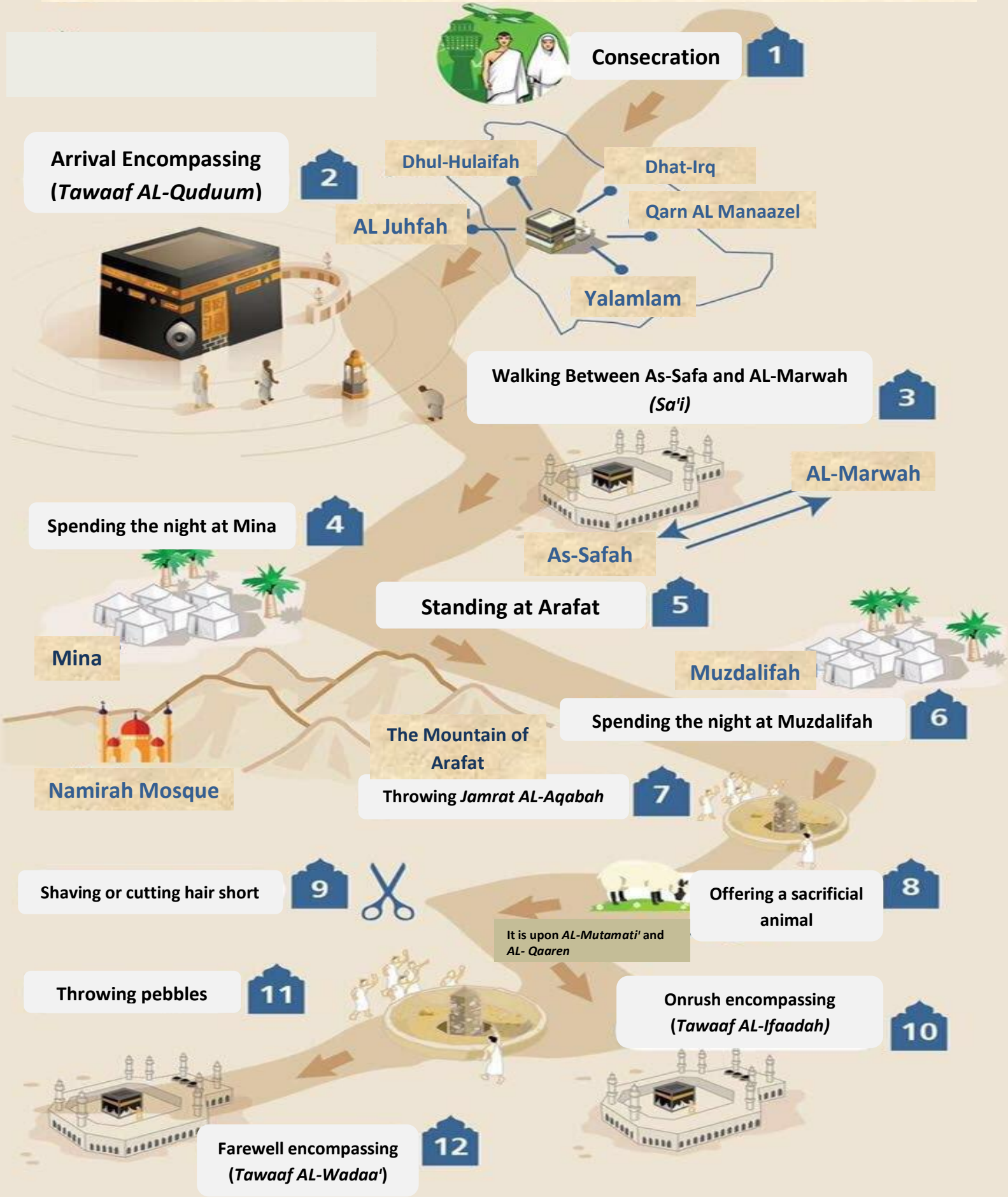
in her house prepared for seclusion).

* A secluded person should not come out, except for a necessity as a disease, menses, or confinement.

Menses, confinement, and sexual impurity invalidate seclusion. Also it becomes invalid upon going out the mosque, except for a normal or a legal cause, or for getting food.

*A secluded person should spend his time in obedience and Qur'an reciting.

PILGRIMAGE RITUALS



PILGRIMAGE (Haji) and MINOR PILGRIMAGE ('Umrah)

Pilgrimage is the fifth and the last Islamic pillar, because its rites are performed in the Sacred House and its surroundings in Makkah, and Muslims were not able to enter it before the eighth year of Hijrah.

*The two testifications have been the first pillar with the descent of inspiration. Then, prayer has been made obligatory in the Night Journey of Prophet Muhammad from Makkah to Jerusalem and his Ascent to the Seventh Heaven, before the Prophet's Migration. After that, fasting the month of Ramadan has been made obligatory in Sha'ban in the second year of Hijrah. Afterwards, charity has been made obligatory in the same year.

*Pilgrimage to the Sacred House (which is called the Ancient House or AL-Ka'bah) has been made obligatory in the fifth or sixth year of Hijrah. However, the first time of pilgrimage was in the ninth year and its leader was Abu-Bakr AL-Seddik.

*The Sacred House is the oldest house for worship of Allah on the earth. God says ﴿**Indeed, the first House [of worship] established for mankind was that at Makkah-blessed and a guidance for the worlds**﴾ Chapter of the Family of Imran. Verse NO 96

●Abu-Dhar AL-Ghiphari (May Allah be pleased with him) reported: I said, "O Allah's Apostle! Which mosque was built on the earth first?" He said, "**The Sacred Mosque (AL-Masjid AL-Haraam).**" I said: "Then which?" He said: "**The Farthest Mosque (AL-Masjid AL-Aqsa).**" I said, "How long was there between them?" He said: "**Forty years.**" [AL-Bukhari and Muslim].

The Sacred Mosque has a great holiness on the earth and in the sky. That is because:

① Its holiness dates back to the most ancient times. It began with the father of prophets "Ibrahim" and his son "Isma'il", from whom the origins of the Arabs come. Ibrahim and Isma'il raised the foundations of the Sacred House, so most of pilgrimage rites are connected with them. God says ﴿**And [mention] when Abraham was raising the foundations of the House and [with him] Isma'il, [saying], "Our Lord, accept [this] from us. Indeed You are the Hearing, the Knowing"**﴾ Chapter of the Heifer.

② The Arabs have honored this House, and have performed pilgrimage to it every year.

*They were proud of their grandfather Ibrahim. The Quraysh and their leaders, including Hashim and his son Abd AL-Muttalib, were well-respected by the Arabs because of their sponsorship of the House and its visitors at their own expense, except for they were mistaken when they spread idols, which numbered 360, around AL-Ka'bah.

*Hashim ibn Abd Manaf said: "O people of Quraysh, you are the neighbours of Allah's House, so honor His guest and His House visitors. Truly I spend (for this purpose) from my good and lawful money, which I have not earned by breaking ties with kith and kin, oppression, or in an unlawful way. Whoever wants to do like that, let him do."

It is important to note that Hashim ibn Abd Manaf is the Apostle's grandfather, and this speech was delivered in the pre-Islamic ignorance period.

③ Pilgrimage has been performed to this House since the dawn of history.

It was the time when Ibrahim (Allah's Friend) invoked his Lord to turn Makkah and its surroundings to an oasis attracts people's hearts. Then, Allah revealed to him to announce it and He would handle it (He would make people come to perform pilgrimage). God says ﴿**So make hearts among the people incline towards them and provide for them from the fruits that they might be grateful**﴾ Chapter of Abraham.

And says ﴿And proclaim to the people pilgrimage [Hajj]; they will come to you on foot and on every lean camel; they will come from every distant pass﴾ That they may witness benefits for themselves and mention the name of Allah on known days over what He has provided for them of [sacrificial] animals. So eat of them and feed the miserable and poor﴾ Chapter of Pilgrimage.

4 The Sacred House, as mentioned in some traces, is identical to the frequented House.

5 Muslim faces, in the East and West, are directed to it every day. In each prayer over the day and night: ﴿Allah has made AL-Ka'bah, the Sacred House, standing for the people﴾ Chapter of the Table. ﴿And from wherever you go out [for prayer], turn your face towards AL-Masjid AL-Haraam. And wherever you [believers] may be, turn your faces towards it﴾ Chapter of the Heifer.

6 This House attracts God's providence.

Abraham AL Ashram, who had come with his elephants from Yemen, tried to tear down AL-Ka'bah, so Allah sent burning stones upon him. The story is mentioned in Chapter of the Elephant and in His saying ﴿And whoever intends [a deed] therein of deviation [in religion] or wrongdoing-We will make him taste of a painful punishment﴾ Chapter of Pilgrimage.

7 This House, according to what is provided in the latest scientific researches, is in the center of the earth.

8 It is one of the three mosques to which a Muslim is allowed to travel.

• It was narrated from Abi Sa'id AL-Khudri that the Prophet (P.P.B.U.H) said, **“Do not set out on (a religious) journey except for three mosques: this mosque of mine, the Sacred Mosque, and the Farthest Mosque.”** [Muslim].

9 Its holiness is a part of the holiness of Makkah, which is the most honorable and sacred place on the earth. Pilgrims compass round it counter-clockwise in line with the motion of the universe and celestial bodies.

• It was narrated from Abi-Hurairah that Allah's Messenger said, **“He who came to this House (AL-Ka'bah)**

(with the intention of performing pilgrimage), and neither used obscene words nor did he act wickedly, would return (free from sins) as on the (very first day) his mother bore him.” [Muslim].

• It was narrated from Ibn 'Abbas that the Prophet said on the day of the conquest of Makkah: **“Allah has made this town a sanctuary since the day He created the heavens and the earth. So, it is a sanctuary by Allah's Decree till the Day of Judgment. Fighting in it was not legal for anyone before me, and it was made legal for me only for an hour by daytime. So, it is a sanctuary by Allah's Decree till the Day of Judgment. Its thorny bushes should not be cut, and its game should not be chased.”** [Muslim].

Pilgrimage in Islam

Mission of Islam came in response to the invocation of Ibrahim (peace be upon him): ﴿Our Lord, and send among them a Messenger from themselves who will recite to them Your verses and teach them the Book and wisdom and purify them. Indeed, You are the Exalted in Might, the Wise﴾ Chapter of the Heifer. Verse NO 129

The Call to pilgrimage has been renewed again, God says ﴿And [due] to Allah from the people is a pilgrimage to the House - for whoever is able to find thereto a way﴾ Chapter of the Family of Imran.

●Abu-Hurairah reported: The Messenger of Allah (P.P.B.U.H) addressed us and said: **“O people, Allah has made pilgrimage obligatory for you.”** A man said, “Every year?” He (the Messenger) remained silent until the man repeated it thrice. Then the Messenger said: **“If I said yes, it would be obligatory, and if it were obligatory, you would not be able to do it.”** [Muslim].

*When Abu-Bakr performed pilgrimage on behalf of the Prophet, he (the Prophet) sent him the Chapter of Repentance, from AL-Madinah, in order to recite it to the people in Makkah. Also, he ordered Abu-Bakr to tell them that from this year forward:

- 1) No polytheist will compass round AL-Ka'bah.
- 2) No one undressed will compass round AL-Ka'bah.

*The Arabs used to compass round AL-Ka'bah while they were undressed, thinking that, in this way they would get rid of their sins.

God says ﴿**O believers, the polytheists are unclean; therefore let them not come near AL-Masjid AL-Haram after this year [of their pilgrimage]; if you fear poverty, Allah will enrich you out of His bounty if He wills: for Allah is All- Knowing, All-Wise**﴾ Chapter of Repentance. Verse NO 28

*This pilgrimage was a preparation and an introduction to Farewell Pilgrimage, that the Prophet performed in the following year in a massive crowd of Muslims numbered about one hundred thousand. It was the best for last, the perfect caper to the Prophet's struggle, and crowning the victory of light over darkness. God says ﴿**This day I have perfected for you your religion and completed My favor upon you and have approved for you Islam as religion**﴾ Chapter of the Table.

●Abu-Hurairah reported: In the year prior to the Farewell Pilgrimage of the Prophet, when Allah's Apostle made Abu-Bakr the leader of the pilgrims, the latter (Abu-Bakr) sent me in the company of a group of people to make a public announcement: “No polytheist is allowed to perform pilgrimage after this year, and no naked person is allowed to compass round AL-Ka'bah.” [AL-Bukhari].

*The Prophet combined the Farewell Pilgrimage with the minor pilgrimage. Before this pilgrimage, he had performed three minor pilgrimages.

●Anas reported: Allah's Apostle performed four minor pilgrimages, all in the month of Dhul-Qa'dah, except the one which he performed with his pilgrimage (i.e. in Dhul-Hajjah). He performed one minor pilgrimage from AL-Hudaibiya in Dhul-Qa'dah, another minor pilgrimage in the following year in Dhul-Qa'dah, a third from AL-Ji'rana where he distributed the war booty of Hunain, in Dhul-Qa'dah, and the fourth minor pilgrimage he performed was with his pilgrimage. [AL-Bukhari].

●It was narrated from Abi-Hurairah that the Prophet said: **“The performance of minor pilgrimage is an expiation for the sins committed between it and the previous one, and the reward of the accepted pilgrimage is nothing but Paradise.”** [The Two Scholars].

Pilgrimage and minor Pilgrimage

Provision of pilgrimage: It is duty once in a Muslim lifetime.

Provision of minor pilgrimage: It is Sunnah.

*Some jurisprudents see that both of pilgrimage and minor pilgrimage are duty on those who are able to perform them; this is according to the verse which combined between them ﴿**And complete AL-Hajj and AL-Umrah for Allah**﴾ Chapter of the Heifer.

But the authoritative opinion is the first one, according to many texts mentioned pilgrimage alone.

﴿**And [due] to Allah from people is a pilgrimage to the House**﴾

﴿And [it is] an announcement from Allah and His Messenger to the people on the day of the greater pilgrimage﴾ ﴿Pilgrimage is [during] well-known months﴾

Conditions that make pilgrimage obligatory:

Islam, adulthood, mindfulness, ability to perform it, presence of food and means of transport, and security of the road.

As for a woman, she accompanies her husband, or an unmaritable relative, or trusted women.

● It was narrated from Ibn 'Abbas that the Prophet said, **“A woman should not travel except with a *Dhu-Mahram* (her husband or a man with whom that a woman cannot marry at all according to the Islamic Jurisprudence), and no man may visit her except in the presence of a *Dhu-Mahram*.”** A man got up and said, “O Allah’s Apostle! I intend to go to such and such an army and my wife wants to perform pilgrimage.” The Prophet said (to him), **“Go along with her (to pilgrimage).”** [AL-Bukhari].

Pilgrimage pillars:

- 1) Entering the state of consecration with the intention of pilgrimage.
- 2) Standing at Arafat on the ninth of Dhul-Hijjah.
- 3) Circumambulation of AL-Ka'bah (onrush encompassing) on the tenth day of Dhul-Hijjah.
- 4) Walking rapidly or hastening between Safa and Marwah in the first three circuits, and then walking in the last four circuits.
- 5) Shaving or cutting hair short on the 10th of Dhul-Hijjah.
- 6) Performing the previous acts in the same order in which they are mentioned.

The first pillar:

Upon consecration, the following things are prohibited:

① Wearing sewn clothes. But a woman wears her usual clothes and does not cover her face or hands, i.e., she does not wear a veil or gloves. Also it is prohibited for a man to cover his head.

② Combing hair or beard.

③ Applying perfume.

● Ibn 'Umar reported: A man stood up and said, “O Messenger of Allah! What garments do you command us to wear in the state of consecration?” The Prophet (P.P.B.U.H) said: **“Do not wear shirts, pants, turbans, or hooded cloaks, unless a man does not have any slippers, then let him wear leather stockings, but let him cut them below the ankles. And do not wear any garment that has been touched by saffron or Wars. And a woman in consecration is not to cover her face, or wear gloves.”** [AL-Bukhari].

④ Shaving hair from any part of the body.

⑤ Nail trimming.

⑥ Concluding marriage contract for the one in the state of consecration or for another person.

● It was narrated from 'Uthman ibn 'Affan (May Allah be pleased with him) that the Messenger of Allah said, **“A *Muhrim* (one in the state of consecration) must not contract marriage, nor help others contract marriage, nor arrange a marriage for himself or for others.”** [Muslim].

⑦ Sexual intercourse or masturbation.

⑧ Killing any of the birds or animals of Makkah. God says ﴿Lawful to you is game from the sea and its food as provision for you and the travelers, but forbidden to you is game from the land as long as you are in the state of consecration [*Ihraam*﴾ Chapter of the Table.

He also says ﴿O you who have believed, do not kill game while you are in the state of *Ihraam*. And whoever of you kills it intentionally- the penalty is an equivalent from

sacrificial animals to what he killed, as judged by two just men among you as an offering [to Allah] delivered to AL-Ka'bah, or an expiation: feeding needy people or the equivalent of that in fasting, that he may taste the consequence of his deed ﴿ Chapter of the Table.

*Insects and harmful animals are excluded from this provision.

● It was narrated from 'Aishah that the Messenger of Allah said, **“Five kinds of animals are vicious, and they could be killed in AL-Haram (sanctuary). These are: the crow, the kite, the scorpion, the mouse, and the rabid dog.”** [AL-Bukhari and Muslim].

▫ Whoever does one of the previous prohibitions has to give a ransom.

● Ka'ab ibn 'Ujrah reported that the Messenger of Allah happened to pass by him (during their stay) at AL-Hudaibiyah. He (the Holy Prophet) said to him: **“Do the insects of your head (lice) annoy you?”** He said, “Yes.” The Prophet said, **“Shave your head, then sacrifice a sheep as offering, or fast for three days, or give three sa's of dates to feed six needy persons.”** [Muslim].

God says ﴿ **And whoever among you is ill or has an ailment of the head** [making shaving necessary] [must offer] **a ransom of fasting** [three days] **or charity or sacrifice** ﴿ Chapter of the Heifer.

The second pillar:

● It was narrated from Talha ibn 'Ubayd Allah that the Prophet said, **“The best invocation is the invocation on the Day of 'Arafah, and the best thing that I and the prophets before me have said is ‘There is no god but Allah, alone, without any partner (La ilaha illa'llah, Wahdahu La Sharika Lah).’”** [Malik and AL-Tirmidhi].

● It was narrated from 'Aishah that the Messenger of Allah (P.P.B.U.H) said, **“There is no day on which Allah sets free more servants from Hell than He does on the Day of 'Arafah.”** [Muslim].

● It was narrated from 'Uqbah ibn Amir that the Messenger of Allah said: **“The day of Arafat, the day of sacrifice, and the days of Tashreeq are (the days of) our festival, O people of Islam, and they are days of eating and drinking.”** [Agreed upon].

The third pillar:

It is onrush encompassing (*Tawaaf AL-Ifaadah*). It is other than arrival encompassing (*Tawaaf AL-Quduum*) and farewell encompassing (*Tawaaf AL-Wadaa'*). The later is performed before leaving Makkah. Purity, just as in prayer, is a condition of the validity of circumambulation of AL-Ka'bah. It is performed in seven circuits, starting from the Black Stone and making it on his left side.

● It was narrated from Ibn 'Abbas (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“Circumambulation of the House is similar to prayer, except that you talk during it. So, whoever talks in it, then let him not say but good.”** [AL-Hakim].

The fourth pillar:

It is performed in seven circuits starting from Safa and ending with Marwah. The pilgrim walks rapidly (hastens) in the first three circuits, then he walks in the remaining four circuits.

● Ibn 'Umar (May Allah be pleased with him) reported: Allah's Messenger walked swiftly from stone to stone in three circuits and walked (normally) in four. [Muslim].

● Ibn 'Abbas reported: Allah's Messenger observed *Sa'i* and walked quickly round the House with a view to showing his strength to the polytheists. [Muslim].

● Ibn 'Abbas reported: When Allah's Apostle and his companions arrived (at Makkah), the polytheists said, "There have come to you a group of people who have been weakened by the fever of Yathrib (i.e. AL-Madinah)." So, the Prophet ordered his companions to do *Ramal* (i.e. fast walking) in the first three circuits of circumambulation around AL-Ka'bah and to walk in between the two corners (i.e. the Black Stone and AL-Yamaani corner). The only cause which prevented the Prophet from ordering them to do *Ramal* in all the circuits was that he pitied them. [AL-Bukhari].

God says ﴿**Indeed, AL-Safa and AL-Marwah are among the symbols of Allah. So whoever makes Hajj to the House or performs 'Umrah- there is no blame upon him for walking between them**﴾ Chapter of the Heifer.

The fifth pillar:

For a man, shaving is better than cutting hair short. As for a woman, she cuts about 2cm from her hair.

● It was narrated from Abi- Hurairah and Ibn 'Umar that the Messenger of Allah said, "**O Allah, forgive those who shave** (their heads)." They said, "O Allah's Apostle, (what about those) who get their hair cut short?" The Prophet (after invoking Allah for those who shave their heads three times) at the third time said, "**Also (forgive) those who get their hair cut short.**" [The Two Scholars].

Duties of pilgrimage

① Consecration from the appointed time and place (*AL-Miqaat*).

a) The appointed time: It can be in Shawwal, or Dhul-Qa'dah, or the first ten days of Dhul-Hijjah. As for minor pilgrimage, it can be appointed on any day of the year.

b) The appointed place: A resident in Makkah enters the state of consecration for pilgrimage or minor pilgrimage from his home. As for those who are coming from outside the Holy Land, they enter the state of consecration before entering Makkah.

God says ﴿**Pilgrimage is [during] well-known months, so whoever made pilgrimage obligatory upon himself therein [by entering the state of consecration], there is [to be for him] no sexual relations, no disobedience, and no disputing during pilgrimage**﴾ Chapter of the Heifer.

② Throwing pebbles in the period from midnight to sunset.

③ Shaving hair.

④ Spending the nights of AL-Tashreeq at Mina.

⑤ Avoiding prohibitions of consecration.

Sunnah practices (Sunan) of pilgrimage

1) Performing isolated pilgrimage.

2) *AL-Talbiyah*. It is performed during the whole pilgrimage, except during throwing pebbles.

● Abdullah ibn 'Umar reported that the Messenger of Allah entered the state of consecration near the mosque at Dhul-Hulaifah as his camel stood by it and he said: "**Here I am at Your service my Lord. There is no associate with You. Here I am at Your service. All praise and grace is due to You and the sovereignty (too). There is no associate with You (Labbayk Allaahumma Labbayk. Labbayk La Shareeka Laka Labbayk. Inna AL Hamda Wal Ni'mata Laka Wal Mulk. La Shareeka Laka, Labbayk)**" [The Two Scholars].

3) Arrival encompassing to Makkah.

4) Performing the prayer units of any encompassing behind Abraham's Station.

- 5) Spending the night, that precedes standing at Arafat, at Mina.
- 6) Spending the night at AL-Muzdalifah after leaving Arafah.
- 7) Farewell encompassing.

Minor pilgrimage pillars

- 1) Consecration for minor pilgrimage.
- 2) Circumambulation of AL-Ka'bah.
- 3) Walking between As-Safa and AL-Marwah.
- 4) Shaving or cutting hair short.
- 5) Performing the previous acts in the same order in which they are mentioned.

If minor pilgrimage is not at the time of pilgrimage, it is recommended to perform it in Ramadan.

● It was narrated from Ibn 'Abbas (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said to a woman of the Supporters (*AL-Ansaar*) did not perform pilgrimage with him, **“So when the month of Ramadan comes, perform minor pilgrimage, for a minor pilgrimage in it (Ramadan) is equal to pilgrimage (in reward).”** [AL-Bukhari and Muslim].

Finishing pilgrimage or minor pilgrimage

Do not finish pilgrimage unless you perform its pillars. There are two stages of finishing pilgrimage. But in minor pilgrimage, there is only one stage for finishing it.

The first stage of finishing pilgrimage is performed by doing two of the following:

- Throwing pebbles on the sacrifice day.
- Shaving or cutting hair short.
- Circumambulation that followed by walking (*AL-Sa'i*).

After performing this stage, the pilgrim can wear his usual clothes, cover his head (as for a woman, she can cover her face), shave hair, apply perfume, and hunt.

The second stage of finishing pilgrimage is performed after performing circumambulation that followed by walking (*AL-Sa'i*). After performing this stage, sexual intercourse and concluding marriage contract become legal for the pilgrim.

Some of pilgrimage provisions and legal opinions

① If a Muslim died and did not perform pilgrimage, in spite of his ability or if it was a vow, his relative can perform it on his behalf.

● Ibn 'Abbas reported: A woman from the tribe of AL-Khath'am came and said, “O Messenger of Allah, my father has come under Allah’s obligation of performing pilgrimage, but he is a very old man and cannot sit properly on his mount. Shall I perform pilgrimage on his behalf?” The Prophet replied, **“Yes.”** [The Two Scholars].

● Ibn 'Abbas reported: A woman from the tribe of Juhainah came to the Prophet and said, “My mother had vowed to perform pilgrimage but she died before performing it. May I perform it on my mother’s behalf?” The Prophet replied, **“Perform it on her behalf. Had there been a debt on your mother, would you have paid it or not? So, pay Allah’s debt as He has more right to be paid.”** [AL-Bukhari].

Note that:

A Muslim (male or female) can perform pilgrimage or minor pilgrimage on behalf of another person voluntarily or with payment on condition that:

- 1) The deputy has performed pilgrimage once before (in a previous year).
- 2) He deputizes for one person per year. He is not allowed to deputize for two persons in the same year.

In this case his *Talbiya* will be: “Here I am at Your service my Lord on behalf of (the name of the other person).

② No sin upon the one who does not perform any of Sunnah practices of pilgrimage.

③ He who missed standing at Arafah, he would have to finish his pilgrimage by performing minor pilgrimage, offer a sacrificial animal, and make up for this pilgrimage in the following year.

④ Whoever dies in the state of consecration, he is buried in his consecration clothes.

● Ibn 'Abbas reported: There was a person in the state of consecration whose camel broke his neck and he died. Thereupon the Messenger of Allah said, **“Wash him with water and lotus leaves, shroud him in two pieces of cloth, and do not cover neither his head nor his face, for he will be raised on the Day of Judgment pronouncing *AL-Talbiya*.”** [The Two Scholars].

⑤ He who performs minor pilgrimage, and finishes his consecration, and then performs pilgrimage in the same year before he returns to his country (*Tamattu'*), and who combines minor pilgrimage and pilgrimage, must offer a sacrificial animal on the tenth of Dhul-Hijjah.

● Jabir ibn Abd-Allah reported: We set out in the state of consecration for pilgrimage along with the Messenger of Allah (May peace be upon him). He commanded us to join in camels and cows. Every seven persons join in a camel or in a cow for offering sacrifice. [Muslim].

Acts of pilgrimage in the order

◆ A pilgrim intends to perform pilgrimage and enters the state of consecration by wearing its clothes and avoiding its prohibitions. Then, when he arrives in Makkah, he performs arrival encompassing, performs two prayer units in the Sacred Mosque and walks between Safa and Marwah.

◆ On the eighth of Dhul-Hijjah, he goes to Mina and spends the day there till the dawn of the next day (the ninth of Dhul-Hijjah). In Mina, he shortens the noon, the afternoon, and the night prayers, but he does not combine between them.

◆ In the dawn on the ninth day, he goes to Arafat and spends the day there till sunset. At Arafah, he shortens the noon and the afternoon prayers and combines them in advance. After sunset, he goes to Muzdalifah and performs the sunset prayer (three units) and shortens the night prayer (two units). He delays combination between them, i.e., he performs them together after the call to the night prayer. Then, he spends the night in Muzdalifah, performs the morning prayer there. But if he is in a hurry, he can leave AL-Muzdalifah after midnight (i.e. he does not perform the morning prayer in it).

◆ On the tenth day (the day of sacrifice), he throws seven pebbles in AL-Aqabah (*Jamrat AL-Aqabah*), offers a sacrificial animal, shaves his hair, performs onrush encompassing, then he finishes his consecration.

◆ On AL-Tashreeq days (11th, 12th, 13th) of Dhul-Hijjah, he throws seven pebbles, then he leaves Mina and goes to Makkah and there he performs farewell encompassing.

Visiting the Prophet in AL-Madinah

All the acts of pilgrimage and minor pilgrimage are performed in Makkah and its surroundings, but it is a Sunnah to visit the Prophet's mosque and to perform two prayer units in it; stand in front of the Prophet's grave and say: “O Messenger of Allah, prayer and peace be upon you, I testify that you have conveyed the message, fulfilled the trust, and advised the nation. So, may Allah reward you well for me and for Muslims.”

- It was narrated from Abi-Hurairah that the Prophet (P.P.B.U.H) said, **“Performing one prayer in my mosque (in AL-Madinah) is better than one thousand prayers elsewhere, except that in the Sacred Mosque.”** [The Two Scholars].
- It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Messenger of Allah (P.P.B.U.H) said: **“What is between my house and my pulpit is one of the meadows of Paradise, and my pulpit is on my watering place (AL-Hawd).”** [The Two Scholars].

Note that:

Money spent to perform pilgrimage must be lawful; otherwise, it is not accepted.



INHERITANCE



INHERITANCE

Islamic Legitimacy is the only one to establish a discipline for inheritance that is suitable to all times and places and leads to the diffusion of wealth and circulation of it between the dead's relatives. After stability of Islam, it approved bequest for a while, then it was abrogated by the two verses about inheritance which Allah has sent in Chapter of Women.

● Jabir ibn Abd-Allah reported: "I fell sick, and the Messenger of Allah and Abu Bakr came to me on foot to visit me. I fainted. He (the Holy Prophet) performed ablution and poured his ablution water over me, so I became conscious. I said: 'O Messenger of Allah, How should I decide about my wealth?' He gave me no reply till the verse about inheritance was revealed: ﴿**They ask you for a legal opinion. Say: Allah directs you about those who leave no descendants or ascendants as heirs**﴾". [Agreed upon].

● And it has been said that the cause of revelation of the verses about inheritance is that the wife of Sa'd ibn AL-Rabi' came to the Messenger of Allah and said: "O Messenger of Allah, these are the two daughters of Sa'd ibn AL-Rabi' who fought along with you on the day of 'Uhud and was martyred. Their paternal uncle has taken their wealth, without leaving any wealth for them, and they will not be married unless they have wealth." He said: "**Allah will decide on that matter.**" Then, the verse of inheritance was revealed (verses 11 and 12 in Chapter of Women).

◆ In pre-Islamic ignorance, they used to bequest a wealth to only men and adults. Indeed, a woman was considered as a part of the inheritance given to who wants to inherit her.

Ibn 'Abbas reported: If a man died, his relatives used to have the right to inherit his wife, and one of them could marry her if he wished, or they could marry her to somebody else or prevent her from marriage if they wished, for they had more right to her than her own relatives. Therefore, this verse was revealed: ﴿**O you who believe, you are forbidden to inherit women against their will, and you should not treat them with harshness that you may take back part of the dower (Mahr) you have given them**﴾ Chapter of Women.

Some societies used to bequest the wealth to the eldest son and give him the right to dispose in it. Nowadays, non-Islamic societies depend on the dead's will, which may be unfair, to distribute his wealth.

Inheritance legitimacy:

● It was narrated from Abi-Hurairah that the Messenger of Allah (P.P.B.U.H) said, "**O Abu-Hurairah, learn about the inheritance and teach it, for it is half of knowledge, but it will be forgotten. This is the first thing that will be taken away from my nation.**"

● It was narrated from Ibn 'Abbas that the Prophet said, "**Give AL-Fara'id** (the shares of the inheritance that are prescribed in the Qur'an) **to those who are entitled to receive them, and whatever is left should be given to the closest male relative of the deceased.**" [AL-Bukhari].

Note that:

Once a person dies, none of his heirs has a right to benefit from his estate alone. Also, none of them is allowed to delay delivering it to the other heirs, because if he did so, he would consume it falsely. God says ﴿**And you consume inheritance, devouring [it] altogether**﴾¹⁹ **And you love wealth with immense love**﴾²⁰ Chapter of Dawn (*Surat AL Fajr*).

◆ It is a Sunnah to help the poor who have no share in the inheritance.

God says ﴿**And when [other] relatives and orphans and the needy are present at the [time of] division, then provide for them [something] out of the estate and speak to them words of appropriate kindness**﴾ Chapter of Women. Verse NO 8

Causes of inheritance in Islam

1) Marriage: One of the two spouses inherits the other when their marriage contract is true.

2) Lineage: It is the relationship and the kinship, according to which parents and children (ascendants and descendants) can inherit their dead relative's estate.

◆ Foster relationship is not a cause of inheritance.

Inheritance rules:

① If a dead female had all her male relatives alive (her husband, son, father, brother, and uncle), only three of them would inherit her wealth.

□ Her husband would inherit one quarter of her wealth.

□ Her father would inherit one sixth.

□ Her son would inherit the remaining portion.

② If a dead male had all his female relatives alive (his wife, daughter, mother, sister, and son's daughter), they all would inherit as following:

□ His son's daughter would inherit one sixth.

□ His wife would inherit one eighth.

□ His daughter would inherit one half.

□ His mother would inherit one sixth.

□ His sister would inherit the remaining portion.

③ If the heir was only one male, he would inherit all of the estate, except if he was her husband or her half-brother (her brother from her mother only).

④ If the heir was only one female, she would not inherit all of the estate.

⑤ Three males inherit the estate, but their sisters do not inherit it:

□ Paternal uncles, but paternal aunts do not.

□ Sons of paternal uncles, but daughters of paternal uncles do not.

□ Sons of brother, but daughters of brother do not.

⑥ Three do not inherit:

1) A murderer (intentionally or by error).

2) An apostate from Islam.

3) An heir belongs to a different religion.

● It was narrated from 'Usamah ibn Zayd that the Prophet (P.P.B.U.H) said, **"A Muslim does not inherit from a disbeliever and a disbeliever does not inherit from a Muslim."** [Muslim].

● And in AL-Bukhari, **"A believer does not inherit from an infidel, and an infidel does not inherit from a believer."**

There are two types of heirs:

a) Those who inherit according to laws of inheritance. They take their prescribed shares as one half, one quarter, etc.

b) Those who inherit by agnation. They take the remaining portion of the estate after those who

inherit according to laws of inheritance take their prescribed shares.

Cases of omission from inheritance

- ① The grandmother is omitted when the mother is alive, and the grandfather is omitted when the father is alive.
 - ② The half-brother (the brother from the mother only) is omitted when one of the following is alive: The son, the son of the son (the grandson), the father, and the grandfather.
 - ③ The half-brother (the brother from the father only) is omitted when one of the following is alive: The son, the son of the son (the grandson), the father, and the brother.
 - ④ The brother is omitted when one of the following is alive: The son, the son of the son (the grandson), and the father.
- ◆ Those who are not omitted from inheritance: the husband or the wife, the son, the daughter, the father, and the mother.

Shares of inheritance:

[1] The Half. It is the share of the following:

- The daughter when she is the only heir. The daughter of the son when she is the only heir.
- The sister when she is the only heir.
- The half-sister (the sister from the father only) when she is the only heir.
- The husband when his dead wife does not have a daughter, a son, or a son of her son.

[2] The Quarter. It is the share of the following:

- The husband, when his dead wife has a son, a daughter, or a son of her son (either they are from him or from another husband).
- The wife or the wives, on condition that there is no son, or son of a son (grandson).

[3] The Eighth. It is the share of the wife or all the wives when there is a son or a son of a son.

[4] The Third. It is the share of the following:

- The mother, when her dead son does not have a son or a son of a son and does not have brothers or sisters.
- Two or more brothers or sisters from the mother.

[5] The Two Thirds. It is the share of the following:

- Two daughters or more. The daughters of the son when the dead has no daughters.
- Two or more half sisters (sisters from the father only), when there are no sisters.

[6] The Sixth. It is the share of the following:

- The mother, when there is a daughter, a son, or a son of the son.
- The father, when there is a daughter, a son, or a son of the son.
- Two or more brothers or sisters.
- The grandmother. The grandfather.
- One brother from the mother. The daughter of the son if her paternal aunt is alive.
- The sister from the father when there is a sister.

Verses about inheritance in Chapter of Women

﴿Allah instructs you concerning your children: for the male, what is equal to the share of two females. But if there are [only] daughters, two or more, for them is two thirds of one’s estate. And if there is only one, for her is half. And for one’s parents, to each one of them is a sixth of his estate if he left children. But if he had no children and the parents [alone] inherit from him, then for his mother is one third. And if he had brothers [or sisters], for his mother is a sixth, after any bequest he [may have] made or debt. Your parents or your children- you know not which of them are nearest to you in benefit. [These shares are] an obligation [imposed] by Allah. Indeed, Allah is ever Knowing and Wise﴾

Chapter of Women. Verse NO 11

﴿And for you is half of what your wives leave if they have no child. But if they have a child, for you is one fourth of what they leave, after any bequest they [may have] made or debt. And for the wives is one fourth if you leave no child. But if you leave a child, then for them is an eighth of what you leave, after any bequest you [may have] made or debt﴾ Chapter of Women.

As for lack of parents or children (AL-Kalalah):

God says ﴿And if a man or woman leaves neither ascendants nor descendants but has a brother or a sister, then for each of them is a sixth. But if they are more than two, they share a third, after any bequest which was made or debt, as long as there is no detriment [caused]. [This is] an ordinance from Allah, and Allah is Knowing and Forbearing﴾

Chapter of Women. Verse NO 12

◆ Then the provision in the previous verse has been abrogated in the last verse of Chapter of Women ﴿They ask you for a legal opinion. Say: “Allah directs you about those who leave no descendants or ascendants [as heirs].” If a man dies, leaving no child but [only] a sister, she will have half of what he left. And he inherits from her if she [dies and] has no child. But if there are two sisters [or more], they will have two-thirds of what he left. If there are both brothers and sisters, the male will have the share of two females. Allah makes clear to you [His Law], lest you go astray. And Allah is Knowing of all things﴾

Chapter of Women. Verse NO 176

Practical examples of inheritance

The Dead	His/Her Heirs	Shares
A man	Wife, daughter, daughter of his sister (niece), sister of his mother.	Wife: 1/8 Daughter: 1/2 Niece: no share. Sister: the remaining portion.
A man	Mother, brother from his mother (half-brother), paternal aunt, son of his paternal uncle (cousin).	Mother: 1/3 Half-brother: 1/6 Paternal aunt: no share. Cousin: the remaining portion.

A man	Two daughters, two sisters from his father (two half-sisters), son of his brother (nephew).	Two daughters: 2/3 Two half-sisters: the remaining portion. Son of his brother: no share
A man	Wife, two daughters, paternal uncle, paternal aunt.	Wife: 1/8 Two daughters: 2/3 Uncle and aunt: the remaining portion.
A man	Two wives, two sons.	Two wives: 1/8 Two sons: the remaining portion.
A man	Father, mother, grandfather, three sons.	Father: 1/6 Mother: 1/6 Grandfather: no share Three sons: the remaining portion
A man	Mother, three daughters, brother	Mother: 1/6 Three daughters: 2/3 Brother: the remaining portion.
A woman	Husband, mother, three daughters, brother, sister.	Husband: 1/4 Mother: 1/6 Three daughters: 2/3 Brother: no share Sister: no share
A woman	Husband, mother, sister, brothers or sisters from her mother (half-brothers or half-sisters)	Husband: 1/2 Mother: 1/6 Sister: 1/2 Half-brothers or half-sisters: 1/3
A woman	Husband, son.	Husband: 1/4 Son: the remaining portion.
A woman	Husband, son, two daughters.	Husband: 1/4 Son and two daughters: the remaining portion so that the son has the share of two sisters.
A woman	Mother, father, two daughters.	Mother: 1/6 Father: 1/6 Two daughters: 2/3

Bequest

At the beginning of Islam, it was a duty upon the dead to bequeath all his wealth to his parents and relatives. Then, the duty of bequest has been abrogated by the verse of inheritance and it has become recommended to bequeath one third or less of the estate to any person other than heirs. God says ﴿Prescribed for you when death approaches [any] one of you if he leaves wealth [is that he should make] a bequest for the parents and near relatives according to what is acceptable- a duty upon the righteous﴾ Chapter of the Heifer. Verse NO 180

– A bequest is applied on the day of death, and it is disliked when its value is more than third of the estate, except if the heirs agree to that.

●Sa'd ibn Abi Waqqas reported: The Messenger of Allah visited me in my illness which became severe in the year of farewell pilgrimage. I said, “O Messenger of Allah, you see how sick I am. I have much property but have no heir except my only daughter. May I give two thirds of my property in

charity?" He said, **"No."** I said, "Half of it?" He said, **"No."** I said: "One third?" He said, **"One third, and one third is a lot, for to leave your heirs rich is better than to leave them poor, begging of others."** [Agreed upon].

◆ It should be noted that Sa'd ibn Abi Waqqas lived afterwards and led Muslim armies to victory in the Battle of Qadisiyyah to conquer Iraq in 15 A.H.

● Abu-Hurairah reported: I heard the Messenger of Allah say: **"Allah has given every person who has rights his due, and there is no bequest to an heir."**

A person to whom a part of the wealth is bequeathed must be: Muslim, adult, and rational.

A bequest can be for a legitimate purpose or in the way of Allah. But it is prohibited to make a bequest to places of entertainment or disobedience or to non-Muslims.

Difference between a gift and a bequest

Some people confuse a gift with a bequest, but the difference between them is that:

A bequest: is applied only after the death of the person who has made it.

A gift: is applied in the lifetime of the donor of it.

◆ Sometimes someone makes a bequest to one of his close relatives by a mock contract, i.e., he sells him one of his properties without taking money. Afterwards, he dies and his heirs are surprised that they will be deprived of this property, then hate spreads between them and this close relative. This manipulation is absolutely prohibited.

But he is allowed to distribute a part of his wealth equally between his children in his lifetime and let the remaining portion of his wealth be distributed after his death according to Islamic inheritance laws.

An example of a gift

● Nu'man ibn Basheer (May Allah be pleased with him) reported: My father donated to me some of his property. My mother 'Amra bint Rawaha said: "I shall not be pleased (with this act) until you make Allah's Messenger a witness to it." My father went to Allah's Apostle in order to make him the witness of the donation given to me. Allah's Messenger said to him: **"Have you done the same with every son of yours?"** He said, "No." Thereupon he (the Holy Prophet) said, **"Fear Allah, and observe equity in case of your children."** My Father returned and got back the gift.

And in another narration the Prophet said, **"Then do not ask me to bear witness, for I will not bear witness to unfairness."**

● Abu-Hurairah reported: A person came to the Apostle of Allah (P.P.B.U.H) and said: "O Messenger of Allah, which alms is the greatest in reward?" He said, **"The alms which you give while you are healthy, miser, afraid of poverty, and still hoping to live (as rich). Do not delay it to the time when you are about to die and then say, 'This is for so and so, and this is for so and so.' And it has already belonged to so and so (as it is too late)."** [The Two Scholars].

MARRIAGE



Zawaj

MARRIAGE

Its provision for a man: It is recommended for the one who can afford its expenses and longs for it. But, it is disliked for the one who does not long for it.

● It was narrated from Ibn Mas'ud that the Prophet said, **“O young men, whoever among you can afford to get married, let him do so, for it restrains eyes** (from casting evil glances at other women), **and saves private parts from committing illegal sexual relation. But he who cannot afford it should fast, as fasting is a means of controlling the sexual desire.”** [AL-Bukhari and Muslim].

Its provision for a woman: It is absolutely recommended, for it is a support and protection for her.

Prohibitions for a man in marriage:

There are three causes of prohibition in marriage: relationship, fostership, and affinity.

Absolute prohibition: It is irreversible, no matter how much things change.

① It is prohibited for a man to marry his mother, grandmother, daughter, granddaughter, his niece, and their offspring. Also, he is prohibited to marry his aunt, his father's aunt, and mother's aunt.

② It is prohibited for a man to marry the woman who has breast-fed him while he was an infant. Also, it is prohibited for him to marry her daughter, whether the daughter has breastfed with him or she is the another one who is older or younger than her. This is because he has become a member of this family. This prohibition is NOT applied to his brothers and sisters, and her brothers and sisters. (For example: his brother can marry her sister).

③ It is prohibited for a man to marry:

□ The mother of his wife.

□ His step-daughter (the daughter of his wife or the daughter of his wife's son) if he has consummated the marriage with the mother.

□ His step mother as soon as his father concludes the contract of his marriage to her (even if his father has not consummated with her).

□ His son's wife.

□ His grandson's wife.

A rule:

Concluding a contract of marriage to a daughter prohibits the marriage to her mother, but consummating the marriage with a mother prohibits the marriage to her daughter, i.e., it is prohibited for you to marry your mother-in-law as soon as you conclude the contract of your marriage to her daughter, even if you have divorced her daughter afterwards.

Temporary prohibition:

It is prohibited to marry:

□ Two sisters simultaneously.

□ A woman and her paternal aunt simultaneously.

□ A woman and her maternal aunt simultaneously.

◆ It is a temporary prohibition that ceases if the wife is dead or divorced.

God says ﴿**And do not marry those [women] whom your fathers married, except what has already occurred. Indeed, it was an immorality and hateful [to Allah] and was evil as a way**﴾ Chapter of Women. Verse NO 22

And He says ﴿**Prohibited to you [for marriage] are your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, your brother's daughters, your sister's daughters, your [milk] mothers who nursed you, your sisters through nursing, your wives' mothers, and your step-daughters under your guardianship [born] of your wives with**

whom you have consummated. But if you have not consummated with them, there is no sin upon you. And [also prohibited are] the wives of your sons who are from your [own] loins, and that you take [in marriage] two sisters simultaneously, except for what has already occurred. Indeed, Allah is ever Forgiving and Merciful» Chapter of Women.

Verse NO 23

- It was narrated from Abi-Hurairah that the Messenger of Allah said, **“One cannot combine a woman and her paternal aunt, or a woman and her maternal aunt in marriage.”** [AL-Bukhari].
- Ibn 'Abbas reported: It was said to the Prophet (P.P.B.U.H), “Won’t you marry the daughter of Hamzah?” He said, **“She is my foster niece (brother’s daughter).”** [AL-Bukhari].
- ◆ Thuwaibah, the slave girl of Abi Lahab, has breast-fed the Prophet and his paternal uncle Hamzah.

Things to be considered in choosing a husband or a wife:

① A girl’s family must ask carefully about the suitor, his manners, and his transactions. The one who is asked about a suitor must know that it is a trust and he will be asked about his witness before God.

- Fatimah bint Qais said: I came to the Prophet and said to him: “Mu’awiyah and Abu-Jahm sent me a proposal of marriage.” The Messenger of Allah (P.P.B.U.H) said, **“As for Abu Jahm, he does not put down his stick from his shoulder** (i.e. he travels a lot, or he is very hard on women), **and as for Mu’awiyah, he is a poor man with no property. Marry Usamah ibn Zayd.”** I objected to him, but he again said, **“Marry Usamah.”** So, I married him, and Allah put good in it. [Muslim].

② The girl must be righteous, from a good family environment. As she cannot do without her family. If they are vicious, they will spoil her.

- The Messenger of Allah said, **“Let me inform you about the best a man hoards; it is a righteous woman who pleases him when he looks at her, obeys him when he gives her a command, and guards his interests when he is away from her.”** [Abu-Daoud].
- It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet said, **“When someone, whose religion and character you are pleased with, comes to you, then marry (your daughter or female relative under your care) to him, for if you do not do that, there will be turmoil (Fitnah) in the land and widespread corruption.”** [AL-Tirmidhi].
- It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“A woman is married for four things, i.e., her wealth, her family status, her beauty, and her religion. So you should marry the religious woman (otherwise) your hand will be besmeared with dust (you will be a loser).”** [AL-Bukhari and Muslim].

③ It is prohibited for a Muslim to send a proposal of marriage to an engaged woman.

- It was narrated from Abi-Hurairah that Allah’s Apostle said, **“A man should not propose to a woman to whom his brother has already proposed.”** [Muslim].

④ A suitor should look at the woman that he wants to marry. Islam likes clarity, so he should look at her face and hands, and hear her voice, as she may be a dumb or a lisper.

- Abu-Hurairah reported: I was in the company of Allah’s Messenger (May peace be upon him) when there came a man and informed him that he had proposed marriage to a woman of the Supporters (AL-Ansaar). Thereupon, Allah’s Messenger said: **“Have you seen her?”** He said, “No.” He said: **“Go**

and look at her.” [Muslim].

Also, she should look at her suitor.

⑤ It is a Sunnah to marry a virgin.

●Jaber ibn Abd Allah reported: My father died and left seven or nine girls and I married a matron. Allah’s Apostle said to me, “O Jabir! Have you married?” I said. “Yes.” He said, “A virgin or a matron (previously married)?” I replied, “A matron.” He said, “Why not a virgin, so that you might play with her and she with you, and you might amuse her and she amuse you.” I said, “Abdullah (my father) died and left girls, and I dislike marrying a girl like them, so I married a lady (matron) so that she may look after them.” On that he said, “May Allah bless you.” or “That is good.” [AL-Bukhari].

⑥ A Muslim should marry a Muslim woman. God says ﴿And do not marry polytheistic women until they believe. And a believing slave woman is better than a polytheist, even though she might please you. And do not marry polytheistic men [to your women] until they believe. And a believing slave is better than a polytheist, even though he might please you. Those invite [you] to the Fire, but Allah invites to Paradise and to forgiveness, by His permission. And He makes clear His verses to the people that perhaps they may remember﴾ Chapter of the Heifer. Verse NO 221

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ENGAGEMENT

It is a promise of marriage, later, from the fiancé to the guardian of the fiancée, so that the suitor and the bride have been contented with each other and it has been agreed on everything.

Provision of engagement in Islam: It does not make the lawful thing unlawful, or the unlawful thing lawful. But, it is a period of introduction to marriage and an acquaintance between the two parties in presence of an unmaritable relation (*Mahram*) before concluding the marriage contract. So, the fiancé is not allowed to see more than the face and hands of his fiancée, and not allowed to be alone with her.

Marriage pillars: a husband, a wife, a wife’s guardian, two witnesses, and a text.

Conditions of the guardian and the two witnesses: They must be Muslims, adult, rational, just, and male. The witnesses must know the language of the two parties of the marriage contract, and must be not be blind or deaf.

–Marriage contract is not valid if the witnesses are two women, or a man and two women. Also, a woman cannot be a guardian of another woman in marriage contract.

–A guardian and witnesses must be men as a man knows his own kind well and can deal with the suitor. There must be a particular attention paid to marriage and any dispute between the young spouses. God says ﴿And if you fear dissension between the two, send an arbitrator from his people and an arbitrator from her people. If they both desire reconciliation, Allah will cause it between them. Indeed, Allah is ever Knowing and Acquainted [with all things]﴾ Chapter of Women. Verse NO 35

Guardians of a woman in marriage:

Her father, if not present, then her grandfather (the father of her father), then her brother, then her paternal uncle in the order.

Conditions of a husband: □He must be a Muslim. □Not unmaritable relation (not *Mahram*).

- Not forced to marry his wife. □ He must be known by name.
- He must know if his wife a virgin or a matron.

Conditions of a wife:

- She must be known by name (her guardian must not say: “I have married you to one of my daughters”).
- Not unmaritable relation. □ Not married at the same time to another man.
- Not in the waiting period. □ Not forced to get married.

Conditions of the text:

- It must be expressed verbatim, such as “I have married you to....”
- It must be not conditioned upon a specific event. For example: Do not say, “I would marry my daughter to you if you harvested cotton.”
- ◆ A woman can condition that her husband does not marry another woman during their marriage.
- AL-Miswar ibn Makhramah reported: I heard Allah’s Apostle who was on the pulpit saying, **“Banu Hisham ibn AL-Mughirah have requested me to allow them to marry their daughter to 'Ali ibn Abi Talib, but I do not give permission, and will not give permission unless 'Ali ibn Abi Talib divorces my daughter in order to marry their daughter, because Fatimah is a part of my body, and what displeases her displeases me, and what hurts her hurts me.”** [AL-Bukhari].

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FOSTERSHIP

If a woman breast-fed an infant, it becomes her son/or daughter on two conditions:

- a) Its age is less than two years.
- b) She breast-feeds it five separate times.
- It was narrated from 'Aishah (May Allah be pleased with her) that the Prophet (P.P.B.U.H) said, **“Breastfeeding is because of hunger** (during infancy).” [AL-Bukhari].
- As a result of fostership, her husband will be a father of this infant, whether it is a male or a female.

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THE ISSUE OF POLYGAMY

Islam has allowed polygamy in certain situations as:

- Sterility of a woman, during wars in which thousands of men die and women increase in number, also to face the weakness of will in some men.
- In the previous situations, polygamy is more honorable, for both of men and women, than taking mistresses which is approved in some societies.

***Islam did not innovate polygamy:**

- [1] Abraham (peace be upon him) married four women.
 - [2] Daoud (peace be upon him) married about one hundred of women, and his son Sulaiman had one thousand of slave-girls and free women.
 - [3] The Torah allowed having a countless number of women.
 - It was narrated from Abi-Hurairah that the Prophet said, **“Sulaiman ibn Daoud (Solomon ‘the son of David’) said, ‘Tonight I will sleep (have an intercourse) with seventy women; all of them will deliver a male child who will fight in the way of Allah.’ It was said to him: ‘Say: If Allah wills.’ But he did not say. He had sexual relations with them but none of them delivered any child, except one who delivered a half person. If Sulaiman had said: ‘If Allah wills’, his wives would have delivered the children who would all have grown up into horsemen and fought in the way of Allah.”**
- [The Two Scholars].

God says ﴿And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may not incline [to injustice]﴾ Chapter of Women. Verse NO 3

● Abu-Qais ibn AL-Harith reported: I embraced Islam while I had eight wives. So, I mentioned it to the Prophet and he said: **“Select four of them.”** [Abu-Daoud].

● And in the narration of AL-Tirmidhi that a man from Thaqif had ten wives when he became a Muslim. Then the Prophet said to him, **“Take four and separate from the rest.”**

This polygamy is allowed on two conditions:

a) To be a just in the care of your wives and your children.

b) To own the necessary resources required to spend on these houses, i.e., do not let your wives and children barefooted, naked, and begging of others, especially in our modern life, in which an individual needs are several, and it is rare to find the one who has the mental and the financial skill to succeed in that.

God says ﴿And you will never be able to be equal [in feeling] between wives, even if you should strive [to do so]. So, do not incline completely [toward one] and leave [another] hanging. And if you amend [your affairs] and fear Allah- then indeed, Allah is ever Forgiving and Merciful﴾ Chapter of Women. Verse NO 129

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“When a man has two wives and he is not just between them, he will come on the Day of Judgment with one side drooping.”** [AL-Tirmidhi].

● It was narrated from Abd- Allah ibn 'Amr that the Messenger of Allah said, **“It is a sufficient sin for a man that he neglects those whom he maintains.”** [Abu-Daoud].

● And the Prophet (P.P.B.U.H) said in his talk to Sa'd ibn Abi Waqqas, **“To leave your heirs rich is better than to leave them poor begging of others.”** [AL-Bukhari].

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DIVORCE

● It was narrated from Muharib that the Prophet said, **“Allah did not make anything lawful more hated to Him than divorce.”** [Abu-Daoud].

● It was narrated from Abd- Allah ibn 'Umar that the Messenger of Allah said, **“Of all the lawful acts, the most hated to Allah is divorce.”** [Abu-Daoud and Ibn Majah].

● It was narrated from Jabir (May Allah be pleased with him) that the Prophet said, **“Iblis places his throne upon water; he then sends detachments (for creating dissension); the nearer to him in rank are those who are most notorious in creating dissension. One of them comes and says, ‘I did so and so.’ And he says, ‘You have done nothing.’ Then one among them comes and says, ‘I did not spare so and so until I sowed the seeds of discord between a husband and a wife.’ Iblis goes near him and says, ‘You have done well.’”** [Muslim].

Types of divorce

◆ If a man divorced his wife once, he would be allowed to return to her during the waiting period. The same thing would occur in the second time. If the waiting period ended and he did not return to her, he would not be allowed to return to her except after new contract and dower. In this case, divorce would be minor irrevocable.

◆ If the wife was divorced for the third time, divorce would be major irrevocable and she would not

be allowed to return to her husband except after a stable marriage to another man (i.e. marriage not conditioned upon divorce).

God says ﴿Divorce is twice. Then, either keep [her] in an acceptable manner or release [her] with good treatment﴾ Chapter of the Heifer. And says ﴿And if he has divorced her [for the third time], then she is not lawful to him afterward until [after] she marries a husband other than him﴾ Chapter of the Heifer.

●'Aishah reported: A man divorced his wife thrice, then she married another man who divorced her before having sexual intercourse with her. The Prophet was asked if she could legally marry the first husband (or not). The Prophet replied, **“No, she cannot marry the first husband unless the second husband tastes her sweetness (consummates marriage with her), just as the first husband has done.”** [The Two Scholars].

Note that:

If divorce occurs before consummating marriage with the wife, she gives the husband half of the prompt dower and takes only half of the deferred dower. As for presents, scholars have different opinions about them.

God says ﴿And if you divorce them before you have touched them and you have already specified for them an obligation, then [give] half of what you specified- unless they forego the right or the one in whose hand is the marriage contract foregoes it. And to forego it is nearer to righteousness. And do not forget graciousness between you. Indeed Allah, of whatever you do, is seeing﴾ Chapter of the Heifer. Verse NO 237

THE WAITING PERIOD

A woman in the waiting period is either a widow or not a widow.

A widow is either:

a) A pregnant, and in this case her waiting period ends when she gives birth, even if the delivery occurs after days of her husband's death.

●Umm Salamah reported: Subay'a AL-Aslamiya gave birth half a month after the death of her husband, and two men asked to marry her. She went to the Messenger of Allah and he said, **“You are free to marry, so marry whomever you wish.”** [AL-Bukhari].

b) Not pregnant, and in this case her waiting period is four Islamic months and ten nights (130 days). She should commit to mourning throughout the waiting period, and refrain from adornment and applying perfume. She should stay at home and never goes out, except for a need.

●The Prophet (P.P.B.U.H) said, **“A woman whose husband has died must not wear any jewellery. She must not apply Kohl (cosmetic eye powder to darken the eyelids) and Henna (camphire).”** [Abu-Daoud and AL-Nasa'i].

God says ﴿And those who are taken in death among you and leave wives behind- they, [the wives, shall] wait four months and ten [days]. And when they have fulfilled their term, then there is no blame upon you for what they do with themselves in an acceptable manner. And Allah is [fully] Acquainted with what you do﴾ Chapter of the Heifer. Verse NO 234

●It was narrated from Umm Habibah, the wife of the Prophet, that the Prophet (P.P.B.U.H) said, **“It is not permissible for a woman who believes in Allah and the Last Day to mourn for anyone who dies for more than three days, except for a husband; she should mourn for him for four months and ten (days).”** [The Two Scholars].

The one who is not a widow may be:

a) A divorced before consummating marriage with her. She has no waiting period.

God says ﴿O you who have believed, when you marry believing women and then divorce them before you have touched them, then there is not for you any waiting period to count concerning them. So, provide for them and give them a gracious release﴾ Chapter of the Confederates (*Surat AL Ahzaab*). Verse NO 49

b) A pregnant. And in this case her waiting period ends when she gives birth. God says ﴿And for those who are pregnant, their term is until they give birth﴾ Chapter of Divorce.

c) Not pregnant. And in this case her waiting period is three menstrual periods. Her husband can return to her during the waiting period. God says ﴿And divorced women remain in waiting for three periods, and it is not lawful for them to conceal what Allah has created in their wombs if they believe in Allah and the Last Day. And their husbands have more right to take them back in this [period] if they want reconciliation. And due to the wives is similar to what is expected of them, according to what is reasonable. But the men have a degree over them [in responsibility and authority]. And Allah is Exalted in Might and Wise﴾ Chapter of the Heifer. Verse NO 228

But, if she is post-menopausal woman, her waiting period will be three Islamic months.

God says ﴿And those who no longer expect menstruation among your women- if you doubt, then their period is three months, and [also for] those who have not menstruated. And for those who are pregnant, their term is until they give birth. And whoever fears Allah- He will make for him of his matter ease﴾ Chapter of Divorce. Verse NO 4

Woman's rights during the waiting period

① If it is a revocable divorce (for the first or the second time), she will have the right of residence, maintenance, and clothing.

② If it is an irrevocable divorce (for the third time), she will have the right of residence only, unless she is pregnant. God says ﴿Lodge them [in a section] of where you dwell out of your means and do not harm them in order to oppress them. And if they should be pregnant, then spend on them until they give birth﴾ Chapter of Divorce.

PROVISIONS OF LOOKING AT A WOMAN

① When a woman looks at another woman, is the same as when a man looks at another man.

It is allowed, unless one of them looks at the private part of the another one (it is prohibited).

● It was narrated from Abi-Sa'id AL-Khudri that the Messenger of Allah said, **“A man must not look at a man’s private parts, and a woman must not look at a woman’s private parts.”** [Muslim].

② A man’s look at a strange woman is not allowed except looking at her face and hands.

If looking at her face and hands leads him to do something unlawful, it is prohibited.

● Ibn Buraidah narrated from his father that the Prophet said, **“O Ali! Do not follow a look with a look, the first is for you, but the next is not for you** (you have no right to the next).” [Abu-Daoud].

● It was narrated from Abi-Hurairah that the Prophet said, **“Every eye will be weeping on the Day of Judgment, except an eye that has not stared at unlawful things, an eye that has stayed awake in the way of Allah, and an eye that has wept from the fear of Allah.”**

God says ﴿Tell the believing men to reduce [some] of their vision and guard their private parts﴾ Chapter of Light. And says ﴿And tell the believing women to reduce [some] of their vision and guard their private parts and not expose their adornment except that which [necessarily] appears thereof and to wrap [a portion of] their head covers over their chests﴾ Chapter of Light. He also says ﴿Indeed, the hearing, the sight, and the heart- about all those [one] will be questioned﴾ Chapter of the Night Journey.

③ A man’s look at his wife is allowed and permissible. A woman’s look at her husband is also allowed and permissible. If one of them died, he/or she would be considered as an unmaritable relation (*Mahram*) for the another one.

④ A man’s look at his unmaritable relations is permissible, except looking at private parts.

⑤ A man’s look at a woman for marriage is permissible, indeed, it is a Sunnah as mentioned before in the Prophetic traditions. In this case, he is allowed to see only her face and hands. If it is not possible to see her, he can send a woman to see her and then she describes her to him.

⑥ A man’s look at a woman in order to treat her is permissible on condition that he is looking only at her body sites to be treated and in presence of her husband, or an unmaritable relation, or a trusted woman. It is permissible for a woman to treat a man in presence of others. But, it is more proper that a woman treats women, and a man treats men. A Muslim physician is preferable to a non-Muslim one, also a Muslim female physician is preferable to a non-Muslim one.

⑦ A man’s look at a woman for witness and transactions is permissible (to her face only), and on condition that there is no trial.

● It was narrated from Usamah ibn Zayd that the Prophet (P.P.B.U.H) said, **“I have not left behind me a more harmful trial for men than women.”** [Muslim].

● It was narrated from Abi-Sa'id AL-Khudri that the Prophet said, **“This world is sweet and green, and Allah makes you generations succeeding one another therein in order to see how you act. So, beware of (the temptations of) this world and beware of (the temptations of) women. Verily, the first trial for the people of Isra'il was caused by women.”** [The Two Scholars].

*It is a Sunnah that men shake hands with each other, and women shake hands with each other, but it is prohibited for a man to shake his hand with a woman.

*Hugging and kissing between men or between women is disliked, except for the one who is coming from travel or coming after moving away for a long time.

●'Aishah (May Allah be pleased with her) reported: If the Messenger of Allah accepted the believing women's oath of allegiance (for Islam) and they agreed and confessed that with their tongues, he would say to them, **"You may go, for you have given your pledge."** By Allah, the hand of the Messenger of Allah never touched the hand of a woman, but he only used to take their pledge orally. [AL-Bukhari].

●Anas ibn Malik reported: A man asked, "O Messenger of Allah! When a man meets a brother or a friend, should he bow to him?" He said, **"No."** The man asked, "Should he embrace him and kiss him?" He said, **"No."** He said, "Should he take his hand and shake it?" He said: **"Yes."** [AL-Tirmidhi].

OATHS

and

VOWS

OATHS

A person uses an oath to confirm the truth of his saying. In the Holy Qur'an, Allah swears by every great creature (and all His creatures are great). For example He says ﴿By the sky and the night comer﴾ ﴿By the sun and its brightness﴾ ﴿So by your Lord, We will surely question them all﴾ The Prophet has sworn by God only. For example: **“By Him in Whose Hand my soul is.”**
“By Him in Whose Hand Muhammad’s soul is.”

It is prohibited for a Muslim to swear by anything or anyone other than Allah. If anyone did so, he would be a polytheist.

● Ibn Mas'ud (May Allah be pleased with him) reported: Allah’s Apostle met 'Umar ibn AL-Khattab while the latter was going with a group of camel-riders, and he was swearing by his father. Allah’s Messenger called them and said, **“Verily! Allah forbids you from swearing by your fathers. So, let the one who swears, swear by Allah, or be silent.”** [The Two Scholars].

● Ibn 'Umar reported: I heard the Messenger of Allah saying, **“He who swears by anyone or anything other than Allah, has indeed become a disbeliever or a polytheist.”** [AL-Tirmidhi and Abu-Daoud].

*Swearing a lot in everything is an obnoxious character that is inappropriate for a Muslim. God says ﴿And do not obey every worthless habitual swearer﴾ Chapter of the Pen. Verse NO 10

There are three types of oaths:

□ Deliberate oath.

□ Unintentional oath.

□ False oath.

① Deliberate oath:

When a Muslim swears to do something or not to do it in future, and then he cannot accomplish what he intended, i.e., he has broken his oath, he has to expiate for his broken oath.

◆ Mistah ibn Uthathah was poor, and Abu-Bakr used to be charitable to him and empathize with him. However, Mistah participated in the slander-mongering about his maternal aunt’s daughter 'Aiashah. When her innocence had appeared, her father Abu-Bakr swore to withhold his assistance to him.

When this verse was revealed ﴿And let not those of virtue among you and wealth swear not to give [aid] to their relatives and the needy and the emigrants for the cause of Allah, and let them pardon and overlook. Would you not like that Allah should forgive you? And Allah is Forgiving and Merciful﴾ (Chapter of Light. Verse NO 22), he responded to it, assisted Mistah again, and expiated for his broken oath.

◆ Once, the Prophet swore not to drink the honey, after 'Aishah and Hafsah had claimed that it had smelt bad. When the verse was revealed ﴿O Prophet, why do you prohibit [yourself from] what Allah has made lawful for you, seeking the approval of your wives? And Allah is Forgiving and Merciful﴾ (Chapter of Prohibition. Verse NO 1), he expiated for his broken oath.

God says ﴿Allah has already ordained for you [Muslims] the dissolution of your oaths. And Allah is your protector, and He is the Knowing, the Wise﴾ Chapter of Prohibition. Verse NO 2

And says ﴿And do not make [your oath by] Allah an excuse against being righteous and fearing Allah and making peace among people. And Allah is Hearing and Knowing﴾ Chapter of the Heifer. Verse NO 224

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **“When you swear an oath and consider something else to be better than it, make expiation for your oath and do the thing that is better.”** [Muslim].

How to expiate for a broken oath?

1) Feeding ten needy people or clothing them. It is impermissible, for example, to feed half of them and clothe the other half. Feed all of the ten people, or clothe all of the ten people. Feeding cost for each one of them should equal to the cost of one lunch meal.

2) If you do not have enough money for expiation, fast on three days. It is not necessary to be consecutive days. God says ﴿Allah will not impose blame upon you for what is meaningless in your oaths, but He will impose blame upon you for [breaking] what you intended of oaths. So, its expiation is feeding ten needy people from the average of that which you feed your [own] families or clothing them or freeing a slave. But whoever cannot find [or afford it] - then a fast of three days [is required]. That is the expiation for oaths when you have sworn. But guard your oaths. Thus does Allah make clear to you His verses that you may be grateful﴾ Chapter of the Table. Verse NO 89

② Unintentional oath:

Some people rush into swearing, for example, to invite a friend to eat or take something, and then he or she does not do so. This oath does not necessitate an expiation.

③ False oath (Yamiin Ghamuus):

It is called “*Ghamuus*” because it causes the person who makes it to be ‘dipped’ in Hell-Fire on the Day of Judgment. It is one of the major sins. It occurs when a Muslim swears, falsely, that something happened in the past (and indeed it did not happen) or gives a false testimony upon payment of a handful of pounds. God says ﴿Indeed, those who exchange the Covenant of Allah and their [own] oaths for a small price will have no share in the Hereafter, and Allah will not speak to them or look at them on the Day of Judgment, nor will He purify them, and they will have a painful punishment﴾ Chapter of the Family of Imran. Verse NO 77

● It was narrated from Abi-Hurairah that the Messenger of Allah (P.P.B.U.H) said, “**There are three persons whom Allah will neither talk to nor look at, nor purify from (the sins), and they will have a painful punishment.** (They are): **A person, who in the waterless desert, has more water (than his need) and he refuses to give it to the traveller. A person who pledges allegiance to a leader (Imam) just for some worldly benefit, and then if the leader bestows him (something out of that) he fulfills his allegiance, and if does not give him, he does not fulfill it. And a person who takes a false oath that he has been offered for a commodity a price greater than what he has actually been offered.**” [AL-Bukhari].

● It was narrated from Abi Umamah that the Messenger of Allah (P.P.B.U.H) said, “**Whoever cuts off the right of a Muslim by (swearing a false) oath, Allah makes Paradise unlawful for him, and the Fire required for him.**” They said: “O Messenger of Allah, even if it is something small? He said, “**Even if it is a tooth-stick,**” repeating it three times. [Muslim].

*Those who swear falsely to you also do the same thing in front of God on the Day of Judgment. God says ﴿On the Day Allah will resurrect them all, and they will swear to Him as they swear to you and think that they are [standing] on something. Unquestionably, it is they who are the liars﴾ Chapter of the Pleading Woman. Verse NO 18

VOWS

A vow is something that a rational adult Muslim commits himself to do, by making an offering to Allah if a certain goal is achieved for him. Allah has praised those who fulfill their vows in the verse ﴿**They** [are those who] **fulfill** [their] **vows and fear a Day whose evil will be widespread**﴾ Chapter of Man. Verse NO 7

◆ If a Muslim failed to fulfill his vow, he would expiate for it, and its expiation would be the same as that of a broken oath.

● It was narrated from 'Uqbah ibn 'Amir that the Prophet said, **“The expiation of a vow (Nadhr) is (the same as) the expiation of an oath.”** [Muslim].

Note that:

① **A vow must be for an obedience.** For example, a Muslim is not allowed to make an offering to Allah if he could kill someone.

● It was narrated from 'Aishah that the Prophet (P.P.B.U.H) said, **“Whoever vows to obey Allah, let him obey Him. But whoever vows to disobey Allah, let him not disobey Him.”** [AL-Bukhari].

② **A vow must not be for an invented heresy, or for something that the vower cannot do it.**

● Ibn 'Abbas reported: While the Prophet was delivering a speech, he saw a man standing, so he asked about that man. They said, “It is Abu Isra'il who has vowed that he will stand and never sit down, and he will never come in the shade, nor speak to anybody, and will fast.” The Prophet said, **“Order him to speak, let him come in the shade, and make him sit down, but let him complete his fast.”** [AL-Bukhari].

● 'Uqbah ibn 'Amir reported: My sister made a vow to walk barefooted to Allah's House (AL Ka'bah). Then, she asked me to consult Allah's Messenger about it. I consulted him for a religious verdict and the Prophet replied, **“She should walk on foot and ride also.”** [The Two Scholars].

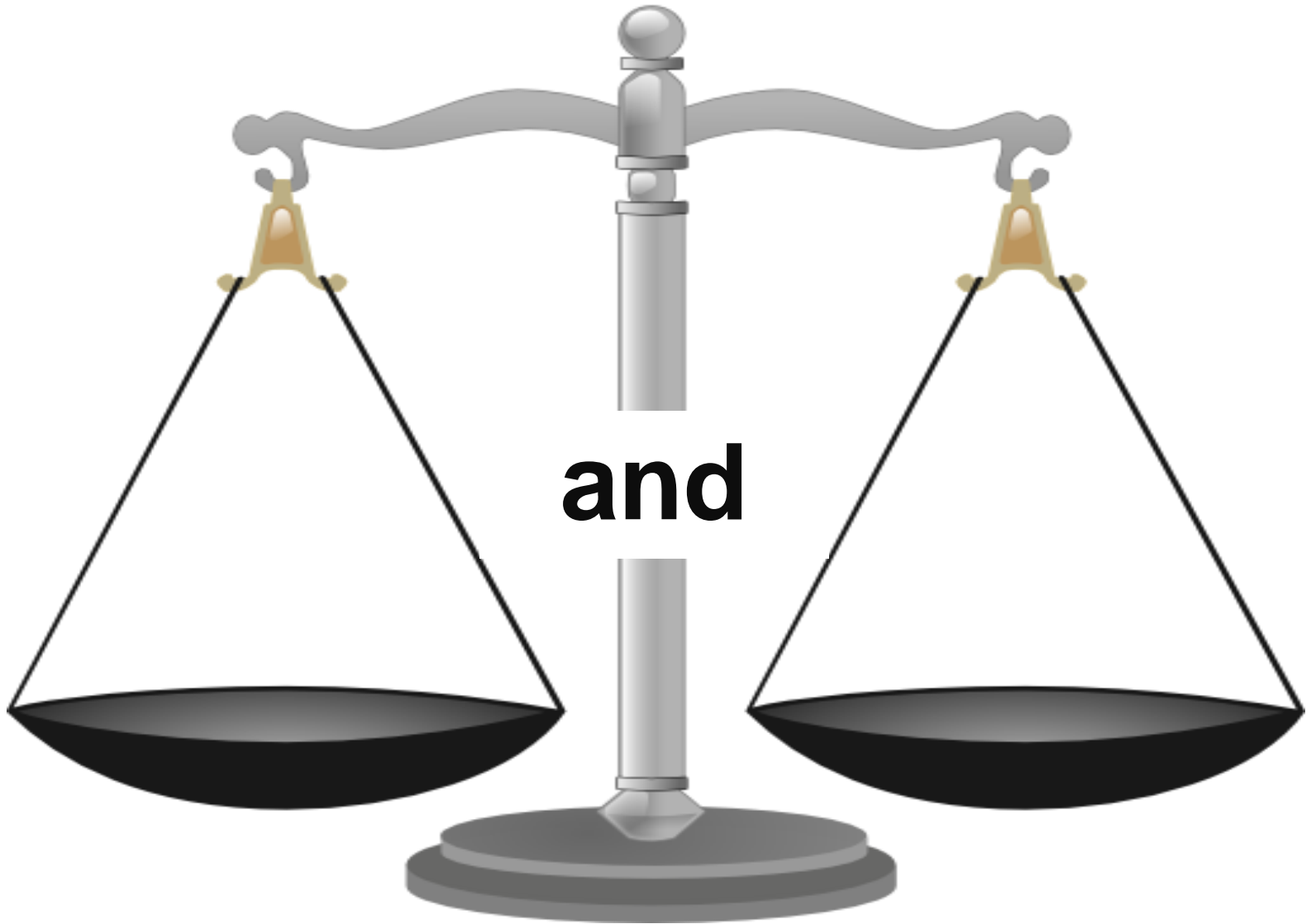
● Abu-Hurairah reported: Allah's Apostle found an old man walking between his two sons supported by them, then he said, **“What is the matter with him?”** His sons said, “O Messenger of Allah, there is (fulfillment) of a vow upon him. The Messenger said, **“Ride, old man, for Allah is not in need of you and your vow.”** [The Two Scholars].

③ **It is better for a Muslim not to commit himself to make a vow,** as it is like a debt that must be paid.

● It was narrated from Abi-Hurairah (May Allah be Pleased with him) that the Prophet (P.P.B.U.H) said, **“Do not make vows, for a vow does not prevent what is decreed at all. Rather, it is just a means of taking wealth from the miser.”** [Muslim].

● Ibn 'Abbas reported: A woman from the tribe of Juhainah came to the Prophet and said, “My mother had vowed to perform pilgrimage but she died before performing it. May I perform it on my mother's behalf?” The Prophet replied, **“Perform it on her behalf. Had there been a debt on your mother, would you have paid it or not? So, pay Allah's debt as He has more right to be paid.”** [AL-Bukhari].

FIXED PENALTIES *(Huduud)*



PUNISHMENTS

FIXED PENALTIES (*Huduud*) and PUNISHMENTS

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“A fixed penalty that is carried out in the land is better for the people of that land than if it were to rain for forty days.”** [AL-Nasa'i and Ibn Majah].

Why fixed penalties are legislated?

God and His Messenger have legislated a number of punishments to encounter wildness and chaos in which societies lived in the pre-Islamic ignorance, where the powerful were preying on the powerless, and lusts were unbridled, so people were more like vicious animals.

Fixed penalties have been legislated so that, before committing a crime, a criminal thinks a thousand times about his scandal and punishment. As a result, punishments are deterrent to him and to the others. Killing a murderer is the punishment for his crime, hand amputation is the punishment for theft, flogging is for an unmarried adulterer, stoning to death is for a married adulterer, flogging is for a wine-drinker, and flogging is for the slanderer of the others without evidence.

Over the years, unfortunately application of fixed penalties has been cancelled and as a result, crime has become widespread because the new punishments are poor and disproportionate to the harm caused to victims.

For instance, what harm can occur to the one who steals millions and leads a charmed life, if he has stayed in prison for some years?! And the beast who kidnaps an innocent girl and destroys her life, how is he punished?!

□ Are fixed penalties restraints or expiations?

He who has committed a crime and has been punished in this world, will he be punished in the Hereafter?

Scholars have two opinions about this issue:

[1] Some of them see that applying fixed penalties in this world is a restraint only.

Because when the one, who thinks about committing a crime, sees that a murderer has been killed, and an adulterer has been flogged or stoned, he will be restrained from doing like them, and thus crime is prevented. But, there is a punishment also in the Hereafter; their evidence of that is the verse ﴿**That is for them a disgrace in this world; and for them in the Hereafter is a great punishment**﴾ Chapter of the Table. And the verse ﴿**But whoever kills a believer intentionally- his recompense is Hell, wherein he will abide eternally, and Allah has become angry with him and has cursed him and has prepared for him a great punishment**﴾ Chapter of Women.

Verse NO 93

The previous verses have not excluded those who repented, i.e., they have not said: “Except those who repented.”

● It was narrated from Ibn 'Abbas that the Prophet (P.P.B.U.H) said, **“A murdered person comes (on the Day of Judgment) holding his own head in one hand and in his other hand, he is holding the clothes of his murderer at the neck, also the murdered person’s jugulum is bleeding. Then (angels make both of them) stand (in front of God) and the murdered person says to Allah, Exalted is He, ‘This one murdered me.’ Then, Allah says to the murderer: ‘Be miserable (cursed are you).’ Then (angels) take him (the murderer) to the Fire.”** [Ahmad].

[2] Another group of scholars sees that fixed penalties are expiations, i.e., exempt from punishment in the Hereafter, and their evidence of that is God's saying about highway robbers ﴿Except for those who return [repenting] before you apprehend them. And know that Allah is Forgiving and Merciful﴾ Chapter of the Table. Verse NO 34. And His saying ﴿Except for those who repent, believe, and do righteous work. For them Allah will replace their evil deeds with good. And ever is Allah Forgiving and Merciful﴾ Chapter of the Criterion (Surat AL Furqaan). Verse NO 70. And there are a lot of traditions about that, for example:

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **“Whoever commits a sin and is punished for it in this world, Allah is too generous to repeat the punishment for His servant in the Hereafter.”** [AL-Tirmidhi].

● And in another tradition the Prophet (P.P.B.U.H) said, **“And whoever commits any of those sins and receives the punishment in this world, that punishment will be an expiation for his sins and purification.”** [AL-Bukhari].

● Also, the tradition about the woman of Ghamid who committed adultery and was stoned, then the Prophet performed (funeral) prayer over her, and thereupon 'Umar said to him: “Are you praying over her even though she has committed adultery?” He said, **“She has repented in a manner that, if it were to be shared among seventy of the people of AL-Madinah, it would suffice them.”** [Muslim].

◆ **This issue is thorny and it is not easy to rule on it by a decisive say due to these considerations:**

① A ruler must apply the penalty, if the crime has been clear. Since Allah has revealed the criminal, or he himself has sought to expiate for it, his punishment in this world will be far less than his scandal and punishment in the Hereafter.

● It was narrated from Ibn 'Umar that the Prophet said, **“Avoid these filthy practices which Allah, the Almighty, has prohibited. He who commits any of those should conceal with Allah's Most High Veil (i.e. should not speak out about it), and should turn to Allah, the Most High in repentance, for if anyone uncovers his hidden sins (to us), we shall inflict on him the punishment prescribed by Allah, the Almighty.”** [AL-Hakim and AL-Muwatta'].

② In the Hereafter, punishment will not be cancelled, if the penalty in this world has been applied to the criminal after chasing him, while he is running away and disappearing. Because he has not repented and if he was able to escape, he would repeat his crime. Also, a person who commits a sin and boasts of it, he is to be punished in the Hereafter, because he encourages the others to act like him.

● Abu Hurairah reported: I heard the Prophet say, **“All the people of my nation will get pardon for their sins except those who publicize them. And (it means) that a servant does a deed at night, which Allah has covered for him, and in the morning he says (to people): ‘I committed such and such sin last night.’ While Allah has kept it a secret. During the night Allah has covered it up, but in the morning he tears up the cover provided by Allah Himself.”** [The Two Scholars].

③ There are two types of sins that servants commit:

□ **Transgression of limits set by Allah.**

□ **Violation of servants' rights.**

◆ **As for Allah's right**, like fasting a day of Ramadan, wine drinking, or abandonment of prayer, if Allah covered His servant's sin, he would be between two things:

① Either Allah knows the truth of his repentance and regret and forgives him in the Hereafter.

● Ibn 'Umar (May Allah be pleased with him) reported: I heard the Messenger of Allah say, **“Allah will bring a believer near Him, envelope him in His care, and cover him. Then He will make him confess his sins. He will ask him: ‘Do you know (that you did) such-and-such sin?’ He says, ‘Yes, my Lord.’ Allah will keep on asking him till he will confess all his sins and will think that he is ruined. Then He will say, ‘I covered them up for you in the life of world, and I forgive them for you today.’ Then he will be given the book of his good deeds.”** [The Two Scholars].

② Or Allah hastens his punishment in this world.

When Allah knows that his faith is true, but he has been vulnerable to Devil’s temptation and has not worked hard to repent, then He causes him to be seriously ill, to have a disobedient child, or to have a bothering neighbor, so that when he bears with this bitterness, this expiates for his sins.

● Yahya ibn Sa'id reported: Death came to a man in the time of the Messenger of Allah. A man said: “He was fortunate; he died without being tried by illness. The Messenger of Allah (P.P.B.U.H) said, **“Alas for you, what will let you know that if Allah had tried him with illness, He would have wiped out his wrong actions.”** [Narrated from Malik in AL-Muatta'].

● It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“A Muslim, male or female, continues to remain under trial in his self, offspring, and wealth until he meets Allah, the Exalted, without having any sin.”** [AL-Tirmidhi].

So, this kind of sins entails that the sinner keeps it secret, i.e., no one should know it but Allah, works hard to repent, and stops talking about it. If a sinner talked about his sin, those of little faith may say, “This one disobeyed Allah and was not injured.” Then, they dare to commit sins.

◆ **As for servants’ rights**, they are imprescriptible. They must be given back to their owners.

● In Sahih Muslim, Abu-Hurairah reported that the Prophet (P.P.B.U.H) said: **“Do you know who is the bankrupt?”** They said: “The bankrupt among us is the one who has neither money with him nor any property.” He said, **“The real bankrupt of my nation (Ummah) is the one who comes on the Day of Judgment with prayers, fasts, and obligatory charity, but he comes having abused this one, falsely accusing that one, unlawfully consuming the wealth of this one, spilling the blood of that one, and beating this one. So his merits are credited to the account of those (who suffered at his hands). And if his merits are exhausted before they clear the account, then their sins will be entered in his account and he will be thrown in the Hell.”**

Allah, mercifully, may forgive minor sins if the sinner is away from great sins.

Great sins are like: disobedience to parents, magic, murder, forged speech, usury, devouring the property of orphans, causing harm to a neighbour, theft, adultery, slander, and fleeing from the battlefield at the time of fighting.

□ Disobedience moment is very serious in man’s life, because if his life ended at this moment, he would lose this world and the Hereafter due to his loss of faith.

● It was narrated from Abi-Hurairah that Allah’s Apostle said, **“An adulterer is not a believer at the time of committing adultery, a thief is not a believer at the time of committing theft, and a wine drinker is not a believer at the time of drinking, but repentance is available to him after that.”**

[Muslim].

Islam does not welcome frequency of crimes and punishments

God says ﴿**Indeed those who like that immorality should be spread [or publicized] among those who have believed will have a painful punishment in this world and the Hereafter. And Allah knows and you do not know**﴾ Chapter of Light. Verse NO 19

God, Almighty, likes Islamic Society’s reputation to be pure and clean, so He urges Muslims to make forgiveness prevalent. For example:

1) At the end of the Battle of Uhud, the Prophet was surprised when he saw the corpse of his uncle Hamzah after Hend bint 'Utbah, the wife of Abi-Sufiaan, had opened it and extracted his liver. So, the Prophet swore that indeed if Allah made him defeat them, he would mutilate the corpses of seventy one of them. Then, a verse was revealed to forbid that and to urge him to be patient; the Prophet obeyed it. Afterwards, Hend and Wahshi (who had killed Hamzah) embraced Islam, and the Prophet did not harm them.

2) The Prophet used to ignore those who came and asked him to apply fixed penalties to them. Indeed, he was not pleased with having parties of flogging, stoning, and cutting hands. He hated nothing more than bringing someone committed a sin to him.

●Imran ibn Hussain reported: A man bit the hand of another man, who pulled his hand away, and the biting man’s front tooth (or teeth) fell out. He complained about that to the messenger of Allah, and the messenger of Allah got angry and said, **“What do you want? Put your hand in his mouth (allow him) to bite it and then draw it away if you want (to make his teeth fall).”**

□Also, every time they brought a thief to 'Umar ibn AL-Khattab, he used to say, “No welcome for these faces that not seen except in evil.”

3) Allah blamed Muslims for rushing into repeating the slander talk. They should have avoided the pitfall of rumors that lead to Islamic society disintegration.

God says **﴿Why, when you heard it, did not the believing men and believing women think good of one another and say, “This is an obvious falsehood?”﴾** Chapter of Light. Verse NO 12

﴿When you received it with your tongues and said with your mouths that of which you had no knowledge and thought it was insignificant while it was, in the sight of Allah, tremendous﴾ **﴿And why, when you heard it, did you not say, “It is not for us to speak of this. Exalted are you, [O Allah]; this is a great slander﴾** Chapter of Light

The Prophet could have applied penalty to those who had been involved in this plot as they were known, but he preferred to forgive them.

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- ◆ It is disliked to apply fixed penalties in mosques.
- ◆ Fixed penalties should be applied publicly in daylight.

Once, Ibn 'Umar ibn AL-Khattab drank wine wrongly in Egypt and 'Amr ibn AL-'As applied the penalty of flogging to him in the atrium of the house. Then, 'Umar called him (his son) and applied the penalty to him again in front of people in AL-Madinah.

FIXED PENALTY OF ADULTERY

Adultery is one of the great sins, so warning of falling into it is very strong.

God says **﴿And do not approach adultery [unlawful sexual intercourse]. Indeed, it is ever an immorality and is evil as a way﴾** Chapter of the Night Journey. Verse NO 32

●Sumurah ibn Jundub reported: One morning, the Prophet said to us, **“Last night I had a vision in which two men (angels) came to me, woke me up, and said to me: ‘Proceed.’ I set out with them and came across something like a Tannur (a kind of baking oven, a pit usually clay-lined for baking bread), in which there was much noise and voices. We looked into it and found naked men and**

women and a flame of fire was reaching to them from underneath, and when it reached them they cried loudly. I asked, 'Who are these?' They said, 'They are the adulterers and the adulteresses.'"

● It was narrated from Sahl ibn Sa'd that the Messenger of Allah (P.P.B.U.H) said, "Whoever can guarantee (the chastity of) what is between his jaws and what is between his legs (i.e. his tongue and his private parts), I shall guarantee Paradise for him." [AL-Bukhari].

Adulterers and adulteresses are of two types:

① Chaste (married):

Their fixed penalty is stoning to death with medium stones (not small). Their hands are tied and put, to the half of their bodies, into a dig. Then, they are stoned on their head.

● Abu-Hurairah reported: A Muslim man came to the Prophet while he was in the mosque, and called him saying, "O Messenger of Allah, I have committed adultery." The Messenger of Allah turned his face away from him, so the man came round (from the other side) towards his face and said, "O Messenger of Allah, I have committed adultery." The Messenger of Allah again turned his face away from him, but the man repeated his statement four times. The Messenger called him saying, "Are you mad?" He said: "No." He (again) said: "Are you married?" He said: "Yes." Thereupon Allah's Messenger said, "Take him away and stone him." [Muslim].

● Abdullah ibn Buraidah reported: A woman of Ghamid came to the Prophet and said, "I have committed adultery and I want you to purify me." He turned her away. On the next day, she came to him again, and said, "I swear by Allah, I am pregnant." He said to her: "Go back until you give birth to a child." When she gave birth to a child, she brought it to him and said, "Here it is! I have given birth to it." He said: "Go back and suckle him until you wean him." When she had weaned him, she brought him (the boy) to him with something in his hand which he was eating. The boy was then given to a certain man of the Muslims and he (the Prophet) commanded regarding her. So, a pit was dug for her, he ordered people to stone her to death, and they did so. Then the Prophet performed (funeral) prayer over her, and thereupon 'Umar said to him: "Are you praying over her even though she has committed adultery?" He said, "She has repented in a manner that, if it were to be shared among seventy of the people of AL-Madinah, it would suffice them." [AL-Bukhari and Muslim].

② Unchaste (unmarried):

Their fixed penalty is one hundred lashes and then banishment for one year to a country that is 84 kms from their country. If the adulterer was a female, she should go there with an unmaritable relation. The banishment year should be continuous and is calculated from the beginning of his or her travel. Upon flogging, clothes are not taken off and it is applied using anything like any foot-wear or sticks. Fixed penalty of adultery is also applied to the one who commits sodomy (homosexuality) and to the one who commits adultery with animals and the animal is burned after its slaughter.

God says ﴿The [unmarried] woman or [unmarried] man found guilty of adultery- lash each of them with a hundred lashes, and do not be taken by pity for them in the religion of Allah, if you should believe in Allah and the Last Day. And let a group of the believers witness their punishment﴾ Chapter of Light. Verse NO 2

FIXED PENALTY of SLANDER

Slander: is accusing someone of adultery.

Fixed penalty of slander has been legislated in order to protect inviolability and honour of people and safeguard society. If someone slandered another one, fixed penalty of slander would be applied to the slanderer, i.e., lashed with eighty lashes. God says ﴿**And those who accuse chaste women and do not produce four witnesses- lash them with eighty lashes and do not accept from them testimony ever after. And those are the rebellious**﴾ Chapter of Light. Verse NO 4

●Abu-Dhar reported that he heard the Prophet saying, **“If a man accuses another man of transgression or accuses him of disbelief, that accusation will come back on him if his companion is not as he said.”** [AL-Bukhari].

A slanderer, to whom fixed penalty of slander is applied, must be: adult, rational, not the slandered’s father, and not the slandered’s mother.

A slandered, for whom fixed penalty of slander is applied, must be: a rational, adult Muslim, and not an adulterer.

Situations of fixed penalty application cancelling:

- 1) When the slandered waives the penalty application.
- 2) When there is a clear evidence of the slander truth (The evidence should be: presence of four witnesses, or the slandered’s confession).

INVOKING CURSE (L'ian)

It occurs between two spouses only. It has been legislated in the ninth Islamic year as a solution to a serious problem that appeared after legislation of slander fixed penalty.

Its procedure:

- The husband says in front of the judge: “I call God to witness that I am truthful in what I have slandered my wife [saying her name] concerning adultery.” (Four times). Then, he says in the fifth time, “The curse of Allah be upon me if I should be among the liars.”
- Then, his wife replies, “I call God to witness that my husband [saying his name] is a liar in what he has slandered me concerning adultery.” (Four times). In the fifth time she says, “The wrath of Allah be upon me if he was of the truthful.”
- At the end of invoking curse, divorce takes place, because of impossibility of their living together after this scandal. But, this does not cancel the blood relationship of their children to them.

●Ibn 'Abbas reported: Hilal ibn 'Umayyah accused his wife, in front of the Prophet, of committing illegal sexual intercourse with Shareek ibn Sahma'. The Prophet said, **“Either you produce a proof, or you will get the legal punishment** (by being lashed) **on your back.”** Hilal said, “O Allah’s Apostle! If anyone of us saw another man over his wife, would he go to search for a proof?!” The Prophet kept on saying: **“Either you produce a proof, or you will get the legal punishment** (by being lashed) **on your back.”** Hilal then said, “By Him Who sent you with the Truth, I am telling the truth and Allah will reveal to you what will save my back from legal punishment.” Then Gabriel came down and revealed to him ﴿**And for those who accuse their wives, but have no witnesses except themselves, let the testimony of one of them be four testimonies by Allah that he is one of the truthful**﴾ **And the fifth** [testimony will be] **that the curse of Allah be upon him if he should be among the liars** ﴿**But it will prevent punishment from her if she gives four**

testimonies [swearing] by Allah that indeed, he is of the liars ﴿٨﴾ And the fifth [testimony will be] that the wrath of Allah be upon her if he was of the truthful ﴿٩﴾ Chapter of Light. [AL-Bukhari].

●Sa'id ibn Jubair reported: A man said, "O Messenger of Allah, tell me if one of us finds his wife committing adultery, what should he do? If he talks, that is something great, and if he keeps quiet, that is also (something great) (which he cannot afford to do it). Allah's Prophet kept quiet and did not answer him. Afterwards he (that very person) came to him and said, "I have been tried by what I asked you about." So, Allah, Almighty and Sublime, revealed these verses (verses from 6 to 9 of Chapter of Light). So he called for the man, recited the verses to him, admonished him, reminded him, and told him: **"Indeed the punishment of this world is less than the punishment of the Hereafter."** So he said, "No! By the One Who sent you with the Truth! I did not lie about her." Then he (the Prophet) did the same with the woman, admonishing her, and reminding her and he told her: **"Indeed the punishment of this world is less than the punishment of the Hereafter."** She said, "No! By the One Who sent you with the Truth! He is not telling the truth." So, he started with the man: He testified four times, by Allah that he is one of the truthful, and the fifth time that the curse of Allah be upon him if he was one of the liars. Then the same with the woman: She testified four times by Allah, that he was one of the liars, and the fifth time that the wrath of Allah be upon her if he was one of the truthful. Then he separated the two of them. [Muslim].

FIXED PENALTY OF INTOXICATION

Stages of wine prohibition

While wine was being sold in its inns in Makkah, Allah sent Muhammad. Its commerce was popular, however, there were some wise men, like Abu-Bakr AL-Siddiq, who did not approach it as they knew the mental disorder caused by it.

①When Muslims migrated to AL-Madinah, the Holy Qur'an began to hint at wine disadvantages. God says ﴿**They ask you about wine and gambling. Say, "In them is great sin and [yet, some] benefit for people. But their sin is greater than their benefit."**﴾ Chapter of the Heifer.

②Once, a group of drunken people were praying and their leader was reciting the verse ﴿**Say, "O disbelievers ﴿١﴾ I do not worship what you worship ﴿٢﴾**﴾ incorrectly. He said, "And we worship what you worship." So, Allah revealed the verse ﴿**O you who have believed, do not approach prayer while you are intoxicated until you know what you are saying**﴾ Chapter of Women.

③The third stage has been complete prohibition of it. God says ﴿**O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but abomination from the work of Devil, so avoid it that you may be successful**﴾ Chapter of the Table. Verse NO 90

●Abu Sa'id AL-Khudri reported: I heard Allah's Messenger addressing in AL-Madinah. He said, **"O people, Allah is giving an indication (of the prohibition) of wine, and He is probably soon going to give an order about it. So he who has anything of it with him should sell that, and benefit from it."** We waited for some time that Allah's Apostle said: **"Verily Allah, the Exalted, has forbidden wine. So, who hears this verse and he has anything of it with him, he should neither drink it nor sell it."** People then brought whatever they had of it with them on the streets of AL-Madinah and split that. [Muslim].

Wine and all intoxicants have been prohibited in the second Islamic year after the Battle of Uhud. If he, who is commanded, committed to provisions, aware of their prohibition, and not coerced, drinks wine or any other intoxicant, he will be lashed with eighty lashes.

●AL-Sa'ib ibn Yazeed reported: We used to strike the drinker with our hands, shoes, and clothes (by twisting them into the shape of lashes) during the lifetime of the Prophet, Abu-Bakr, and the early part of 'Umar's caliphate. But during the last period of 'Umar's caliphate, he used to give the drunken forty lashes, and when the drinkers became mischievous and disobedient, he used to lash them with eighty lashes. [AL-Bukhari].

□If a large amount of a drink causes intoxication, a small amount of it is prohibited. So, beer is included in prohibition.

Prohibition includes wine maker, seller, the one who conveys it, the one to whom it is conveyed, and the one who sits with drinkers during drinking, even if he does not drink with them.

●It was narrated from Abd Allah ibn 'Umar (May Allah be pleased with him) that the Prophet said, **“Allah has cursed wine, its drinker, its server, its seller, its buyer, its presser, the one for whom it is pressed, the one who conveys it, and the one to whom it is conveyed.”** [Abu-Daoud].

●'Aishah (May Allah be pleased with her) reported: The Messenger of Allah was asked about mead (which is made from honey) and he said: **“Every drink that intoxicates is unlawful.”** [AL-Bukhari].

●It was narrated from Ibn 'Umar that the Prophet said, **“Every intoxicant is wine (*Khamr*), and every wine is prohibited.”** [The Two Scholars].

●It was narrated from Jabir that the Messenger of Allah (P.P.B.U.H) said, **“Every intoxicant is prohibited. Verily Allah made a covenant to those who drank intoxicants to make their drink from *Tinat AL-Khabaal*.”** They said, “O Messenger of Allah, what is *Tinat AL-Khabaal*?” He said, **“It is the sweat of the people of Hell or the discharge of the people of Hell.”** [Muslim].

Procedure of fixed penalty application

1) A drinker is lashed after his awakening.

2) His clothes are not taken off if they are light weight.

3) Flogging should be consecutive.

4) Flogging is distributed on his body, except his face.

5) He should not be scorned, but he should be given a chance to repent.

6) Penalty should be applied according to a clear evidence, like testimony of two witnesses, or confession of the drinker.

7) It is not required to flog him with a whip, indeed he can be flogged with hands, foot wear, or palm branches.

8) Penalty should be applied publicly in daylight in front of people.

●Abu-Hurairah reported: A drunken was brought to the Prophet. He said, **“Give him a beating.”**

Then, some beat him with hands, some with their shoes, and some with (a folded) piece of cloth.

When he left, someone said to him: “May Allah disgrace you!” The Prophet said, **“Do not say so. Do not help the Devil against him.”** [AL-Bukhari].

◆Although 'Umar was a drunken and addicted to wine in pre-Islamic ignorance period, after embracing Islam, he invoked Allah urgently and said, “O Allah, reveal to us a conclusive declaration concerning wine.” Prohibition of wine has been one of the things in which the Holy Qur'an coincides

with 'Umar ibn AL-Khattab's opinions and suggestions.

◆'Uthmaan ibn 'Afaan said, "Avoid wine, as it is the mother of all evils. There was a man, among those who came before you, who was a devoted worshipper. An immoral woman fell in love with him. She invited him to her palace and threatened him that if he did not have sexual intercourse with her, she would cry out, but he refused. So, she gave him three choices:

- Having a sexual intercourse with her.
- Drinking wine.
- Killing a boy.

He chose to drink wine as he thought it was the easiest thing. After he had drunk it, he lost his mind, so he had sexual intercourse with her and killed the boy."

◆A group of people were brought to 'Umar ibn Abd-AL Azeez, among them there was a righteous man who had not drunk with them. 'Umar said, "Start (applying fixed penalty) to him. Didn't you hear God's saying ﴿**And it has already come down to you in the Book that when you hear the verses of Allah [recited], they are denied [by them] and ridiculed; so do not sit with them until they enter into another conversation. Indeed, you would then be like them. Indeed Allah will gather the hypocrites and disbelievers in Hell all together**﴾" Chapter of Women. Verse NO 140

FIXED PENALTY of THEFT

Theft is affirmed when a thief admits it in details. He is given a chance to cancel his admission. If he cancelled his admission, fixed penalty of theft would not be applied to him.

God says ﴿[As for] **the thief, the male and the female, amputate their hands in recompense for what they committed as a deterrent [punishment] from Allah. And Allah is Exalted in Might and Wise**﴾ Chapter of the Table. Verse NO 38

Procedure of its application

The right hand is amputated, then if he commits theft again, his left foot is amputated. If he commits theft for the third time, his left hand is amputated. And if he commits theft for the fourth time, his right foot is amputated.

Conditions of the hand amputation

- The thief should be adult and rational.
- The thief is not an owner, or suspected to be an owner of the stolen thing.
- The stolen thing is taken from the place in which it is kept.
- Theft does not occur in a time of starvation.
- The stolen thing is not filthy or prohibited, as pigs or wine.
- The stolen thing reaches the minimum value of theft.

●'Aishah (May Allah be pleased with her) reported: The Quraish were anxious about a woman from Bani Makhzum who had committed theft and asked: "Who will speak to the Messenger of Allah about her?" Then they said, "No one will be bold enough to do so except 'Usamah ibn Zayd, the (companion who was) dearly loved by the Messenger of Allah." So 'Usamah (May Allah be pleased with him) spoke to him and the Messenger (angrily) said, "**Are you interceding regarding one of the punishments prescribed by Allah?**" Then he got up and addressed the people saying, "**O people! What destroyed the nations before you, was that they used to leave a noble person if he stole.**"

And if a weak person stole, they would establish the penalty upon him. And by Allah! If Fatimah bint Muhammad stole, then I would cut off her hand." Thereafter, her hand was cut off. 'Aishah (further) said: "Hers was a good repentance; she later on married and used to come to me after that, and I conveyed her needs (and problems) to Allah's Messenger." [AL-Bukhari and Muslim].

FIXED PENALTY of HIGHWAY ROBBERY

Highway robbers are of four types:

- ① Those who kill people only without taking their money; their punishment is killing them.
- ② Those who kill people and take their money (the minimum value of theft or more than it); their punishment is killing them, then washing them, enshrouding them, praying over them, and then crucifixion of them on a high piece of wood for three days or less, aiming at preaching.
- ③ Those who take money only; their punishment is amputation of their right hands together with their left feet. If they did so again, their left hands together with their right feet would be amputated.
- ④ Those who only frighten pedestrians without killing them or taking their money; their punishment is jailing, beating, and banishing them.

◆ If one of the previous highway robbers repented before arresting him, applying fixed penalty to him would be cancelled. But he is required to restore the rights if he has stolen people, and he is asked for retaliation if he has killed someone. God says **﴿Indeed, the penalty for those, who wage war against Allah and His Messenger and strive upon earth [to cause] corruption, is none but that they be killed or crucified or that their hands and feet be cut off from opposite sides or that they be exiled from the land. That is for them a disgrace in this world, and for them in the Hereafter is a great punishment﴾** Except for those who return [repenting] **before you apprehend them. And know that Allah is Forgiving and Merciful﴾** Chapter of the Table.

● Anas reported: A group of people from 'Ukal (tribe) came to the Prophet and said, "O Allah's Apostle! Provide us with milk." The Prophet said, **"I see no other way for you than to use the camels of Allah's Apostle."** So, they went and drank the milk and urine of the camels, (as a medicine) and became healthy and fat. Then they killed the shepherd and took the camels away. When a help-seeker came to Allah's Apostle, he sent some men in their pursuit, and they were captured and brought before mid-day. He ordered for nails which were heated and passed over their eyes. And their hands and feet were cut off and were not cauterized. Then they were put in a place called AL-Harra (i.e. rocky land in AL-Madinah). When they asked for water to drink, they were not given till they died. [AL-Bukhari].

● Abu-Hurairah reported: A man came to Allah's Apostle and said, "O Messenger of Allah, what do you think if a man comes to me in order to rob my possession?" He (the Holy Prophet) said, **"Do not surrender your possession to him."** He (the inquirer) said: "If he fights me?" He (the Holy Prophet) said: **"Then fight with him."** He (the inquirer) again said: "What do you think if I am killed?" He (the Holy Prophet) said: **"You will be a martyr."** He (the inquirer) said: "What do you think of him if I kill him?" He (the Holy Prophet) said, **"He will be in Fire."** [Muslim].

MURDER

Murder: is loss of one's life due to an act or an effect on it.

It is one of the gravest of the major sins which makes it difficult for who commits it to go to Paradise. So, a Muslim must think carefully before he lays a hand to kill another Muslim.

● It was narrated from Abd Allah ibn 'Amr that the Prophet (P.P.B.U.H) said, **“Killing a believer is more grievous before Allah than the extinction of the whole world.”** [AL-Nasa'i].

● It was narrated from Ibn Mas'ud that the Prophet said, **“The first issue to be judged among people on the Day of Judgment, is that of bloodshed.”** [AL-Bukhari and Muslim].

God says ﴿**And do not kill the soul which Allah has forbidden, except by right**﴾ Chapter of the Night Journey. And says ﴿**But whoever kills a believer intentionally- his recompense is Hell, wherein he will abide eternally, and Allah has become angry with him and has cursed him and has prepared for him a great punishment**﴾ Chapter of Women. Verse NO 93

● It was narrated from Abi-Bakrah that Allah's Apostle said, **“When two Muslims are engaged in a combat against each other with their swords, both the murderer and the murdered will go to Hell.”** [The Two Scholars].

● It was narrated from Abi-Hurairah that the Prophet said, **“None of you should point at his (Muslim) brother with a weapon because he does not know that the Devil (Satan) may cause the weapon (to slip) from his hand and (he may injure anyone) and thus he may fall into a pit of Hell-fire.”** [The Two Scholars].

◆ There are three types of murder:

□ Intentional.

□ Quasi-intentional.

□ Accidental.

① **Intentional murder:** In which a murderer intends to beat someone in order to kill him, even if he dies afterwards due to his injuries. Repentance of an intentional murderer is accepted only after fulfillment of three rights:

a) The right of Allah: by regret and repentance.

b) The right of the murdered's heirs: by delivering himself to them and they either kill him, or they forgive him and agree that he pays them a heavy blood-money.

c) The right of the murdered: It is entrusted to Allah on the Day of Judgment.

God says ﴿**O you who have believed, prescribed for you is legal retaliation for those murdered- the free for the free, the slave for the slave, and the female for the female. But whoever is overlooked from his brother for anything, then there should be a suitable follow-up and payment to him with good conduct. This is an alleviation from your Lord and a mercy. But whoever transgresses after that will have a painful punishment**﴾ Chapter of the Heifer. Verse NO 178

God says ﴿**And do not kill the soul which Allah has forbidden, except by right. And whoever is killed unjustly- We have given his heir authority, but let him not exceed limits in [the matter of] taking life. Indeed, he has been supported [by the law]**﴾ Chapter of the Night Journey. Verse NO 33

Conditions of retaliation:

1) The murderer should be rational and adult.

2) The murderer should not be one of the murdered's parents.

3) The murdered should not be a disbeliever that fights against Islam.

Note that:

– If a group of people killed one person, they would be killed altogether. 'Umar ordered to kill five

(or seven) men who killed a man in Yemen. He ('Umar) said, "By Allah! If all the people of Sana'a killed him, I would kill them altogether."

– The one who intended to drink an intoxicant, and killed someone during his drunkenness, he would be considered a rational one and retaliation is taken from him.

② Quasi-intentional murder:

Its provision: No retaliation in it, but it entails paying a heavy blood-money.

It occurs when someone beats a person and does not intend to kill him, but this person dies.

For example:

- 1) Beating a person with a whip or a stick.
- 2) Driving a car too fast, so that if a person appeared suddenly before the driver, he could not avoid him.
- 3) If someone left his dog free in the street, and then it killed anyone.

③ Accidental murder:

Its provision: No retaliation in it, but it entails paying a reduced blood-money.

For example:

- 1) If you threw something at someone, but it was thrown at another one by mistake and killed him.
- 2) If you beat a patient, and as a result, he died.

Accidental murder has occurred in the time of the Prophet in more than one occasion and he ordered the murderer to pay blood-money only.

●'Usamah ibn Zayd reported: Messenger of Allah sent us to Huraqat, a tribe of Juhainah. We attacked that tribe early in the morning and defeated them, (then) a man from *AL-Ansaar* and I caught hold of a man (of the defeated tribe). When we overcame him, he said, "No god but Allah (*La ilaha illa Allah*)." At that moment, I attacked him with my spear and killed him. By the time we went back to AL-Madinah, news had already reached Messenger of Allah. He said to me, "**O 'Usamah, did you kill him after he had professed that there is no god but Allah?**" I said, "O Messenger of Allah, he professed it only to save his life." Messenger of Allah repeated, "**Did you kill him after he had professed that there is no god but Allah?**" He went on repeating this to me until I wished I had not embraced Islam before that day (so that I would have not committed this sin). [The Two Scholars].

●It was narrated from Salim that his father said, "The Prophet sent Khalid ibn AL-Waleed to the tribe of Jadhima. Khalid called them to Islam, but they did not say, '*Aslamna* (i.e. we have embraced Islam)', but they said, '*Saba'na!* (i.e. we have come out of one religion to another).' So, Khalid felt that they were playing on words and killed them. We came to the Prophet, and he was told of what Khalid had done. Then, he raised his hands and said twice, '**O Allah, I am free from what Khalid has done.**' Then, he (the Prophet) sent Ali ibn Abi-Talib to pay blood-money." [AL-Bukhari].

When the blood-money of accidental murder becomes heavy?

- 1) If a person is killed in the Sacred House.
- 2) If a person is killed in the Sacred Months.
- 3) If a person kills one of his unmaritable relatives.

God says ﴿ **And never is it for a believer to kill a believer except by mistake. And whoever kills a believer by mistake- then the freeing of a believing slave and compensation payment presented to the murdered's family [is required] unless they give [up their right as] charity. But if the murdered was from a people at war with you and he was a believer- then [only] the freeing of a believing slave, and if he was from a people with whom you have a treaty- then a compensation payment presented to his family and the freeing of a believing slave. And whoever dose not find [one or cannot afford to buy one]- then [instead],**

a fast for two months consecutively, [seeking] acceptance of repentance from Allah. And Allah is ever Knowing and Wise) Chapter of Women. Verse NO 92

FIGHTING REBELS

(those who draw away from the leader)

Rebels: are a group of Muslims who oppose the JUST leader that Muslims have chosen.

As for their fighting: Their captives are not killed and their money are not taken as a booty.

A person becomes a leader or a ruler by one of the following:

- ① Decision makers give their pledge to him (as in the pledge of allegiance to Abu-Bakr AL-Seddik).
- ② The leader appoints a person as successor (as Abu-Bakr did when he appointed 'Umar ibn AL-Khatab as successor).
- ③ A strong person, who is expert of leadership, seizes power in order to manage disorders.

Conditions of the just leader:

He must be a Muslim, male, adult, just, hard worker, brave, with unimpaired senses.

The leader should consider the grievances of those who have drawn away from him and remove them first. But, if they insisted on fighting him, Muslims should assist him against those rebels, in order that the affairs of the country be organized.

For example: When Imam Ali went to fight Mu'awiya and his allies who refused the consensus of the nation on choosing Imam Ali as a caliph, and engaged against them in the battle of AL Jamal and the battle of Safeen.

– Also, Imam Ali's fight against the Dissenters (*AL-Khwarij*) in the battle of AL Nahrawaan.

The Prophet foresaw that earlier when he said to the son of his parental aunt AL Zubair ibn AL Awaam, **“You will fight Ali and you will oppress him.”** And indeed, AL Zubair engaged in the battle against Ali, and then he retreated from that, so Marawaan ibn AL Hakam killed him.

● Abu-Sa'id AL-Khudri reported: We carried the adobe for construction of the mosque of the Prophet. We were carrying one brick at a time while 'Ammar was carrying two. The Prophet passed by 'Ammar and removed the dust off his head and said, **“May Allah be Merciful to 'Ammar. He will be killed by a rebellious aggressive group. He will invite them** (i.e. his murderers, the rebellious group) **to Paradise and they will invite him to Hell-fire.”** [AL-Bukhari].

And indeed, 'Ammar was killed in the battle of Safeen while he was fighting with Imam Ali against them (Mu'awiya and his allies).

◆ Many traditions have forbidden drawing away from the leader and have urged respecting public order.

● It was narrated from Abi-Hurairah that the Prophet said, **“Whoever rebels against my nation (Ummah), killing the righteous and the wicked of them, does not try to avoid killing the believers, and does not fulfill his promise made with those who have been given a pledge (of security), is not from me** (i.e. is not my follower), **and I am not from him** (i.e. I have nothing to do with him).”

● It was narrated from Ibn 'Umar that the Prophet (P.P.B.U.H) said, **“It is obligatory upon a Muslim to listen (to the ruler) and obey whether he likes it or not, except when he is ordered to do a sin, in such case, there is no obligation to listen or to obey.”** [Muslim].

●It was narrated from 'Auf ibn Malik that the Messenger of Allah (P.P.B.U.H) said, **“The best of your rulers those whom you love and who love you, who invoke God’s blessings upon you and you invoke His blessings upon them. And the worst of your rulers are those whom you hate and who hate you and whom you curse and who curse you.”** It was asked (by those present): “Shouldn’t we overthrow them with the help of the sword?” **He said: “No, as long as they establish prayer among you.”** [Muslim].

●It was narrated from Ibn 'Abbas that the Prophet (P.P.B.U.H) said, **“Whoever noticed something which he disliked done by his ruler, then he should be patient, for one who separated from the company of Muslims even for a span and then died, he would die as those who died in the pre-Islamic period of Ignorance (as rebellious sinner).”** [AL-Bukhari].

STRIVING

(Jihaad)

STRIVING = HOLY WAR (Jihaad)

It is exerting great effort and energy for the cause of supporting the truth and defending it for God's sake.

Its legitimacy: it has been legislated in AL-Madinah AL-Munawwarah. God says ﴿Permission [to fight] has been given to those who are being fought, because they were wronged. And indeed, Allah is competent to give them victory﴾ Chapter of Pilgrimage. Verse NO 39

﴿Fight in the way of Allah those who fight you but do not transgress. Indeed, Allah does not like transgressors﴾ Chapter of the Heifer. Verse NO 190

The rationale for holy war:

Differentiation between those who are true in their faith and those who say what they do not do, as upon approach of death, the companions of this world who run from the battlefield will be uncovered. God says ﴿And We will surely test you until We make evident those who strive among you [for the cause of Allah] and the patient, and We will test your affairs﴾ Chapter of Muhammad. Verse NO 31

﴿Or do you think that you will enter Paradise while Allah has not yet made evident those of you who fight in His cause and made evident those who are steadfast?﴾ Chapter of the Family of Imran. Verse NO 142

Types of striving:

- Striving against the soul.
- Striving against oppressors and self-defence.
- Striving against the Devil.
- Striving against infidels and their allies.

[1] Striving against the soul

It is self-inflicted striving, because the soul has a certain lust appears in a weak point. Lusts are many, for example: money, women, power, self-admiration, palaces, servants and courtiers, foods, amusement and playing, etc.

Everyone is influenced by the passion of one or two of these lusts. Some persons cannot resist the beauty of a pretty woman, and some of them may lose his life for her, and so on.....

There is no problem in these blessings, on condition that they are according to Divine Law.

If a person became a weak before his lusts, he would fall into sin and rob other people's property.

God says, by our chief Yusuf (Joseph) ﴿And I do not acquit myself. Indeed, the soul is a persistent joiner of evil, except those upon which my Lord has mercy. Indeed my Lord is Forgiving and Merciful﴾ Chapter of Joseph. Verse NO 53

God says ﴿Beautified for people is the love of that which they desire- of women and sons, heaped-up sums of gold and silver, fine branded horses, and cattle and tilled land. That is the enjoyment of worldly life, but Allah has with Him the best return﴾ Chapter of the Family of Imran. Verse NO 14

Striving in this case is achieved by curbing the soul and returning it to subsistence.

◆ The poet Abu Dhu'aib AL-Hudhali said:

The soul seeks (many lusts) if you encourage it to do so,

And if you return it to be satisfied with the few (of them), it will be content.

◆The poet Imam AL-Buseeri said in his poem AL-Burda:
A soul is like a child: if you neglect him, he will grow
Loving suckling, and if you wean him, he will be weaned.
Oppose the soul and the Devil and disobey them,
And if they advise you sincerely, suspect them.

[2] Striving against the Devil

Everyone has a comrade that whispers evil to him, beautifies all lusts for him, and likes to see him always disobeying Allah. Although Allah has warned us against the Devil, a lot of people fall into the traps of him, and then they regret doing so. God says ﴿**Indeed, the Devil is an enemy to you, so take him as an enemy. He only invites his party to be among the companions of the Blaze**﴾ Chapter of the Originator (*Surat Faatir*). Verse NO 6

The Holy Qur'an has warned us that if a Muslim felt something of the whispers of the Devil, he should seek refuge with Allah. God says ﴿**And if an evil whisper comes to you from the Devil (Satan), then seek refuge in Allah. Indeed, He is Hearing and Knowing**﴾²⁰⁰ **Indeed, those who fear Allah- when an impulse touches them from the Devil, they remember [Him] and at once they have insight**﴾²⁰¹ Chapter of the Heights.

●It was narrated from Abd Allah ibn Mas'ud (May Allah be pleased with him) that the Messenger of Allah said, **“There is none among you but with whom is an attache from the Devil (AL Jinn).”** They said, “Allah’s Messenger, with you too?” Thereupon he said, **“Yes, but Allah has helped me against him and he has embraced Islam; he does not command me but for good.”** [Muslim].

Many existentialism philosophers have fallen in this trap by conducting metaphysical search, against which the Prophet has warned us, as it will not lead us to any result.

●This tradition is transmitted by 'Urwa ibn AL-Zubair on the authority of Abu-Hurairah (and the words are): **The Devil comes to one of you and says, “Who has created so-and-so?” till he says: “Who has created your Lord?” So, when he inspires such a question, one should seek refuge with Allah and give up such thoughts.”** [The Two Scholars].

●It was narrated from Anas ibn Malik that the Messenger of Allah (P.P.B.U.H) said, **“People will not stop asking questions till they say, ‘This is Allah, the Creator of everything, then who created Allah?’** [AL-Bukhari].

[3] Striving against oppressors and attackers

By reversing aggression; protecting soul, money, and children against harm, and never giving up.

●Sa'id ibn Zayd reported: I heard the Messenger of Allah saying: **“Whoever is killed protecting his wealth, he is a martyr. Whoever is killed protecting himself, he is a martyr. Whoever is killed protecting his religion, he is a martyr. Whoever is killed protecting his family, he is a martyr.”** [AL-Nasa'i, AL-Tirmidhi, and Abu-Daoud].

●Abu Bakr AL-Siddiq (May Allah be pleased with him) reported: O you people! You recite this verse ﴿**O you who have believed, upon you is [responsibility for] yourselves. Those who have gone astray will not harm you when you have been guided. To Allah is your return all together, then He will inform you of what you used to do**﴾ Chapter of the Table. Verse NO 105. But I have heard Messenger of Allah saying, **“When people see an oppressor but do not prevent him from (doing evil), it is likely that Allah will punish them all.”** [AL-Nasa'i, AL-Tirmidhi, and Abu-Daoud].

Indeed, if a Muslim had the ability to help an oppressed person, he should do so; otherwise, Allah would be angry with him.

● It was narrated from Sahl Ibn Hunayf that the Prophet (P.P.B.U.H) said, **“He who could help a humiliated believer, but he did not do so, Allah would humiliate him before all the creations on the Day of Judgment.”** [Ahmad].

[4] Striving against infidels and their allies

It is the highest type of striving, as the one who fights in the way of Allah, will be carrying his weapon, leaving this world behind his back, and aspiring to Paradise.

● In a part of a tradition of the Prophet, when he was talking to Mu'adh ibn Jabal, he said to him, **“The head of the matter is Islam, its pillar is the prayer, and its peak is striving.”** [AL-Tirmidhi].

● Zayd ibn Arqam reported: The Prophet fought nineteen battles and performed only one pilgrimage after he migrated (to AL-Madinah), and did not perform another pilgrimage after it, and that was farewell pilgrimage. [Muslim].

Provisions of striving against infidels: □ Sufficiency duty □ Individual duty

a) Sufficiency duty: it is a sufficiency duty when the attacker enemy kills Muslims in other countries.

In this case, Muslims in all countries are to save them from persecution, murder, and dislocation.

This is done by delegation of groups from all countries to save those oppressed Muslims.

God says **﴿And what is [the matter] with you that you fight not in the cause of Allah and [for] the oppressed among men, women, and children who say, “Our Lord, take us out of this city of oppressive people and appoint for us from Yourself a protector and appoint for us from Yourself a helper”?﴾** Chapter of Women. Verse NO 75

And He says **﴿And if they seek help of you for the religion, then you must help﴾** Chapter of the Bounties of War (*Surat AL-Anfaal*).

Conditions of this type of striving:

① **Adulthood:** the Prophet refused the participation of Abd-Allah ibn 'Umar in the Battle of 'Uhud. Afterwards, he allowed it in the Battle of the Trench.

② **Health and mindfulness:** God says **﴿There is no blame upon the weak or upon the ill or upon those who do not find anything to spend when they are sincere to Allah and His Messenger﴾** Chapter of Repentance.

③ **Maleness:**

● Narrated 'Aishah: (that she said), “We consider striving as the best deed. Should we not fight in Allah’s cause?” The Prophet said, **“The best striving for you (for women) is accepted pilgrimage (Hajj Mabruur).”** [The Two Scholars].

④ **The one who fights in the way of Allah must be not in debt.**

● It was narrated from Abd Allah ibn 'Amr that the Prophet (P.P.B.U.H) said, **“Death in the way of Allah blots out everything except debt.”** [Muslim].

⑤ **The one who fights in the way of Allah must not be required to take care of one of his parents.**

● Abdullah ibn 'Amr reported: A person came to Allah’s Apostle and said, “I swear allegiance to you for migration and striving, seeking reward only from Allah.” The Prophet said: **“Is any of your parents alive?”** The man said, “Yes, both of them are alive.” He (the Prophet) said: **“Do you want to seek reward from Allah?”** He said, “Yes.” Thereupon Allah’s Messenger said, **“Go back to your parents and keep good company with them.”** [The Two Scholars]. And in another narration the Prophet said, **“Consider their service as striving.”**

b) Individual duty: striving becomes individual duty when infidels enter our country and occupy it, then all people (men, women, and children) must fight against them using every possible means. Whoever accepts to live with the conquerors, will become not a Muslim. God says ﴿**You will not find a people who believe in Allah and the Last Day having affection for those who oppose Allah and His Messenger**﴾ Chapter of the Pleading Woman. And He says ﴿**O you who have believed, do not take My enemies and your enemies as allies, extending to them affection while they have disbelieved in what came to you of the truth**﴾ Chapter of the Examined Woman (*AL-Mumtahanah*).

◆ **All those who take part in striving, will be given its reward:**

A group that has an experience in fighting, a group that maintains internal security, a group that treats the wounded, a group that works on morale-boosting and motivation, a group that prepares supplies and munitions, a group that invokes Allah that He helps the fighters, and a group that cares for families of the fighters and martyrs and consoles them.

● Jabir ibn Abd Allah reported: We accompanied the Prophet in an expedition when he said, “**Some people have remained behind us in AL-Madinah. And you never cover a distance or cross a valley but they are with you.** (They share the reward with us because) **they have been held back by illness.**” And in another narration: “**..... by valid excuse.**”

● 'Umar ibn AL-Khattab (May Allah be pleased with him) reported: I heard the Messenger of Allah (P.P.B.U.H) say: “**Whoever equips a warrior in the cause of Allah until he is fully equipped, he will have a reward like his, until he dies or returns.**”

● It was narrated from Zayd ibn Khalid AL-Jahani that Allah’s Apostle said, “**He who equips a warrior in the way of Allah** (will get the reward of the one who has actually gone for striving), **and he who looks after the family of a warrior in the way of Allah will get the reward of the one who has gone for striving.**” [The Two Scholars].

War is deceit

In the Battle of the Trench in 5 A.H., in the peak period of blockade, Na'im ibn Mas'ud AL-Ashga'i, who had belonged to the Confederates, came and said: “O Messenger of Allah, I have embraced Islam and no one knows that, so order me as you like.” The Prophet said to him: “**Indeed, you are one of us, so betray them** (provoke conflict between them) **for us, as you can.**”

So, Na'im used his intelligence to drive a wedge between the Confederates; he made Quraysh suspect the Jews of Bani Quraizah and made the Jews suspect Quraysh. Thus, their alliance broke down, and Allah completed His help to Muslims by a cold windy night that extinguished the Confederates’ flames, uprooted their tents, and made them flop, so they escaped and went back where they came from.

God says ﴿**O you who have believed, remember the favor of Allah upon you when armies came to [attack] you and We sent upon them a wind and armies [of angels] you did not see. And ever is Allah, of what you do, Seeing** ﴿9﴾ [Remember] **when they came at you from above you and from below you, and when eyes shifted [in fear], and hearts reached the throats and you assumed about Allah [various] assumptions** ﴿10﴾ **There the believers were tested and shaken with a severe shaking** ﴿11﴾ Chapter of the Confederates.

Some people DISLIKE striving

God says ﴿Fighting has been enjoined upon you while it is hateful to you. But perhaps you hate a thing and it is good for you, and perhaps you love a thing and it is bad for you. And Allah knows, while you know not﴾ Chapter of the Heifer. Verse NO 216

– Clinging to life and loving to survive are in the human nature, however, when a soul has these attributes, this means that this soul's faith is not complete. And the Holy Qur'an has mentioned previous nations ﴿They said, "Our Lord, why have You decreed upon us fighting? If only You had postponed [it for] us for a short time." Say, "The enjoyment of this world is little, and the Hereafter is better for he who fears Allah. And injustice will not be done to you [even] as much as a thread [inside a date seed]"﴾ Chapter of Women. Verse NO 77

– But necessity has its provisions:

● It was narrated from Abd Allah ibn Abi Aufa that the Prophet said, **"Do not wish for encountering the enemy, (but) when you encounter him, show patience, and keep it in mind that Paradise lies under the shade of the swords."** [Muslim].

Conditions for a fighter to get the reward of striving:

1) He is a Muslim.

● AL-Baraa reported: A man who was covered with an iron mask (i.e. clad in armor) came to the Prophet and said, "O Allah's Apostle! Shall I fight or embrace Islam first?" The Prophet said, **"Embrace Islam first and then fight."** So he embraced Islam and fought until he was killed. Thereupon the Messenger of Allah said, **"A little work, but a great reward."** (He did very little after embracing Islam, but he will be rewarded much). [AL-Bukhari].

2) He fights only in the way of Allah.

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **"Allah (glorified and exalted be He) said: 'I am so self-sufficient that I am in no need of having an associate. Thus he who does a thing for the sake of someone else beside Me, I discard him and his polytheism.'"** [Muslim].

● Abu Musa AL-Ash'ri reported: A bedouin came to the Prophet (P.P.B.U.H) and said, "O Messenger of Allah! A man fights to prove his courage, another fights for pride and fanaticism, and the third fights for showing off. Which of them is considered as fighting in the cause of Allah?" The Prophet said, **"He who fights in order that the Word of Allah remains the supreme, is considered as fighting in the cause of Allah."** [AL-Bukhari and Muslim].

● Abu-Hurairah (May Allah be pleased with him) said: I heard the Messenger of Allah saying, **"The first to be judged on the Day of Judgment will be a man who had died as a martyr. He will be brought forward. Allah will remind him of the favors He bestowed upon him and the man will acknowledge them. Then, He will ask him: 'What did you do to express gratitude for them?' The man will reply: 'I fought for Your cause till I was martyred.' Allah will say: 'You have lied. You fought so that people might call you courageous, and they have done so.' Then he will be ordered to be dragged along on his face until he is thrown into Hell."** [Muslim].

God says ﴿O you who have believed, shall I guide you to a transaction that will save you from a painful punishment? ﴿10﴾ [It is that] you believe in Allah and His Messenger and strive in the cause of Allah with your wealth and your lives. That is best for you, if you should know ﴿11﴾﴾ Chapter of the Battle Array (*Surat As-Saf*).

The rank of strivers in the sight of Allah:

They have a higher rank in the sight of Allah. It is enough that they are not tried in their graves and not called to account on the Day of Judgment.

● It was narrated from Fadalah ibn 'Ubaid that the Messenger of Allah said, **“The actions of every dead person come to an end with his death, except the one who is on the frontier in Allah’s way, for his deeds will be made to go on increasing for him till the Day of Judgment, and he will be safe from the trials in the grave.”** [Abu-Daoud and AL-Tirmidhi].

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **“In Paradise, there are a hundred grades which Allah has prepared for those who fight in His cause, and the distance between any two of those grades is like the distance between the heaven and the earth.”** [AL-Bukhari].

● Abu-Hurairah reported: A man came to the Messenger of Allah and said, “O Messenger of Allah! Tell me of a deed that is equal to striving.” The Messenger said, **“I do not find such a deed.”** (twice). Then, the third time he said, **“Can you, while the Muslim fighter in the battlefield, enter your mosque to perform prayers without cease and fast and never break your fast?”** The man said, “And who can do that?” [AL-Bukhari].

● It was narrated from Abi-Hurairah that the Messenger of Allah said, **“By Him in Whose Hand Muhammad’s soul is, if a person is wounded in the Way of Allah, he will come on the Day of Judgment with his wound in the same condition as it was on the day when he received it; its color will be the color of blood but its smell will be the smell of musk.”** [AL-Bukhari].

The punishment of those who leave striving and absent themselves from it.

Absence from striving and running away from facing the enemy are of the major sins. Indeed, he who fears to fight will be out of the circuit of Islam.

● It was narrated from Abi-Hurairah that the Prophet said, **“He who dies without having fought in the cause of Allah or without having thought of doing so, will die guilty of a kind of hypocrisy.”** [Muslim].

If a person is influenced by the passion of this world, his dignity, the dignity of his family, and his money will be worthless to him, and Islam will be less valuable to him. Then, the enemy of Islam comes, knowing that about him, robs his wealth, rapes his women, and causes him different types of humility and dishonor, however, no shred of humanity moves in him, thus he becomes more disrespectful than an animal and lower than slaves.

The Holy Qur'an has mentioned excuses that they say to escape from striving. God says **﴿Those who remained behind rejoiced in their staying [at home] after [the departure of] the Messenger of Allah and disliked to strive with their wealth and their lives in the cause of Allah and said, “Do not go forth in the heat.” Say, “The fire of Hell is more intensive in heat” - if they would but understand﴾** Chapter of Repentance. Verse NO 81

﴿And a party of them asked permission of the Prophet, saying, “Indeed, our houses are unprotected”, while they were not exposed. They did not intend except to flee﴾ Chapter of the Confederates.

﴿O you who have believed, what is [the matter] with you that, when you are told to go forth in the cause of Allah, you adhere heavily to the earth? Are you satisfied with the life of this world rather than the Hereafter? But what is the enjoyment of worldly life compared to the Hereafter except a [very] little﴾ Chapter of Repentance. Verse NO 38

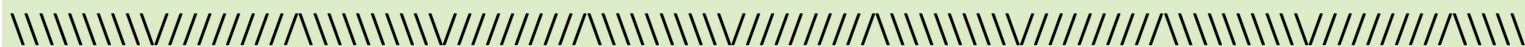
﴿O you who have believed, when you meet those who disbelieve advancing [for battle], do not turn to them your backs [in flight] ﴿15﴾ And whoever turns his back to them on such a day, unless swerving [as a strategy] for war or joining [another] company, has certainly returned with anger [upon him] from Allah, and his refuge is Hell- and wretched is the destination ﴿16﴾ Chapter of the Bounties of War.

- The Holy Qur'an has shown that victory is from Allah ﴿Any victory is not but from Allah. Indeed, Allah is Exalted in Might and Wise﴾ Chapter of the Bounties of War.

﴿So if there are from you one hundred [who are] steadfast, they will overcome two hundred. And if there are among you a thousand, they will overcome two thousand by permission of Allah. And Allah is with the steadfast﴾ Chapter of the Bounties of War.

﴿And you did not kill them, but it was Allah who killed them. And you threw not, [O Muhammad], when you threw, but it was Allah who threw﴾ Chapter of the Bounties of War.

- It happened, in the time of the Prophet, that many Muslims absented themselves from participating in battles, and he accepted excuses of hypocrites, because they were hopeless. As for the believers whose absence was a lapse, the Prophet withdrew himself from them till verses of the Holy Qur'an were revealed about that, and then he accepted their repentance, as in case of the three who absented themselves from the Battle of Tabuk.



MARTYRDOM

●Jabir ibn Ateek reported: The Messenger of Allah said: **“What do you consider dying a martyr to be?”** They said, **“Death in the way of Allah.”** He said, **“There are seven kinds of martyr other than those killed in the way of Allah, someone who is killed by plague is a martyr, someone who drowns is a martyr, someone who dies of pleurisy is a martyr, someone who dies of a disease of the belly is a martyr, someone who dies by fire is a martyr, someone who dies under a falling building is a martyr, and a woman who dies in childbirth is a martyr.”** [Abu-Daoud and AL-Nasa'i].

●It was narrated from Abi-Hurairah (May Allah be pleased with him) that the Prophet (P.P.B.U.H) said, **“Five are regarded as martyrs: those who die because of plague, abdominal disease, drowning, under a falling building, and the martyr in Allah’s Cause.”** [AL-Bukhari].

IMMORTAL MODELS to THE DAY of JUDGMENT

◆ Anas ibn Malik reported that when his uncle Anas ibn AL Nadr saw weakness of Muslims in the Battle of Uhud, he said, “O Allah! I am innocent before You of what these (infidels of Makkah) have done, and I apologize to You for what these (Muslims) have done. Then, he fought till he was a martyr.

● It was narrated from 'Ukbah ibn 'Amir that the Messenger of Allah said, **“A group of people from my nation will continue to fight in obedience to the Command of Allah, remaining overcoming their enemies. Those who will oppose them shall not do them any harm. They will remain in this condition until the Hour overtakes them.”** [The Two Scholars].

◆ In the Battle of Badr, 'Umar ibn AL-Khattab killed his maternal uncle AL-'As ibn Hisham (Abu Jahl's brother), also Abu-'Ubaidah ibn AL-Jaraah killed his father in the same battle. As for Abu-Bakr, he said to his son, who has embraced Islam later, “By Allah, if I had seen you on the Day of Badr, I would have killed you.”

◆ In the Battle of Yarmuk, which was led by Khalid ibn AL-Waleed against the Romans, the Romans started with a vicious attack that swept through Muslims' rows. Then, 'Ikrima ibn Abi Jahl went forward and said, “Who gives the pledge of allegiance for death?” Five hundred Muslims set off with him penetrating the Romans' rows, and they all were martyred, including 'Ikrima and his son.

◆ In the Battle of 'Aqrabaa, which was led by Khalid ibn AL-Waleed against Musailamah AL-Kadhdhab (i.e. the liar), when Musailamah realized that he was about to be defeated, he hurried with his forty thousand soldiers and entered “Hadeeqat AL Rahman” (as he had called it), and shut its door.

Fighting stopped and AL-Bara' ibn Malik yelled at Muslims and said, “Throw me on them.” So, they threw him from over the fence with his sword in his hand. He fought those who were at the door, then he opened the door and the masses of Muslims entered and killed Musailamah and his soldiers.

◆ In the Battle of Honayn, when Muslims were surprised by arrows raining down on them, they fled and left the Prophet with only twelve of his companions. The Prophet did not flee, instead, he shouted: **“I am the Prophet undoubtedly; I am the son of Abd AL-Muttalib.”** And he had been fighting till his companions came back to him.

CONCLUSION

As we have started, we will conclude by thanking God and saying prayers for the Prophet. Praise to Allah, Who has guided us to this, and we would never have been guided if Allah had not guided us. By Allah's grace, this book, which includes obligations and pillars, has been completed. This is in response to the Prophet's invocation, "May Allah cause his face to shine, the man who hears a tradition from us and conveys it, for perhaps the one to whom it is conveyed may remember it better than the one who (first) hears it."

Hopefully, this book will guide and lead those, whose effort is lost in worldly life, while they think that they are doing well in work.

We live in an age, in which modesty is less than before, and as a result, calamity has spread. Those hereditary Muslims have no direct or indirect relationship with Islam. They crossed the red lines after they had failed to commit to Islamic commands and hoped to make everybody like them.

Some of them demand to cancel the four schools and to put new schools. Others demand to cancel the dependence on the Prophetic Traditions and to consider the Holy Qur'an as a book of worship only.

They want to follow "The Rule of Reason" in all this world issues, deviating from religion.

Thus Islam has become, in their sight, only silly amorphous shapes.

O our Lord! Accept (this service) from us. Verily, You are the All-Hearing, the All-Knowing. Relent toward us; You are the relenting, the Merciful. Forgive us and have mercy upon us; You are the Forgiving, the Merciful. Save us from anxiety, distress, and the great trouble. Make us enjoy looking at Your noble face. Make us among those beneath whom rivers will flow in the Gardens of Pleasure, their invocations therein will be, "Exalted are You, O Allah.", and their greeting therein will be "peace". And the last of their invocations will be, "Praise to Allah, Lord of the Worlds!"

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