

Fath al-Mu‘īn Fī Taqrīb Manhaj al-Sālikīn Wa Tawḍīḥ
al-Fiqh Fī al-Dīn,
By Sheikh Haytham Bin Muḥammad Sarḥān
(ḥafidhahullah)

**The Victorious Conquest from The Helper in Explaining
the Methodology of the Seekers and Clarifying the
Jurisprudence in the Religion**

**A translation of the work of
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**May Allah forgive him, his parents,
and whoever helped produce this work**

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AN INTRODUCTION TO THE EXPLANATION

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Indeed, all praise is due to Allāh ﷻ alone. We praise him, seek aid from him, and ask him for forgiveness. We seek refuge in Allāh ﷻ from the evils of ourselves and (the evils of) our actions. Whoever Allāh ﷻ guides, there is none who can misguide him, and whoever He misguides, there is none who can guide him. I bear witness that there is no deity worthy of worship in truth except Allāh ﷻ alone, without absolutely any partners. And I bear witness that Muḥammad ﷺ is his ‘Abd (worshiper) and messenger.

(يٰۤاَيُّهَا الَّذِيْنَ ءَامَنُوْا اتَّقُوا اللّٰهَ حَقَّ تُقَاتِهٖ وَلَا تَمُوْتُوْا اِلَّا وَاَنْتُمْ مُّسْلِمُوْنَ)

“O you who have believed, fear Allāh as He should be feared and do not die except as Muslims.” [Āl-‘Imrān: 102]

(يٰۤاَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِيْ خَلَقَكُمْ مِّنْ نَّفْسٍ وَّحِدَةٍ وَّخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيْرًا وَّنِسَاءً ۗ وَاتَّقُوا اللّٰهَ الَّذِيْ تَسَّءَلُوْنَ بِهِ وَاَلْرٰحٰمَ ۗ اِنَّ اللّٰهَ كَانَ عَلٰیكُمْ رَقِيْبًا)

“O mankind! Be dutiful to your Rabb (Lord) Who created you from a single person (Adam), and from him (Adam) He created his wife [Ḥawwā’ (Eve)], and from them both He created many men and women. And fear Allāh through Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allāh is always Raqīb (Watching) over you.” [An-Nisā’: 1]

(يٰۤاَيُّهَا الَّذِيْنَ ءَامَنُوْا اتَّقُوا اللّٰهَ وَفُوْءُوْا قَوْلًا سَدِيْدًا ۙ يُصْلِحْ لَكُمْ اَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوْبَكُمْ ۗ وَمَنْ يُطِعِ اللّٰهَ وَرَسُوْلَهٗ فَقَدْ فَازَ فَوْزًا عَظِيْمًا)

“O you who believe! Keep your duty to Allāh and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allāh and His Messenger, he has indeed achieved a great achievement.” [Al-Aḥzāb: 70-71]

To proceed; this book (Manhaj al-Sālikīn Wa Tawḍīḥ al-Fiqh Fī al-Dīn) is indeed one of the most comprehensive summaries of Fiqh that deal with mentioning the Rājih (i.e., the preponderant and overweighing scholarly view) when it comes to the issues of Fiqh, without stating differences in scholarly views.

As such, the author – may Allāh ﷻ have mercy upon him – was keen on presenting evidence from The Qur’ān and Sunnah for that which he strengthened (i.e., for the views that he considered to be more correct). He – may Allāh ﷻ have mercy on him – has certainly excelled in this book, and put forth much benefit.

Furthermore, many of the ‘Ulamā’ (Scholars of Islām) have advised with studying and being diligent with this book. So, we wanted to release it for the beginning student of knowledge, in a new style where we have broken down the Masā’il (Issues of Fiqh) into parts, and clarified what the author intended, may Allāh ﷻ have mercy upon him.

Our methodology in [explaining] this book can be summarized in the following points:

- Being precise and careful with the Matn (original text of the book).
- Placing the Matn in diagrams with a blue background.
- Placing any additions from the Shāriḥ (i.e., the explainer) in the course of the Matn between two brackets [...]. This will be in black if it's in the middle of the text, and in blue for the headings.
- Adding some clarifications and supplements to what the author – may Allāh ﷻ have mercy upon him – has mentioned. Like:
 - Adding some definitions, and
 - whenever needed, placing summaries in the form of diagrams at the beginning of the chapters.

Furthermore, for most of the additions, we have relied upon that which the author's student Sheikh Muḥammad Bin Ṣāliḥ al-‘Uthaymīn – may Allāh ﷻ have mercy on him and forgive him – affirmed in his two books “Sharḥ al-Mumtī’ ‘Alā Zād al-Mustaḥqni’” and “Fath Thī al-Jalāl Wa al-Ikrām Bi Sharḥ Bulūgh al-Marām”

We ask Allāh ﷻ that He accepts this work from us, makes it sincere for His Noble Face, and benefits through it whosoever reads and learns it. Indeed, He is Al-Samī’ (The All-Hearing) and Al-‘Alīm (The All-Knowing).

INTRODUCTION OF THE AUTHOR

Bismillāh Al-Raḥmān Al-Raḥīm (In the name of Allāh, The Most Merciful, The Bestower of Mercy), and (only) from Him, we seek aid.

All praise is due to Allāh ﷻ. We praise him, seek aid from him, and ask him for forgiveness. We seek refuge in Allāh ﷻ from the evil of ourselves and (the evil of) our actions. Whoever Allāh ﷻ guides, there is none who can misguide him, and whoever He misguides, there is none who can guide him. I bear witness that there is no deity worthy of worship in truth except Allāh ﷻ alone, without absolutely any partners. And I bear witness that Muḥammad ﷺ is his ‘Abd (worshiper) and messenger.

To proceed; this is a summarized book of Fiqh in which I have compiled Masā’il (Issues) and Dalā’il (Proofs from The Qur’ān and Sunnah). In this book, I have restricted myself to (mentioning) the most important and beneficial matters since this is very much needed. Often, to make it easy for beginners to memorize and understand, I do not add to the Naṣṣ (a piece of textual evidence) if the ruling in it is clear. This is because:

Al-‘Ilm is defined as knowing the truth with its evidence, and –

Al-Fiqh is defined as knowledge of the subsidiary (i.e., action-based) religious rulings along with their evidence from the Book (i.e., The Qur’ān) and the Sunnah, the Ijmaa’ (consensus) of the ‘Ulamā’ (Islāmic scholars), and correct Qiyās (Analogy).

I have restricted this book to the well-known proofs out of fear of lengthening it. Additionally, if an issue had differences in scholarly views, I chose the view that I deemed to be stronger, following religious evidence.

An important question: Why do we study Fiqh?

Answer: Al-‘Ibādah (Worship) is only accepted with two things:

Al-Ikhlāṣ (Sincerity): To intend Allāh ﷻ alone without committing Shirk (i.e., associating partners with Him) or performing Riyā’ (i.e., showing off), and this is why we study Tawḥīd.

Al-Mutāba‘ah (Conformity): To follow the Sharī‘ah (Islāmic legislation) that our Prophet Muḥammad ﷺ came with, and this is why we study Fiqh.

Religious rulings are divided into two categories:
[1] Al-Aḥkām [Al-Taklīfiyyah] (Degrees of Obligation) are five:

Ruling	Definition	Definition (Usul al-Fiqh)	Also Called
A) Al-Wajīb (That which is obligatory)	It is that for which the one who carries it out [compliantly] is rewarded and the one who abandons it is punished [deservingly].	That which the Shari' (i.e., Allah ﷻ and the Messenger ﷺ) has commanded in a manner that entails obligation.	Fard / Faridah / Hatm / Lazim
B) Al-Harām (That which is prohibited)	(It is) its opposite [Meaning: (opposite of) Al-Wajīb].	That which the Shari' has forbidden in a manner that makes leaving it obligatory.	Muharram / Mamnu'
C) Al-Makrūn That which is disliked)	It is that for which the one who refrains from it [compliantly] is rewarded and the one who does it is not punished.	That which the Shari' has forbidden without making it obligatory to leave it.	Mubaghghad
D) Al-Masnun (That which is liked)	(It is) its opposite [Meaning: opposite of Al-Makrūh]	That which the Shari' has commanded without making it an obligation.	Sunnah / Mustahabb / Nafl / Mandūb / Raghībah / Fadīlah
E) and Al-Mubāh (That which is permissible)	It is that for which committing it and refraining from it is equal.	That to which no command or prohibition is related due its very self.	Halāl / Ja'iz

[2] Al-Aḥkām Al-Waḍ‘īyyah (Indicative Rulings): from them are:				
[A] Al-Ṣaḥīḥ (Correct / Valid)	[B] Al-Fāsīd (Incorrect / Invalid)	[C] Al-Sabab (Reason)	[D] Al-Sharṭ (Condition)	[E] Al-Mānī' (Preventive Factor)

It is obligatory upon the Mukallaf [a Bāligh (i.e., has reached the Islāmic age of maturity) and ‘Āqil (i.e., sane)] to learn from Fiqh everything that he needs for his ‘Ibādāt (acts of worship), Mu‘āmalāt (transactions and dealings), and more.

He (The Messenger) ﷺ said (in the meaning of which): “Whoever Allāh wants good for, He gives him understanding of the Religion.” Agreed upon (by Imām Al-Bukhārī and Muslim).

CONTENTS OF THE BOOK

Firstly: Al-‘Ibādāt (Acts of Worship)

Fiqh is started with ‘Ibādāt because they are more noble and virtuous. And they are the pillars of Islām, along with Jihād.

The chapters:

- Book of Al-Ṭahārah (Purification)
- Book of Al-Ṣalāh (Prayer)
- Book of Al-Janā’iz (Funeral)
- Book of Al-Zakāh (Obligatory Charity)
- Book of Al-Ṣiyām (Fasting)
- Book of Al-Ḥajj (Pilgrimage)
- Book of Al-Jihād (Islāmic War) (keeping the book short, the author did not mention this chapter)

Secondly: Al-Mu‘āmalāt (Transactions and Dealings)

(Al-Mu‘āmalāt is studied) because the

Mukallaf needs it. And it is arranged according to what the person requires. People require food and drink, and they need to obtain them through buying and selling. Then, when one becomes satisfied, he asks for marriage. Then, divorce may take place, which has an ‘Iddah (Waiting period). He may harm someone due to the vanity and ungratefulness that overcomes some people, which requires restraint. So, they mention Al-Qisās (Retributive punishment), Al-Ḥudūd (Penal punishments), Al-Qaḍā’ (Judicial Authority), etc.

The chapters:

- Book Al-Buyū’ (Buying and Selling)
- Book of Al-Nikāḥ (Marriage)
- Book of Al-Ṭalāq (Divorce)
- Book of Al-Aṭ‘imah (Food)
- Book of Al-Ḥudūd (Penal Punishments)
- Book of Al-Qaḍā’ (Judicial Authority), Lawsuits, Proofs, and Types of testimonies.
- Book of Al-Mawārīth (Inheritance)
- Book of Al-Ṣadāq (Dowry)

	<ul style="list-style-type: none"> • Book of Al-‘Idad (Waiting periods) and Al-Istibrā’ (Checking for pregnancy) • Book of Al-Jināyāt (Crimes and Felonies)
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Why do the Fuqahā’ (Scholars of Fiqh) start their books with the book of Al-Ṭahārah (Purity)?

Because it is related to the first pillar of Islām. So, it is necessary to have inner purity before having outer purity.	Because removing impurities comes before being upon purity.	Because acts of worship are only accepted with Al-Ikhlās (Sincerity to Allāh ﷻ and Al-Mutāba‘ah) (Conformity, i.e., to the Sunnah of the Messenger)	Because it is one of the conditions of Al-Ṣalāh (Prayer) and precedes it.
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What do the Fuqahā’ conclude the books of Fiqh with?

Chapter of Al-Iqrār (Admitting to something) Hoping that they die upon Tawḥīd	Chapter of Al-‘Itq (Freeing slaves) Hoping that they are freed/saved from the hellfire on the day of judgment.
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It has become common to organize books of Fiqh in the following way to make it easy for the student:

[1] Categorizing the book into (smaller) books	[2] Categorizing (smaller) books into chapters	[3] Categorizing chapters into sections	[4] Categorizing sections into issues
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A SECTION ON THE TWO TESTIMONIES

The Prophet ﷺ said (in the meaning of which): “Islām has been built upon five (pillars): testifying that there is no deity worthy of worship in truth except Allāh and that Muḥammad is the Messenger of Allāh, establishing the Ṣalāh (Prayer), paying the Zakāh (Obligatory charity), making Ḥajj (Pilgrimage) to the House, and fasting in Ramaḍān.” Agreed upon (by Imām Al-Bukhārī and Muslim)

The testimony that “There is no deity worthy of worship in truth except Allāh” is the knowledge, belief, and commitment of the ‘Abd (worshiper) to the fact that there is none deserving of Al- Ulūhiyyah (i.e., being deified) and Al-‘Ubūdiyyah i.e., being worshiped) in truth except Allāh ﷻ (alone, without any partners.

This makes it obligatory upon the ‘Abd (worshiper) that he sincerely devotes all parts of Islām to Allāh ﷻ, makes all his outward and inward acts of worship for Allāh ﷻ alone, and doesn’t associate anything with Him in any matter of the religion. And this is the foundational principle of the religion of all the messengers and their followers.

As Allāh ﷻ said (in the meaning of which): “And We did not send any Messenger before you (O Muḥammad ﷺ) but We revealed to him (saying): Lā ilāha illā Ana (there is no true deity besides Me), so worship Me”

And the testimony that “Muḥammad is the messenger of Allāh”: (obligates) the worshiper to believe that Allāh ﷻ sent Muḥammad ﷺ to both mankind and Jinn as a bearer of glad tidings and as a warner. (As someone) who calls them to the Tawḥīd of Allāh ﷻ and obeying Him; by believing in what he informed them of, complying with his command, and staying away from what he prohibited. (Calling towards) that the only (way to attain) happiness and goodness in this world and the next is by believing and obeying him, and that one’s love for the Prophet ﷺ must supersede the love (one has) for himself, his children, and all of humanity. And (it obligates him to believe) that Allāh ﷻ aided the Prophet ﷺ with miracles that show (the truthfulness) of his message, with complete knowledge and impeccable manners that He bestowed upon him, and with all the guidance, mercy, truth, and religious and worldly benefit that His religion includes.

And His biggest sign is this Great Qur’ān, with all the truth that it contains in terms of statements, commands, and prohibitions. And Allāh knows best.

The levels of the Dīn (Religion) are three:

<p>[1] Al-Islām: Submission to Allāh ﷻ through Tawḥīd, being steadfast in obeying Him, and disassociation from Shirk and its people. And it (i.e. Islām) has five pillars.</p>	<p>[2] Al-Īmān: It Has six pillars – to believe in Allāh ﷻ, His Angels, His books, His Messengers, (in) the Day of Judgment, and (in) Al-Qadr (The preordained decree) – its good and its bad.</p>	<p>[3] Al-Iḥsān: It has one pillar – to worship Allāh ﷻ as if you see Him, so, if you cannot see Him, then He surely sees you.</p>
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THE BOOK OF ṬAHĀRAH (PURITY)

Types of Ṭahārah (Purity):						
[1] Spiritual Purity:	[2] Physical Purity:					
	[A] Purity from Al-Ḥadath (State of ritual impurity):			[B] Purity from Khabath (i.e., Najāsah – Physical Impurity) present:		
	Al-Ḥadath Al-Akbar (Major state of ritual impurity)	Al-Ḥadath Al-Aṣghar (Minor state of ritual impurity – which requires Wuḍū’)	on the body	on the clothes	at the place (of worship)	
Al-Ḥadath	A description of something that happens to the body and prevents (one from) performing Ṣalāh (Prayer) and other types of worship that require being upon purity, like Ṭawāf (circling The Ka‘bah).					
Al-Najāsah	Everything that must be purified from, such as human urine and sexual discharges.					

Al-Ṭahārah (Purification) occurs through:		
[1] Water (which is the default): and it is categorized into:		[2] Al-Turāb (in Tayammum, which is a secondary means of purification): It removes major and minor Ḥadath if water is not available or cannot be used.
[A] Ṭahūr (Purifying): can be used for Ṭahārah	[B] and Najis (Impure): cannot be used for Ṭahārah	

After relieving oneself, one is allowed to combine between two things, but one of the two is sufficient:	
[1] Al-Istinjā’ (i.e., cleansing with water): occurs through water only.	[2] Al-Istijmār: (using) three stones – or something similar – to clean the usual area of impurity.

Al-Najāsah: Every single thing of which purifying oneself is obligatory. It is divided (into three categories) based on the way by which it is removed:		
<p>[1] Al-Mughallaḏah (Severe/Extreme impurity): It is the impurity of dogs. The Prophet ﷺ commanded that if a dog licks a vessel, then it must be washed seven times, with the first of them being with Turāb (i.e., sand, dust, etc.)</p>	<p>[2] Al-Mukhaffafah (Light impurity): It is removed through Al-Naḏḥ, which is Al-Rash (i.e., sprinkling water) without squeezing. It is (used) for the urine of a male child who has not yet eaten (solid) food, and (for) Al-Madhī (i.e., Pre-seminal fluid). And even though Al-Manī (i.e., Semen) is pure, the Prophet ﷺ used to sprinkle water on it if it was wet, and (used to) scratch it off if it was dry.</p>	<p>[3] Al-Mutawassiṭah (Medium/Regular impurity): It is removed by washing, which is Al-Rash (i.e., Sprinkling water) along with Al-‘Aṣr (i.e., squeezing). It is every impurity that is not Mughallaḏah (Severe) or Mukhaffafah (Light), like the urine of a man and a woman, and other types of impurities.</p>

The Sunan (pl. of Sunnah) of the Fiṭrah (Innate disposition) includes:		
<p>[1] Circumcision: Cutting the skin that covers the glans (i.e., the head of the male private part) so that dirt does not collect in it and he can clean himself from urine. This is obligatory upon men, and a Sunnah for women who need it.</p>	<p>[2-5] Trimming the mustache, clipping nails, plucking armpit hair, and shaving pubic hair: Clipping the nails means cutting them; because leaving them causes dirt to accumulate underneath. Plucking the armpit is removing the hair that grows in the armpit, regardless of whether it is removed by plucking, shaving, or other means. This is done due to the cleanliness and lack of stench that comes with removing them. The pubic hair is the hair that grows around the front private part, and it can be removed without shaving; by using (hair) removal products, for</p>	<p>[6] letting the beard grow The ruling of letting it grow is obligatory, shaving it is one of the major sins.</p>

	<p>example. On the authority of Anas, may Allāh ﷺ be pleased with him: “A time limit has been prescribed for us for clipping the mustache, cutting the nails, plucking the hair under the armpits, shaving the pubes - that it should not be neglected for more than forty nights.” Narrated by Muslim. Hence, you shouldn't delay these things past forty nights.</p>	
<p>[7] Al-Siwāk: Using the branch of Arāk (a type of tree) and the like to clean the teeth, and its ruling is that it is a Sunnah. Additionally, it is a Sunnah at all times but is emphasized: when performing Wuḍu', at the time of Ṣalāh, when entering the house, reading the Qur'an, getting up from sleep, at the time of death, and when the mouth's smell changes.</p>		
<p>[8-10] Performing Istinshāq with water (i.e., breathing in water through the nose), washing the Barājim, and Intiqāṣ of water: Al-Barājim are the joints of the fingers and Intiqāṣ of water is Al-Istinjā'. The evidence for this is the Hadīth of 'Ā'ishah – may Allāh ﷺ be pleased with her – in (Ṣaḥīḥ) Muslim.</p>		

**A SECTION ON TYPES OF ṬAHĀRAH
(PURITY)**

<p>As for Al-Ṣalāh (Prayer), it has certain conditions that precede it, such as Al-Ṭahārah (Purity). The Prophet ﷺ said (in the meaning of which), “Allāh does not accept a Ṣalāh (Prayer) without Al-Ṭahārah (Purity).” Agreed upon. Therefore, whoever doesn't purify himself from:</p>	
<p>[1] Al-Ḥadath Al-Akbar (Major state of ritual impurity) and Al-Ḥadath Al-Aṣghar (Minor state of ritual impurity)</p>	<p>and [2] Al-Najāsah (Physical impurities)</p>
<p style="text-align: center;">there is no Ṣalāh (Prayer) for him. Furthermore, Al-Ṭahārah is of two types:</p>	
<p>[1] The first of them: Ṭahārah (Purification) with water, and this is the default.</p>	<p>[2] and the second: Ṭahārah (Purification) with Turāb (dust, sand, etc.), and this is the secondary (means of Ṭahārah).</p>

Types of Water: The correct view is the water is divided into two types only: Ṭahūr (water which purifies) and Najis (impure)	
<p>[1] All water that falls from the sky or springs from the earth is Ṭahūr (purifying) which purifies from Aḥdāth (Ritual Impurities) and Akhbāth (Physical impurities) even if its color, taste, or smell changes due to something Ṭāhir (Pure). As The Prophet ﷺ said (in the meaning of which), “Water is pure and nothing can make it impure” Narrated by the authors of (the books of) Sunan, and it is Ṣaḥīḥ (Authentic)</p>	<p>[2] However, if one of its characteristics changes [i.e., its taste, color, or smell] by a Najāsah (physical impurity) then, it is Najis (impure) and must be avoided.</p>
The default state concerning everything is (that it is) pure and permissible. Therefore, if:	
<p>[1] a Muslim doubts the impurity of some water, a garment, a particular area, or anything else: then, it is Ṭāhir (pure).</p>	<p>[2] or (if) he is certain of the purity but doubts concerning Ḥadath (state of ritual impurity): then, it is Ṭāhir (pure).</p>
<p>This is because He ﷺ said about the one who thinks that he has passed wind during his Ṣalāh (in the meaning of which): “He should not leave until he hears a sound or perceives a smell.” Agreed upon.</p>	
<p>In addition, this is supported by the unanimous principle in Fiqh, which says: “Certainty is not removed by doubt” This means that something that is established with certainty cannot be removed except by certainty, and it is not removed by whatever falls below that, which is doubt or imagination.</p> <p>The Prophet ﷺ said about the sea (in the meaning of which): “Its water is pure and its dead is permissible (i.e., to eat).” Narrated by Al-Bukhārī.</p>	

CHAPTER OF AL-ĀNIYAH (VESSELS AND UTENSILS)

Why are vessels and utensils mentioned in the book of Ṭahārah?

Water is a fluid that can only be stored and preserved in a container. This is why the chapter of vessels is mentioned after the chapter of water. Furthermore, it is known that if something can

be mentioned on two suitable occasions, it is more appropriate that it be mentioned on the first occasion, and referred to in the second. This is because if it's delayed to the second, its benefit is lost in the first. However, if it's mentioned in the first, its benefit is not lost in the second.

All utensils are permissible (to use) except for utensils of gold and silver, and those that contain some amount of them (i.e., of gold and silver), except for a small amount of silver in times of need. [‘Āṣim said (in the meaning of which): I saw the mug of The Prophet ﷺ with Anas Bin Mālik, and it had been cracked. So, he fixed it with silver.]

Conditions for the permissibility of using silver in vessels: It must be:

[1] Ḍabbah: a chain that is placed in the crack,	[2] small (in quantity),	[3] silver,	[4] and for a need.
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This is due to the saying of The Prophet ﷺ (in the meaning of which): “Do not drink from vessels of gold and silver, and do not eat from its dishes, for they are for them (i.e., Jews and Christians) in this world, and for you in the Hereafter.” Agreed upon.

The ruling on (using) the vessels of disbelievers:

[1] That which we know to be pure: It is Ṭāhir (pure) and permissible to use.	[2] That which we know to be impure: It is impure and must be washed before use.	[3] That regarding which we doubt: We base it on the default, which is purity.
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Ruling on wearing clothes of disbelievers: The default is that they are permissible, but with some detail:

[1] One who is known to not avoid impurities, like the Christians: It is better to avoid his clothes.	[2] And whoever is not known for this: His clothes are permissible for us.
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Ruling on tanned leather:

[1] Tanning is achieved by cleaning the dirt and filth present in the skin, and that is by using any substance containing salt or something similar.	[2] Every dead animal which is allowed to be eaten: its skin becomes clean through tanning.
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**CHAPTER OF AL-ISTINJĀ’ AND THE
ETIQUETTE OF RELIEVING ONESELF**

It is Mustahabb when entering the toilet that:

[1] One enters with his left leg,

[2] and that one says:

بِسْمِ اللَّهِ، اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْخُبْثِ وَالْخَبَائِثِ

Bismillāh, Allāhumma Innī A‘ūdhu bika min al-Khubthi Wa al-Khabā’ith (“In The Name of Allāh. O Allāh, I seek refuge in You from evil and its people.”)

And if one exits:

[1] He should exit with his right leg,

[2] and says:

“غفرانك”، “الحمد لله الذي أذهب عني الأذى وعافاني”

“Ghufrānaka”, “Al-Ḥamdu Lillāhi Al-Ladhī Adhhaba ‘Annī Al-Adhā Wa ‘Āfānī” (“(I seek) Your forgiveness”, “Praise be to Allāh, who has removed harm from me and healed me.”)

Note: (The supplication) “Al-Ḥamdu Lillāhi...” was mentioned in a weak Ḥadīth. Therefore, it is not prescribed that one says it. And Allāh ﷻ knows best.

When sitting (to relieve oneself), one should lean on his left leg and set his right leg upright.

It is [obligatory] for one to cover himself with a wall or something similar, and distance himself (from people) if he is in an open area.

One must not reveal his ‘Awrah until he approaches the ground.

It is not permissible for one to relieve himself:

[1] on roadways,

[2] in places where people sit,

[3] under fruit bearing trees,

[4] in any place that can cause people harm,

[5] and in still water.

And one does not face The Qiblah or turn his back towards it when relieving himself; The Prophet ﷺ said (in the meaning of which): “When you defecate, do not face The Qiblah while defecating or urinating, and do not turn your back towards it. Rather, face towards the east or the west.” Agreed upon.

It is not permissible for one to:

- ❖ touch his private part with his right hand, or to use it to clean himself.
- ❖ enter the toilet with something that contains mention of Allāh. He must refrain from remembering Allāh ﷺ as long as he is in it.

Furthermore, it is disliked that one remains in the place where he is relieving himself after he has finished.

After relieving oneself, one should:

[1] **Perform Istijmār with three stones or something similar, which cleans the area.**

[2] **Perform Istinjā’ using water.**

It is sufficient to just perform one of the two.

In addition, one must neither perform Istijmār using:

[1] **dung or bones, since The Prophet ﷺ forbade doing so**

[2] **nor using anything that is given sanctity.**

Conditions of Istijmār:

[1] It must be three or more wipes. Moreover, one does not wipe (more than once) using the same side.

[2] The place must be clean, and this cleanliness is known when the stone or tissue returns dry after wiping.

[3] It must not be done with something Najis (Impure), something respected like food, or with bones or dung.

It is permissible to urinate while standing with the condition that:

[1] one is safe from the urine splattering on his body and clothes,

[2] and safe from his ‘Awrah being exposed.

In a Ḥadīth narrated by Ḥudhayfah رضي الله عنه : “He (i.e., The Prophet ﷺ) came to some people's garbage dump and urinated while standing up...” Agreed upon.

Some points related to the phone and relieving oneself:

[1] One must not use a ringtone that has mention of Allāh ﷻ, regardless of whether it is Āyāt (verses) from the Qur’ān, the Adhān, or a Du‘ā’, fearing that the phone might ring while one is relieving himself.

[2] One must not use the phone while excreting or urinating because this forces the person to stay longer in the toilet, which is something that is Makrūh (disliked).

[3] The phone must not contain any mention of Allāh ﷻ because this is a form of entering with something that has mention of Allāh ﷻ. If this mention appears on the screen, then this is

wrong. However, if it does not appear or is hidden, then there is no issue. In any case, however, it is better to leave the phone outside unless one fears losing it.

**A SECTION [ON REMOVING
AL-NAJĀSAH (IMPURITIES) AND
IMPURE THINGS]**

When washing impurities present on the body, the clothes, a particular spot, or somewhere else, it is sufficient that the impurity itself is removed from its place. This is because al-Shāri‘ (Allāh ﷻ) did not set a specific number of washes as a condition, except for the najāsah (impurity) of dogs, for which He made seven washes a condition with one of them being with al-Turāb (dirt/sand); [as mentioned in the ḥadīth that is agreed upon].
Najis (impure) things:

[1] Human urine.

[2] Human feces.

[3] Blood; although a minute amount of blood is overlooked. Similarly, the blood which is shed upon slaughtering animals which are permissible to eat (is also impure), except the blood that remains in the meat and veins, which is pure. [Additionally, menstrual blood is also najis].

[4] Al-Madhī (Pre-seminal fluid): A colorless fluid that comes out during fondling/playing or intercourse.

[5] Al-Wadī: A thick, white fluid that comes out after urination.

Whoever is touched by madhī or wadī must wash his private part and make wuḍū’ (ablution), and ghusl (ritual bath) is not obligatory upon him.

Some other najis things are:

[6] The urine and dung of every animal that is impermissible to eat.

[7] Felines – All of them are najis.

[8] Likewise, dead animals (are also najis), except dead human beings, that which does not contain any fluid [i.e., no blood], fish, and locusts, for these are pure.

Allāh ﷻ said (in the meaning of which), “Forbidden to you (for food) are: al-Maytah (the dead animals - cattle - beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering, (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns - and that which has been (partly) eaten by a wild animal - unless you are able to slaughter it (before its death) - and that which is sacrificed (slaughtered) on

al-Nusub (stone-altars). (Forbidden) also is to use arrows seeking luck or decision; (all) that is fisq (disobedience of Allāh and sin). This day, those who disbelieved have given up all hope of your religion; so fear them not, but fear Me. This day, I have perfected your religion for you, completed My Favour upon you, and have chosen for you Islām as your religion. But as for him who is forced by severe hunger, with no inclination to sin (such can eat these above-mentioned meats), then surely, Allāh is Ghafūr (Oft-Forgiving), Raḥīm (Most Merciful).”

- All minute impurities are pardoned.
- One of the minute impurities that are pardoned due to the hardship faced in removing them is involuntary (uncontrollable) urine leakage for whoever suffers from it.
- It is obligatory upon the one who doubts that some urine has come out of him after wuḍū’ (ablution) or during ṣalāh (prayer) to know that this can be wiswās (whispers of Shayṭān) or mere imagination. Therefore, one must not think about this but turn away and busy himself with something else. One must forget this matter while seeking refuge in Allāh ﷻ, and this is when Allāh will remove this wiswās from them.

The Prophet ﷺ said (in the meaning of which), “A Muslim does not become impure whether alive or dead.” [Reported by al-Dāraqūṭnī, and its origin is in Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim].

He also said (in the meaning of which), “Two dead and two bloods were made permissible for us; as for the two dead things, they are fish and locusts, and as for the two bloods, they are the liver and spleen.” Narrated by Imām Aḥmad and Ibn Mājah.

[1] Feces and urine of animals that are permissible to eat: are ṭāhir (pure).

[2] Human semen is also ṭāhir. The Prophet ﷺ would wash it if it was wet and scrub it if it was dry.

Additionally, when it comes to the urine of a young boy that hasn't eaten food out of desire, it is sufficient to perform al-Naḍḥ (i.e., to splash/sprinkle water on it); as the Prophet ﷺ said (in the meaning of which), “The urine of a young girl is washed, and water is sprinkled upon the urine of a young boy.” Narrated by Abū Dāwūd and al-Nasā’ī.

Furthermore, if the impure substance itself is removed, the affected area becomes pure, and there is no harm if its color or smell remains. This is due to what the Prophet ﷺ said to Khawlah about menstrual blood (in the meaning of which), “Sufficient for you is water, and its remnants do not harm you.” [Reported by Abū Dāwūd and Aḥmad]

CHAPTER: DESCRIPTION OF AL-WUḌŪ’ (ABLUTION)

Conditions of Wuḍū’ are ten:			
[1] al-Islām (i.e., being a Muslim)	[2] al-‘Aql (i.e., being sane)	[3] al-Tamyīz (i.e., being able to distinguish between good and evil)	[4] al-Niyyah (intention)
[5] The intention must remain from the beginning of the wuḍū’ until its end.	[6] One must not make wuḍū’ while eating camel meat, for example, or while urinating. Rather, the nāqiḍ (i.e., something that nullifies wuḍū’) must stop before one starts to make wuḍū’.	[7] (Performing) al-Istinjā’ or al-Istijmār before it, except if the wuḍū’ is due to passing wind, sleeping, or eating camel meat.	
[8] The water (used) must be tahūr (purifying) and permissible to use.	[9] Removing anything that prevents water from reaching the skin.	[10] The time for the ṣalāh must have come, and this condition is for someone whose ḥadath is constant (i.e., wuḍū’ breaks constantly).	

The obligatory actions of wuḍū’ (ablution) are six; (four of them are mentioned in the Āyah of Wuḍū’ in order with continuity):

[1] Washing the face, which includes al-maḍmaḍah (i.e., rinsing the mouth) and al-istinshāq (i.e., rinsing the nose by sniffing in water and then blowing it out).	[2] Washing both hands up to and including the elbows.		
[3] Wiping the entire head including the ears.	[4] Washing both feet including the ankles.	[5] Al-Tartīb (Performing it in order)	
[6] Al-Muwālāh (Continuity in performing wudhu): whereby one does not delay washing a limb such that the one that he washed previously has already dried up.			

It [i.e., wuḍū’] is performed in the following manner:

[1] One makes the intention to remove al-ḥadath (i.e., ritual impurity), to make wuḍū’ for ṣalāh, or something similar. Al-Niyyah (Intention) is a condition for all acts of worship including Ṭahārah (purification). This is based on the statement of the Prophet (in the	[2] Then, one says, “Bismillāh” (“With the Name of Allāh”).	[3] Then, one washes his hands three times.
	[4] Then, with three handfuls of water, one performs al-maḍmaḍah (i.e., rinsing the mouth)	

<p>meaning of which), “Actions are only by intentions, and everyone will have that which he intends.” Agreed upon. [The intention's place is the heart, and saying it out loud is a bid‘ah (innovation within religion).]</p>	<p>and al-istinshāq (i.e., rinsing the nose by sniffing in water and then blowing it out) three times.</p>	
<p>[5] Then, one washes his face three times.</p>	<p>[6] Then, one washes his hands up to and including the elbows three times.</p>	<p>[7] Then, with his hands, one wipes his head once, beginning with the forehead and ending at the nape of the neck. Then, one wipes back to the place he started from.</p>
<p>[8] Then, one places his two index fingers inside his ears, and with his thumbs, wipes the outside of the ears.</p>	<p>[9] Finally, one washes each foot three times, including the ankles.</p>	

This is the most complete form of wuḍū’ that the Prophet performed. The obligatory actions from among these, however, are the following:

<p>[1] To wash just once.</p>	<p>[2] To perform them in the sequence that Allāh mentioned when He said, “O you who believe, when you intend to offer ṣalāh, wash your faces and your hands up to the elbows, wipe your heads, and (wash) your feet up to the ankles.”</p>	<p>[3] That a conventionally long interval does not occur between the acts in a way that interrupts them being in succession. The same applies to any act for which al-muwālāh (continuity) is a condition.</p>
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A SECTION [ON WIPING OVER SOCKS AND BANDAGES/CASTS:]

<p>If one is wearing khuffs (socks), or something similar, then he can wipe over them for:</p>	
<p>[1] One day and one night if he is a muqīm (i.e., a resident and not traveling),</p>	<p>[2] and for three days and three nights if he is traveling.</p>
<p>This is on the condition that:</p>	

[1] One wore them while in a state of ṭahārah (ritual purity).	[2] He only wipes over them in case of al-ḥadath al-aṣghar (i.e., minor ritual impurity which requires wuḍū').
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[3] They must be ṭāhir (pure).	[4] They must cover most of the limb.	[5] The wiping must be done within (the stipulated) time (which is 24 hours for the muqīm, and 72 hours for the one traveling).
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It has been narrated by Anas in a marfū' narration, that (the Prophet said in the meaning of which,) "If one of you makes wuḍū' and wears his khuffs, let him wipe over them, pray in them, and not remove them except due to janābah (i.e., major ritual impurity which requires ghusl)." Narrated and graded ṣaḥīḥ (authentic) by al-Ḥākim. If one has a cast or some medication upon any of the limbs that are washed in wuḍū', and washing it will harm him, then he can wipe over it with water in case of both minor and major impurity, until it heals.
The method of wiping is as follows:

[1] To wipe over the majority of the upper part of the khuffs (socks).	[2] As for the cast, then all of it must be wiped.
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	Khuffs (Socks)	The Bandage/Cast	The Turban/ Khimār (Women's head covering)
The area it is worn on	The two feet	Anywhere on the entire body	The head
Time for wiping	24 hours for the muqīm 72 hours for the one traveling	Until it has healed	It doesn't have a specified time
The method of wiping	The top of the two socks is wiped	It is wiped completely	The head is wiped over
When is it wiped?	Upon minor ritual impurity (i.e., requiring wuḍū')	Upon minor ritual impurity (i.e., requiring wuḍū') and major ritual impurity (i.e., requiring ghusl)	Upon minor ritual impurity (i.e., requiring wuḍū')

**CHAPTER: NULLIFIERS OF WUḌŪ’
(ABLUTION)**

The nullifiers of wuḍū’ are the following:			
[1] Anything that comes out from the front and back private parts.	[2] Loss of a considerable amount of blood or something similar.	[3] Loss of consciousness through sleep or something similar.	[4] Eating camel meat.
[5] Touching a woman with sexual desire.	[6] Touching the private parts.	[7] Washing the deceased.	[8] Apostasy, which nullifies all deeds.
<p>Note: The correct view is that bleeding a lot, touching a woman, touching the private parts, and washing the dead, do not nullify wuḍū’.</p> <p>This is due to the statement of Allāh (in the meaning of which), “or when the call of nature comes to any of you, or you have touched women.” The Messenger of Allāh ﷺ was asked (in the meaning of which), "Do we make ablution after [eating] camel meat?" He replied, "Yes." Narrated by Imām Muslim. Concerning socks, the Prophet said (in the meaning of which), "but not for defecation, urination, or sleep." Narrated and graded ṣaḥīḥ (authentic) by al-Nasā’ī and al-Tirmidhī.</p>			

CHAPTER: DESCRIPTION OF GHUSL (RITUAL BATH), AND THE THINGS WHICH MAKE IT OBLIGATORY.

The things after which one must make ghusl are the following:				
[1] Al-Janābah (i.e., major ritual impurity which requires ghusl), which is:		[2] Emission of ḥayḍ (menstrual) or nifās (postnatal) blood.	[3] Death, except for a martyr.	[4] When a disbeliever enters Islām.
[a] Ejaculation of semen during sexual intercourse or something else.	[b] The two circumcised parts coming in contact (i.e., the male and female front private parts).			

Allāh جل جلاله says (in the meaning of which), "If you are in a state of Janābah (major ritual impurity), then purify yourselves."

He also says (in the meaning of which), "And do not approach them until they are pure, and when they have purified themselves, approach them from where Allāh has commanded you." Meaning, after they have performed ghusl.

The Prophet صلى الله عليه وسلم commanded that ghusl must be performed after one washes the deceased. He also commanded it for the one who enters Islām.

As for the manner in which the Prophet صلى الله عليه وسلم performed ghusl after janābah, then it is the following:

[1] He would first wash his private part.	[2] Then, he would perform a complete wuḍū’.	[3] Then, he would pour water on his head three times, rubbing it with it.	[4] Then, he would pour water over his entire body.	[5] Finally, he would wash his feet at another place.
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The obligatory parts of ghusl are:

[1] to wash the entire body,	[2] including what is under both the thin and thick hair.
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Allāh knows best.

CHAPTER: AL-TAYAMMUM

This is the second type of ṭahārah. It is a substitute for water when using water to wash some or all of the limbs that are washed during ṭahārah becomes impossible:

[1] either due to unavailability of water,	[2] or out of fear that it may cause harm if used.
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Thus, turāb (dirt, sand, etc.) is used in place of water in the following manner:

[1] One intends to remove his state of ḥadath (ritual impurity).	[2] Then, one says "Bismillāh" ("With the Name of Allāh").	[3] Then, one strikes the turāb once with his hands.	[4] Finally, with his hands, one wipes his entire face and hands.
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There is no problem if one strikes (the turāb) twice.

Note: The correct view is that it is not permissible to intentionally hit (the turāb) twice because this was not authentically reported from the Prophet ﷺ. Furthermore, the default principle is that an act of worship must be done according to how it has been described without any additions or subtractions. And Allāh ﷻ knows best.

Allāh ﷻ said (in the meaning of which), "If you do not find any water, then perform tayammum with clean earth and rub your faces and hands with it. Allāh does not want to place you in difficulty, but he wants to purify you and complete his favor upon you, so that you may be thankful."

It was reported on the authority of Jābir that the Prophet ﷺ said (in the meaning of which), "I have been given five things that were not given to anyone before me: I have been aided to victory by flooding terror [into my enemies'] hearts up to a month's journey. The entire earth has been made a place of prayer and purifying, so when the ṣalāh reaches anyone of you, he should offer it. The spoils of war have been made permissible for me and it wasn't permissible for anyone before me. I will be given the right for intercession. Every Prophet was sent to their specific people, but I was sent to all people." Agreed upon.

Whoever is upon al-ḥadath al-aṣghar (state of minor ritual impurity), it is impermissible for him to do the following:

[1] Perform ṣalāh.

[2] Make ṭawāf (i.e., circling) around the Ka‘bah.

[3] Touch the muṣḥaf.

Along with these, whoever is upon al-ḥadath al-akbar (state of major ritual impurity) cannot do the following:

[4] Recite anything from the Qur‘ān.

[5] Staying in the mosque without wuḍū‘.

Along with all the above, woman who are experiencing menstruation (ḥayḍ) or postnatal bleeding (nifās) are not permitted to do the following:

[1] Observe ṣiyām (fast).

[2] Have sexual relations.

[3] Get divorced.

However, it is permissible for her to read the Qur‘ān.

Additionally, she does not need to perform Ṭawāf al-Wadā‘ if she completes the rituals of Ḥajj and ‘Umrah and then starts menstruating before she leaves for her homeland, and continues menstruating until she leaves. In this case, she leaves without Ṭawāf al-Wadā‘ because of the ḥadīth of Ibn ‘Abbās where he said, "People were ordered to perform ṭawāf around the Ka‘bah (Ṭawāf al-Wadā‘) as the last thing before leaving (Makkah), except the menstruating women, who were excused." Agreed upon.

CHAPTER: MENSTRUAL

The default ruling of blood that is emitted by a woman is that it is menstrual blood, with no limit to its amount or frequency, and no limit to the age [of the woman]. However, if it occurs without a specific time or any estimated time and it does not cease, except for a little, then she is considered as being mustahaadah (i.e., a woman experiencing abnormal vaginal bleeding outside of menstrual and post-natal bleeding). Regarding this type of woman, the Prophet commanded her to stay within her normal menstruation cycle. If she does not have a regular menstruation cycle, then she should try and distinguish it. If she is unable to distinguish it, then she should look at the majority of the women as a whole, which is six or seven days.

And Allah knows best.

Menstruation (Alhayd)	Post-natal bleeding (Alnefas)	Irregular bleeding (Alistihadah)		
It's the default. There is no limit on its age nor its amount nor its continuity.	It's the bleeding that exits from a woman: when giving birth, pre-birth or after birth. The ruling is the same as menstruation	It's the blood that remains with a woman or doesn't stop except slightly. The woman who have irregular bleeding falls under one of the three categories:		
		[1] AlMu'tadah. (the woman who has a normal period cycle) the one who knows her ordinary (menstrual cycle), as she waits during it and doesn't pray or fast.	[2] AlMumyyzah the one who doesn't know her ordinary cycle but can differentiate between the blood of her menstrual cycle and other than it by its color, smell, thickness or clotting.	[3] Almuthyerah the one who doesn't know her common cycle and cannot distinguish (her bleeding) therefore she refers to her common cycles of her female family members. She waits in the beginning of every hijri month.

- ❖ Post-natal bleeding has no limit to how little or how much it is, thus if she sees the bleeding for more than forty days then it is post-natal bleeding.
- ❖ If a menstruating woman becomes pure during the time of prayer then she must hurry to take a ritual bath in order to perform that prayer in its time period, likewise if she starts

to menstruate after the sunsets the length of one prayer unit (rak'a) then she must make up that maghrib prayer when she becomes pure, due to her reaching the prayer time for the length of one unit before she started to menstruate.

THE BOOK OF AL-SALAAH (PRAYER)

al-Salaah (Prayer): al-Salaah is an act of worship that includes specific statements and actions. It is begun with the Takbeer (i.e., saying "Allahu Akbar"), and concluded with the Tasleem (i.e., saying "al-Salaamu 'Alaykum Wa Rahmatullaahi Wa Barakaatuhu").

al-Salaah (Prayer) is of two types:

[1] Fareedah (Obligatory Salaah): which is obligatory upon every Muslim who is Baaligh (i.e., has hit puberty), 'Aaqil (i.e., sane), and is not menstruating or in a state of post-natal bleeding. Children should be ordered to perform this (type of) Salaah at the age of seven and hit (for not performing it) at the age of 10. Furthermore, there are five of them throughout the day and night:

[2] Naafilah (Voluntary Salaah): which is not obligatory. Rather, it is only recommended. This type includes many, which can be divided into two categories:

[a] Al-Fajr (Dawn prayer): two Raka'aat (pl. of Rak'ah - a unit of prayer)	[b] Al-Dhuhr (Noon prayer): four Raka'aat	[c] Al-'Asr (Evening prayer): four Raka'aat	[d] Al-Maghrib (Sunset prayer): three Raka'aat	[f] Al-'Ishaa' (Night prayer): four Raka'aat	[a] Unrestricted Voluntary Salaah: which the 'Abd (worshiper) prays whenever they wish - night or day – except during the times when performing Salaah is prohibited.	[b] Restricted Voluntary Salaah: which is every Salaah that has a limited time or a specific reason. For example, the Rawaatib Sunan (i.e., the highly emphasized Sunnah prayers performed before Fajr, before and after Dhuhr, after Maghrib, and after 'Ishaa').
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[Conditions of al-Salaah (Prayer)]

Al-Salaah has nine conditions:

[1] Al-Islam (i.e., being a Muslim)	[2] Al-'Aql (sanity)	[3] Al-Tamyeez (being able to distinguish between right and wrong)
[4] Removing one's state of Hadath (ritual impurity)	[5] Removing Najaasah (physical impurities)	[6] Covering the 'Awrah (private areas of the body which must be covered)
[7] Time of the Salaah having entered.	[8] Facing the Qiblah (direction of the Ka'bah)	[9] Al-Niyyah (intention)

It has already been stated earlier that taharah is a condition for Salaah. Another condition is that the time for the Salaah must have begun. The basis for this is the Hadith of Jibreel when he led the Prophet in Salaah at its beginning and end times. He then said (in the meaning of which), "O Muhammad, Salaah is between these two times." Reported by Imam Ahmad, al-Nasaa'i, and al-Tirmidhi. Furthermore, it has also been reported on the authority of 'Abdullah bin 'Amr (may Allah be pleased with him) that the Prophet said (in the meaning of which):

[1] "The time for Dhuhr is when the sun is past its zenith [i.e., when it has moved slightly towards the west, away from the center of the sky], and the shadow of a man is equal to his height, as long as (the time for) 'Asr has not yet begun.	[2] The time for 'Asr lasts [from the end of Dhuhr] until the sun has not turned yellow/pale.	[3] The time for Maghrib Salaah lasts [from sunset] until the [red] twilight has not disappeared.	[4] The time for 'Ishaa' lasts [from when the red twilight disappears] until midnight.	[5] The time for Subh Salaah (i.e., Fajr Salaah) lasts from the appearance of the [second] Fajr (dawn) until the sun has not risen." Reported by Imam Muslim
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Furthermore, one catches the time of Salaah by catching (i.e., praying) one Rak'ah (unit of prayer). This is due to the Prophet's statement (in the meaning of which), "Whoever catches a Rak'ah from the salah has caught the salah." Agreed upon.

It is not permissible to delay the entire or part of the Salaah beyond its (prescribed) time due to some excuse, except if one delays it to combine it with another salah. In this case, it is permissible if there is a (valid) excuse such as traveling, rain, sickness, etc.

Additionally, it is best to perform the Salaah at the beginning of its prescribed time, except for:

[1] 'Ishaa', if it is not difficult to do so,

[2] and Dhuhr, in case of extreme heat.

The Prophet said, "When the heat becomes intense, cool yourself from the Salaah, for the severity of the heat is from the raging of the hellfire." [Reported by Imam al-Bukhari] Whoever misses a salah, it is obligatory for him to make it up immediately and in order. If he forgets the order, is unaware of it, or fears that he will miss the (current) salaah, (the obligation of) making them up in order is dropped between them and the current salaah (i.e., one prays the current salaah and then continues the order after it).

That which is legislated after the entrance of the prayer time:

[1] The Adhaan (Call to Prayer):

- **Its ruling:** It is a Fardh Kifaayah (communal obligation) in villages and cities, for the five daily prayers, and only for men.
- **Its time:** When the time for salaah begins; to inform and urge people to attend the congregation.
- **Its wording:** "Allahu Akbar, Allahu Akbar, Allahu Akbar, Allahu Akbar; Ash-hadu an laa ilaaha ill-Allah, Ash-hadu an laa ilaaha ill-Allah; Ash-hadu anna Muhammadan Rasool-ullah, Ash-hadu anna Muhammadan Rasool-ullah; hayyah 'ala al-Salaah, hayyah 'ala al-Salaah; hayyah 'ala-alFalaah, hayyah 'ala-alFalaah; Allahu Akbar, Allahu Akbar; laa ilaaha ill-Allah." [Allah is the Greatest, Allah is the Greatest, Allah is the Greatest, Allah is the Greatest; I testify that there is no deity worthy of worship except Allah alone, I testify that there is no deity worthy of worship except Allah alone; I testify that Muhammad is the messenger of Allah, I testify that Muhammad is the messenger of Allah; Come to prayer; Come to prayer! Come to Success; Come to Success! Allah is the Greatest; Allah is the Greatest; I testify that there is no deity worthy of worship except Allah alone]

[2] The Iqaamah (call to start the salaah)

- **Its ruling:** sunnah
- **Its place:** just before starting the salaah with the takbeerat al-Ihraam (saying "Allahu Akbar")
- **Its wording:** "Allahu Akbar, Allahu Akbar; Ash-hadu an laa ilaaha ill-Allah, Ash-hadu anna Muhammadan Rasool-ullah, Rasool-ullah; hayyah ala-Salaah; hayyah ala-alFalaah; Qad Qaamat-Asalaah, Qad Qaamat-Asalaah; Allahu Akbar, Allahu Akbar; Laa ilaaha illa Allah"

It is recommended, except for the muadhin (one who gives the call to Salaah):

- That one repeats after the Mu'adhin (the one who gives the call to prayer), which is to say what the Mu'adhin says. Except when he says, "Hayaa ala AlSalaah, Hayaa ala alfalah". In this case, one says: laa hawla wa laa quwwata illa billah "(There is no change from one state

<p>to another, and no might and power except by Allah); determined to attend the congregation, and seeking Allah's help for it.</p> <ul style="list-style-type: none"> • That one says the reported dhikr after the Adhan: "Oh Allah, Rabb of this perfect call and the prayer to be established, give Muhammad the waseelah and bliss; and raise him to the praiseworthy station which you have promised him." • To supplicate with whatever one would like between the Adhan and Iqaamah. 	
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Another condition of Salaah is covering the 'Awrah (parts of the body that must be covered) with a permissible garment that does not describe/show one's skin. Furthermore, 'Awrah is of three types:

<p>[1] 'Awrah mughallazah (major awrah): which is the 'awrah of a free woman who has attained maturity. In Salah, her entire body is 'awrah except for her face.</p>	<p>[2] 'Awrah mukhaffafah (minor awrah): which is the 'awrah of a boy who is seven to ten years old, and it is the front and back private parts.</p>	<p>[3] 'Awrah mutawassitah (intermediate awrah): which is the 'awrah of everyone except the previous two types, and it is from the navel to the knees.</p>
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Allah says (in the meaning of which), "O Children of Adam, take your beautification to every masjid" (Q, 7:31)

Another condition (of Salaah) is facing the Qiblah.

Allah says (in the meaning of which), "From wherever you start [your prayers], turn your face in the direction of Masjid al-Haram." (Q, 2:149)

However, if one is unable to face the Qiblah due to sickness or something similar, then the obligation is dropped from him just as all other obligations are dropped from him if he is unable to carry them out. Allah says (in the meaning of which), "So, fear Allah as much as you can." (Q, 64:16)

Additionally, The Prophet used to pray the voluntary salah while riding on his riding beast, facing whatever direction it faced. Agreed upon.

And in another wording, "but he would not offer the prescribed prayers on it"

Another condition (of Salaah) is al-Niyyah (intention) [its place is the heart and saying it out loud is a bid'ah (innovation within religion)]

Additionally, Salaah is valid in any place except the following:

<p>[1] an impure place,</p>	<p>[2] a place that has been taken by force,</p>	<p>[3] in cemeteries,</p>	<p>[4] in bathrooms,</p>	<p>[5] or in the resting place of camels.</p>
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Al-Tirmidhi recorded a marfu' narration in his Sunan, where the Prophet said (in the meaning of which), "The entire earth is a masjid, except for cemeteries and bathrooms."

CHAPTER: DESCRIPTION OF SALAAH

It is recommended that one comes to Salaah in a state of tranquility [in terms of sayings and movements,] and dignity [in terms of his posture and manners].

When one enters the mosque, he should say, "Bismillah, Wa al-Salaatu Wa al-Salaamu 'Ala Rasoolillaah. Allaahummaghfir lee dhunoobee Waftah lee abwaaba rahmatika (In the Name of Allah." May peace and blessings be upon the Messenger of Allah. O Allah, forgive my sins and open for me the gates of Your Mercy).

One should:

[1] enter the mosque with his right foot,

[2] and exit it with his left.

Note: The word "al-Salaatu" has not been reported in any of the Saheeh (authentic) narrations that mention the dhikr for entering and exiting the masjid.

Additionally, one says (i.e., when exiting the masjid) the same supplication. However, he says, "Waftah lee abwaaba fadlika" ("Open for me the gates of Your Bounty") as was mentioned in the hadeeth narrated by Imaam Ahmad and Ibn Maajah.

Then, when one stands to (start) the Salaah, he says, "Allaahu Akbar" ("Allaah is The Greatest"). And he raises his hands [with the fingers joined together and palms facing the Qiblah] either:

[1] up to his shoulders,

[2] or up to his earlobes.

He does this on four occasions:

[1] When saying the takbeerat al-Ihraam (opening takbeer for Salaah).

[2] When making Rukoo'.

[3] When rising from Rukoo'.

[4] Upon rising from the first tashhahhud (i.e., upon getting up for the third rak'ah).

Then, one places his right hand over his left hand [or grips his left wrist or forearm with his right palm]. One places it either under the navel, above his navel, or on his chest.

Note: That which conforms to the Sunnah is the hands being on the chest. Nothing has been reported authentically from the Prophet regarding something other than that.

In addition, one must look at the place where he will make sujood, not here and there.

Then, one says, "Subhaanaka Allaahumma Wa Bi Hamdika Wa Tabaarakasmuka Wa Ta'aalaa Jadduka Wa Laa Ilaaha Ghayruk" ("O Allah, Glory and Praise be to You, blessed be Your Name, exalted be Your Majesty, and there is no deity truly worthy of worship except you alone") or any other opening supplication that is reported from the Prophet, [in the first rak'ah only].

Then, one performs the Isti'aadhah (i.e., seeks refuge in Allah from the Shaytaan) [by saying, "A'oodhu Bi Allaahi Min al-Shaytaani al-Rajeemi" ("I seek refuge in Allah from Satan The Accursed")], says the basmalah [by saying, "Bismi Allaahi al-Rahmaani al-Raheemi" ("In The Name of Allah, The Most Merciful, The Bestower of Mercy")], and recites al-Faatihah.

Then, right after al-Faatihah, [it is recommended that without performing Isti'aadhah,] one recites in the first two rak'ahs of a salaah with three or four rak'at:

[1] **In Fajr Salaah: a long surah from the mufassal surahs (which are from al-Hujuraat till al-Naas)**

[2] **In Maghrib Salaah: a short surah (from the mufassal surahs).**

[3] **In the rest: a surah of average length (from the mufassal surahs).**

The parts of the mufassal surahs:

[1] The long ones: Qaaf to al-Mursalaat

[2] The ones of average length: al-Naba' to al-Layl

[3] The short ones: al-Dhuhaa to al-Naas

A description of how to recite in Salaah:

[1] **One should recite out loud during the night.**

[2] **One should recite silently during the day, except in Jumu'ah (the Friday congregational salaah), 'Eid, Kusoof (the eclipse salaah), and Istisqaa' (salaah for asking rain), which are all to be performed in a loud voice.**

Then, (i.e., after reciting al-Faatihah and another soorah after it) one performs takbeer for rukoo', places his hands on his knees [without bending his elbows], and positions his head inline with his back.

Then, one says, "Subhaana Rabbiyal 'Azeem" ("Glory be to my Rabb (Lord), The Supreme") [once, which is an obligation], and repeats it [which is mustahabb (encouraged)].

Along with that, it is good if during rukoo' and sujood that one says, "Subhaanaka Allaahumma Rabbanaa wa bi hamdika, Allaahummaghfirlee" ("Glory be to You, O Allaah; O our Rabb, praise be to You. O Allah, forgive me").

Then, one raises his head saying, "Sami'Allaahu liman hamidah" ("Allaah has heard those who praise Him"), if he is the Imaam or praying alone.

Then, [upon standing up straight,] one says, "Rabbanaa walakal hamd, hamdan katheeran tayyiban mubaarakan feehi, mil'as samaa'i, wa mil'al Ardi, wa mil'a maa shi'ta min shay'in ba'du" ("O our Rabb (Lord), for You is all praise; praise that is abundant, pure, and blessed. [Praise] which fills the heavens, the earth, and whatever You will beyond that").

One then goes into sujood (prostration) on his seven limbs as the Prophet said, "I have been commanded to prostrate on seven bones: on the Jabhah (the bone extending from the nose till the forehead)," — and he pointed with his hand towards his nose — "the palms, the knees, and the ends of the two feet (i.e., the toes)" Agreed upon.

Furthermore, (in sujood) one should leave space between (his arms) and armpits, between the stomach and thighs, and between the thighs and legs. One should also lift his forearms away from the ground.

One says (in sujood), "Subhaana Rabbiyal A'laa" ("Glory be to my Rabb (Lord), The Most High"). [Saying this once is obligatory, and it is encouraged that one repeats it along with other narrated adhkaar].

Then, one says the takbeer and sits on his left foot while keeping his right foot erect, this position is called Iftiraash. This is to be done in all the sitting positions during Salaah, except during the last tashahhud where one should perform al-Tawarruk by sitting on the ground and placing his left foot out and under his right leg.

Then, one should say, "Rabbigh-firlee, warhamnee, wahdinee, warzuqnee, wajburnee, wa'aafinee" ("O my Rabb (Lord), forgive me, have mercy upon me, guide me, provide for me, compel me to goodness, and give me health").

Then, one makes the second sujood just like the first one.

Then, one rises upon both his feet while making the takbeer, and performs the second rak'ah just like the first one, [without reciting the opening supplication].

Then, one sits for the first tashahhud, which is, "Al-Tahiyyaatu lillaahi was-salawaatu wat-tayyibaatu, as-salaamu 'alayka ayyuhan nabiiyyu wa rahmatullaahi wa barakaatuhu, as-salaamu 'alaina wa 'alaa 'ibaadillaahi al-saaliheen. Ash-hadu an laa ilaaha illallaahu wa ash-hadu anna Muhammadan 'abduhoo wa rasooluhu ("Sovereignty is for Allah, all acts of worship and good deeds are for Him. May the peace, mercy, and blessings of Allah be upon you, O Prophet. Peace be upon us and all of Allah's righteous worshippers. I bear witness that none has the right to be worshiped except Allah alone, and I bear witness that Muhammad is His worshipper and messenger").

One then says the takbir and prays the rest of the salaah by (reciting) al-Faatihah in every rak'ah.

Then, one sits for the last tashahhud, which is as previously mentioned. However, one adds to that the following:

[1] "Allaahumma salli 'alaa Muhammadin wa 'alaa aali Muhammadin kamaa sallayta 'alaa aali Ibraaheema, innaka Hameedun Majeed. Wa baarik 'alaa Muhammadin wa 'alaa aali Muhammadin kamaa baarakta 'alaa aali Ibraaheema, innaka

[2] "A'oodhu billaahi min 'adhaabi jahannama wa min 'adhaab al-qabri, wa min fitnat al-mahyaa wa al-mamaati, wa min fitnat al-Maseeh al-Dajjaal" ("I seek refuge in You from the punishment of Hell, from the punishment of the grave, from the trials of life

[3] After this, one can make any du'aa' (supplication) to Allah that he wishes, [but using the authentically narrated du'aas is best].

<p>Hameedun Majeed. ("O Allah, send Your blessings upon Muhammad and the household of Muhammad, just as You sent Your blessings on the household of Ibrahim. You are indeed Hameed, Majeed (full of all praise and majesty). And be gracious upon Muhammad, and the household of Muhammad, just as You were gracious upon the household of Ibrahim. You are indeed Hameed, Majeed" (full of praise and majesty)).</p>	<p>and death, and the trials of the Dajjal").</p>	
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Then, one makes tasleem to his right and his left by saying, "Al-Salaamu 'alaikum wa rahmatullaah" ("May Allah's peace and mercy be upon you"). This is based on the hadeeth narrated by Waa'il bin Hajar, recorded by Aboo Dawood. From the previously mentioned, the verbal arkaan (pillars) of Salaah are Takbirat al-ihraam, Recitation of al-Faatihah, The last tashahhud, and making the tasleem. The remaining actions of Salaah are action-based arkaan (pillars), except the first tashahhud - [including sitting for it] - which is a waajib (obligatory) action of Salaah.

The arkaan (pillars) of Salaah are fourteen:

[1] Standing if possible.	[2] Takbeerat al-Ihraam (saying "Allaahu Akbar" to begin the Salaah)	[3] Reciting al-Faatihah
[4] Performing Rukoo' (Bowing)	[5] Standing straight after Rukoo'	[6] Performing Sujood (prostration) on seven limbs
[7] Rising from it (i.e., from Sujood)	[8] Sitting between the two Sujoods (prostrations)	
[9] Tranquility in all the actions	[10] Performing the arkaan (pillars) in order	[11] The last tashahhud
[12] Sitting for it (i.e., the last tashahhud)	[13] Sending salutations upon the Prophet	[14] Saying the two tasleems

The waajibaat (obligatory actions) of Salaah are 8:

[1] The first tashahhud.	[2] Sitting for it (i.e., for the first tashahhud).	[3] The takbeers, other than takbeerat al-Ihraam.
[4] Saying, "Subhaana Rabbiyal Adheem" in rukoo'.	[5] Saying, "Subhaana Rabbiyal A'laa" once in sujud.	[6] Saying, "Rabbigh firlee" once between the two sujoods, and anything more than that is recommended.
[7] Saying, "Sami'Allaahu liman hamidah" if one is the Imaam or praying alone.	[8] Saying, "Rabbanaa wa lakal hamd", for everyone.	
<p>These obligations are dropped due to forgetfulness and ignorance. In this case, they are fixed by (performing) sujood al-Sahw. However, the pillars of salaah are neither dropped due to forgetfulness, nor ignorance nor intentionally.</p> <p>The rest of the statements and actions of the salaah are Sunan that are complimentary to the salaah.</p> <p>Among the arkaan is maintaining tranquility while performing all the pillars.</p> <p>It has been narrated on the authority of Abi Hurayrah that the Prophet said (in the meaning of which), "If you stand [to perform] salaah, perform wudoo' well, then face the Qiblah and say the takbeer. Then, recite what you can from the Qur'an, then bow until you come to ease. Then, rise up until you are standing straight, and then prostrate until you come to ease. Then, rise until you are sitting with ease, then prostrate again until you come to ease. Perform this throughout your prayer." Agreed upon.</p> <p>The Prophet also said (in the meaning of which), "Pray as you have seen me pray." Agreed upon.</p>		
<p>After one concludes the salaah, he says, "Astaghfirullaah" ("I ask Allah for forgiveness") three times.</p> <p>Then, one says:</p>		
[1] "Allaahumma antas-salaamu wa minkas salamu tabarakta ya dhal jalali wa'l ikram ("Allah you are al-Salaam and from You is all peace; blessed are You, O DhalJalaali Wal Ikraam").	[2] "Laa ilaaha illallaahu wahdahu laa shareeka lahu, lahul mulku wa lahul hamdu wa huwa 'ala kulli shay'in qadir. Laa ilaha illal lahu, wa laa na'budu illaa iyyaahu, lahun ni'matu wala hul fadlu walahuth thana-ul-hasanu, laa ilaaha illallaahu mukhliseena lahuddeena wa law karihal kafiroon ("There is no deity worthy of worship in truth	[3] One then says thirty-three times, "SubhaanAllaahi, wal-hamdulillaahi, wallaahu Akbar" ("Glory be to Allah, All praise is to Allah, Allah is the Greatest"). And to complete off the hundred, one says, "Laa ilaaha illallaahu wahdahu laa shareeka lahu, lahul mulku wa lahul hamdu wa huwa 'alaa kulli shay'in Qadeer" ("There is

	<p>except Allah, with no partners. To Him belongs all dominion, and to Him belongs all praise. He is able to do all things. There is none worthy of worship but Allah, and we worship none but Him. To Him belongs all grace and bounty, and to Him belongs the most excellent praise. There is no deity worthy of worship in truth but Allah, and (we) sincerely devote the religion only to Him, even if the disbelievers dislike it").</p>	<p>no deity worthy of worship in truth except Allah, with no partners. To Him belongs all dominion, and to Him belongs all praise, and He is able to do all things").</p>
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The rawaatib (sunnah prayers) which follow the obligatory prayers are ten. And they are mentioned in the hadith of Ibn 'Umar where he said, "I learned from the Messenger of Allah ten raka'at:"

[1] "two raka'at before Dhuhr, and two raka'at after it,"	[2] "two raka'at after Maghrib in his house,"	[3] "two raka'at after 'Ishaa' in his house,"	[4] "and two raka'at before Fajr." Agreed upon.
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Al-Rawaatib: These were named like this because they are associated and arranged along with the obligatory Salaahs:

Salaah	Fajr	Dhuhr	Maghrib	'Ishaa'
Total number of raka'at	2	4 or 6	2	2
Before the salaah	2	2 or 4	0	0
After the salaah	0	2	2	2

The wisdom behind the rawaatib sunan (highly encouraged sunnah prayers):

- ❖ Fulfilling the shortcomings that the 'abd does during the obligatory salaahs.
- ❖ To increasing eemaan(faith), for imaan increases by obedience and decreases by disobedience (to Allah).

The most emphasized out of all the Rawaatib: is the Sunnah Salaah of Fajr, which is more special than the other rawaatib for many reasons, which include:

<p>[1] Its virtue: The Prophet <small>صلی اللہ علیہ وسلم</small> said (in the meaning of which), "The two Raka'at of Fajr are better than this world and what it contains."</p>	<p>[2] Al-Takhfeef (Lightening): without violating any of the pillars of Salaah. 'Aa'ishah, may Allah be pleased with her, said (in the meaning of which): "He <small>صلی اللہ علیہ وسلم</small> used to perform two raka'at of Fajr when he heard the adhaan, and (used to) perform them lightly."</p>	<p>[3] Diligence and Persistence: They are not to be abandoned regardless of whether one is traveling or not.</p>	<p>[4] Recitation: They have a specific recitation, which (Soorah) al-Kaafiroon and (Soorah) al-Ikhlaas.</p>	<p>[5] Lying down after completing it: It is a sunnah to lay down on your right side afterward at home for whoever stood the night (praying).</p>
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**CHAPTER: SUJOOD AL-SAHW
(FORGETFULNESS), AL-TILAAWAH
(RECITATION), AND AL-SHUKR
(GRATEFULNESS)**

<p>It (i.e., Sujood al-Sahw) is legislated:</p>			
<p>[1] If one, while performing Salaah, forgetfully adds an extra rukoo', sujud, standing, or sitting.</p>	<p>[2] If one forgets anything from the previously mentioned things (i.e., the arkaan (pillars) of Salaah), then he must perform it and make sujud forgetfulness.</p>	<p>[3] If one did not perform an obligatory act of salaah forgetfully.</p>	<p>[4] If one doubts that he has added something or not performed something.</p>
<p>It has been authentically narrated from the Prophet <small>صلی اللہ علیہ وسلم</small> (in the meaning of which):</p>			
<p>[1] That he stood without sitting for the first tashahhud,</p>	<p>[2] That "He made tasleem after (performing) two</p>	<p>[3] That "He prayed dhuhr as five raka'at. So, it was</p>	<p>[4] He said, "If one of you doubts regarding his salaah</p>

<p>so he made sujood (i.e., for forgetfulness)</p>	<p>raka'at of Dhuhr or 'Asr. Then, they reminded him, so he completed (the salaah) and made sujood for forgetfulness"</p>	<p>said to him, 'Has the salaah been increased?' So, he said, 'And what is that?' They said, 'You prayed five.' So, he made two sujoods after making tasleem"</p>	<p>and does not know how many raka'at he has prayed, three or four? Then, let him cast off the doubt and base it upon what he is certain of and make two sujoods before the tasleem. If he had prayed five, they would have evened his prayer, and if he had prayed completely (i.e., four raka'at), then they (i.e., the two sujoods) would be a form of repelling Satan."</p>
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One can perform sujood al-sahw (prostration of forgetfulness) either before or after the taslim.

Furthermore, it is a sunnah:

[1] **for the one reciting or listening (to the Qur'an), whether during the salah or outside of it, to perform sujood al-tilaawah (prostration for recitation).**

[2] **(It is a sunnah) if a blessing is bestowed repeatedly on a person, or a calamity is repelled from him, to perform sujood to Allah as a form of gratitude.**

Additionally, the ruling of sujood al-shukr is similar to that of sujood al-tilaawah [i.e., a sunnah].

It has been narrated authentically in the story of Ka'b Bin Maalik - may Allah be pleased with him - that when he received the news that Allah has accepted his tawbah, he made sujood.

The things that necessitate sujood al-Sahw are three:

<p>[1] Increase: If one adds a rukoo' (bowing), sujood (prostration), standing, or sitting.</p>	<p>[2] Decrease: If one leaves off one of the Waajibaat (obligatory acts) of salaah and its occasion</p>	<p>[3] Doubt: If one is not certain as to how many he has prayed; three or four? Doubt is of two types:</p>	
		<p>[a] Doubt after completing the act of</p>	<p>[b] Doubt within the act of worship: Its ruling is:</p>

	(where it has to be performed) has gone.	worship: This is not given any attention at all until one is certain.	If it happens a lot, it is not given any attention.	If it happens a little, one bases it upon what he thinks is more probable.	If the two probabilities are equal, one bases it upon the lesser one.
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CHAPTER: THE NULLIFIERS OF THE SALAH AND THAT WHICH IS MAKROOH (DISLIKED)

The prayer is nullified by the following:				
[1] Leaving off a rukn (pillar of Salaah) or condition without performing it afterward, that one is able to fulfill, whether it is done willfully, forgetfully, or out of ignorance.	[2] Intentionally leaving of a waajib (obligatory action).	[3] Purposely speaking [while knowing and remembering]	[4] Laughing	[5] Unnecessary successive movements which are conventionally considered as being excessive. This is because in the first case one would have neglected that without which the salaah cannot be completed, while in the other cases he would have done that which is forbidden during the salaah.
Furthermore, the following are disliked during Salaah:				

[1] Looking around during Salaah. This is because the Prophet was asked about looking around in Salaah. So, he said (in the meaning of which), "It is an embezzlement, which Satan steals from the salaah of a worshiper." Narrated by Imaam al-Bukhaari			[2] Fidgeting around.	
[3] Placing the hands on the waist.	[4] Intertwining the fingers,	[5] and cracking them.	[6] Squatting like a dog. [where one erects both his feet and sits between them, with his buttocks touching the ground]	[7] To face something which would draw ones attention [like a mirror or TV]
[8] Starting salaah while ones heart is busy with:			[9] The Prophet prohibited men from resting the forearms on the ground during sujood.	
[a] fighting off the need to relieve himself,	[b] or when food which he likes is served. This is due to the Prophet said, "There is no saalah when food is present or while one has to relieve himself." Agreed upon.			

Five types of rulings are applied to movements in Salaah:

[1] Prohibited Movements: which are a lot; like unnecessary successive movements which are unconventional. For example, eating.	[2] Disliked Movements: which are a few, without a need; like slightly turning.	[3] Permissible Movements: which is moving due to a need; like rubbing ones beard.	[4] Recommended Movements: upon which the perfection and completion of the Salaah is based; like filling the gaps (i.e., in the rows).	[5] Obligatory Movements: upon which the validity of the Salaah is based; like removing al-Najaasah (physical impurities).
Al-Shart (Condition)	Al-Rukn	Al-Waajib	Al-Sunnah	

It is external to the act of worship itself	It comes under the very act of worship	
Continues throughout the worship	Makes up a part of the different parts of the act of worship	
One is not excused from it due to ignorance or forgetfulness	One is excused from it due to ignorance and forgetfulness, but not out of intention.	One is excused from it due to ignorance, forgetfulness, and out of intention
It is not mended by sujud al-sahw	It is mended by sujud al-sahw	It does not need to be mended

CHAPTER VOLUNTARY PRAYER

[A Section on eclipse prayer]

The most emphasized of them is: the eclipse prayer, because the messenger ﷺ performed it and commanded to be performed.

And it's prayed according to the description found in the hadith of Aisha that the prophet ﷺ "recited (the Qur'an) aloud during the eclipse prayer and prayed two Rak'a in which he made four Rukus' and four Sujoods." Agreed upon.

Its description: Narrated by Aisha - may Allah be pleased with her (in the meaning of which): "In the lifetime of the messenger (ﷺ) the sun eclipsed and he went to the Mosque and the people aligned behind him. He said the Takbir (starting the prayer) and prolonged the recitation (from the Qur'an) and then said Takbir and performed a prolonged bowing; then he (lifted his head and) said, "Sami allahu liman hamidah" (Allah heard him who sent his praises to Him). He then did not prostrate but stood up and recited a prolonged recitation which was shorter than the first recitation. He again said Takbir and then bowed a prolonged bowing but shorter than the first one and then said, "Sami`a l-lahu Lyman hamidah Rabbana walak-lhamd, (Allah heard him who sent his praises to Him. O our Sustainer! All the praises are for You)" and then prostrated and did the same in the second rak`a; thus he completed four bowing and four prostrations. The sun (eclipse) had cleared before he finished the prayer." (narrated by Al-Bukhārī)

It's favoured (Sunnah) for the Imam (leader of the Salah) to admonish people after the Salah, and to command them to increase their supplication, Istighfar (asking Allah for forgiveness) and Sadaqa (charity) as the prophet ﷺ did.

[A Section on prohibited times]

<p>Salah al-witr, which is a sunnah mu'akidah (an emphasized sunnah). The Prophet ﷺ continuously performed the witr prayer, whether he was a resident or travelling, and urged the people to do so.</p>				
[1] The least number of rak'ahs is one	[2] and the most are eleven.	[3] It's time is from 'isha' until the coming of fajr.	[4] It is best to be the last salah [of the day]	
<p>as the Prophet said ﷺ (in the meaning of which): "Make your last salah in the night witr (odd)." Agreed upon. He also said (in the meaning of which): "Whoever fears that he will not stand in the last part of the night, let him pray witr in the early part of the night; whoever hopes to stand in the last part of the night, then let him pray witr at the last part of the night. The last salah of the night is witnessed [by the angels], and that is better." narrated by Muslim</p>				
<p>[A Section on prayer for rain]</p>				
<p>Salah al-Istisqā' (prayer for rain) is a sunnah when people are in dire need because of water deprivation. It is performed similar to the Eid salah in the desert. He goes out to the salah [with the people] in Khshho' (tranquility), humility and showing his dire need and supplication greatly to Allah ﷻ.</p>				
[1] Two rak'ahs are prayed,	[2] then he delivers a sermon.	[3] Constantly repeating istighfār (asking Allah for forgiveness) and reciting verses [from the Qur'an] which contain the command to ask for forgiveness.	[4] Persist in making du'a (supplications), and not be impatient in wanting their supplication to be answered immediately.	
<p>Prior to performing it, the means that ward of evil and bring about mercy should be observed, such as:</p>				
[1] Asking Allah for forgiveness (istighfar).	[2] Repentance (to Allah ﷻ).	[3] Setting right any injustices [that have been committed].	[4] Doing good to others.	[5] As well as other means that Allah has made as a means for receiving His mercy and warding of evils. And Allah ﷻ knows best.

[A Section on prohibited times]		
The following are the prohibited times (the time commended not to be prayed at) in which al absolute voluntary Salahs are forbidden:		
[1] From dawn and until the sun has risen to the height of a spear.'	[2] From 'asr to maghrib.	[3] When the sun is at its zenith until it descends. And Allah ﷻ knows best.

And its permissible for him to do the following in the forbidden time:	
[1]He prays a Qadaa' of an mandatory prayer (makes up the Salah which he has left)	[2] Prayer which have a reason (like the Sunnah after performing wudo', two raka's when entering the masjid, 2 raka's after circulating around the Ka'ba, the salah of Kusoof and Istikharah.)

The differences between the mandatory salah and voluntary salah		
number	mandatory	voluntary
1	It became mandatory in the heavens on the night of Mi'raj.	Like the rest of the act of worship in Islam.
2	It's prohibited to cut off the prayer without an excuse.	It's not prohibited to cut off the prayer without an excuse.
3	The one who doesn't pray it is a sinner.	The one who doesn't pray it is not a sinner.
4	It has a finite number.	It doesn't have a specific number
5-6	It's mandatory to be prayed in congregation, and it is prayer in the Masjid.	Praying at home is better except for that which has been excluded.
7	It's not permissible to pray it upon an animal, cars, trains, planes...etc without a dire need.	It's permissible to pray it upon an animal,cars,trains, planes...etc without a dire need.
8	Each one has a specific time.	Some has specific time and some has n specific time.
9	It's an absolute condition for it that you face the Qibla.	It's not a condition for it to face the Qibla in the case of traveling.
10	It's permissible to change from mandatory prayer to general voluntary prayer, but the vice versa is not permissible.	

11	Upon the correct view: the person who abandons it out of laziness is a Kafir (disbeliever).	By Consensus, the one who abandons it is not a Kafir (disbeliever).
12	Voluntary prayers complete mandatory ones, and vice versa is not correct.	
13-14	Standing up is a pillar (while being able to do so), and one Tasleem is not sufficient.	Standing up is not a pillar, and one Tasleem is sufficient.
15	It is considered correct from a runaway slave.	It is not considered correct from a runaway slave.
16	It's legislated in the religion to make Athhan and Iqama for it.	It's not legislated in the religion to make Athhan and Iqama for it.
17	It's legislated to make Qaser (shorten it) when traveling	It's not legislated to make Qaser (shorten it) when traveling
18-19	It is never absolved under any circumstances. The reward for completing it is written for those who are unable to do so, if it is their habit to do it.	It is absolved when one is incapable. The reward is written for those who have a habit of praying it.
19	It's legislated to make Thikr after it.	Some of it has been narrated to have a Thikr after it.
20	It has been said: it's not permissible to pray it inside the Kaa'bah. And the correct saying is that it's permissible.	It's permissible to pray it inside the Kaa'bah
21	It's permissible to combine the prayers.	It's permissible to combine it.
22	It's greater in rewards.	It's less in rewards.
23	It's not permissible to drink while praying at all.	minute drinking is permissible.
24	There isn't any of the mandatory prayers that is prayed one raka' only	There is prayers that is prayed one raka' only
25	It's permissible to ask Allah and seek refuge when reading an ayah of mercy or an ayah of torment, And it's not a Sunnah.	It's Sunnah to ask Allah and seek refuge when reading an ayah of mercy or an ayah of torment.
26	It has been said: it's not permissible for	It's permissible for someone who didn't

	someone who didn't hit puberty to lead the (mandatory) Salah of some who did. And the correct saying is that it is permissible.	hit puberty to lead the (voluntary) salah of some who did.
27	It has been said: it's permissible to pray Nafela behind a leader of a mandatory prayer.	It's permissible to pray Nafela behind a leader of a mandatory prayer.
28	All of them are made up (qadaa') the sameway it should have been, except for Juma prayer, it should be prayer Duhur (4 rakaa').	Some of it is made up (qadaa') the sameway it should have been, and some of it is made up in another way like witr prayer.
29	The mandatory prayer of the night is prayed while reciting out loud.	The voluntary prayer of the night is prayed while reciting out loud or not.
30	Covering the shoulder is mandatory (one of the two sayings).	Covering the shoulder is not mandatory
31	None of it is absolved.	Some is absolved when traveling

CHAPTER: THE CONGREGATIONAL SALAAH AND LEADING SALAAH

This is an individual obligation upon every male when it comes to the five daily salawaat, whether he is a resident or a traveler. The Prophet said (in the meaning of which), "I considered ordering the salaah to be commenced, and then order someone to lead the people while I go out with some people who have bundles of firewood to the houses of those who did not attend the prayer in congregation, and burn their houses over them with fire." Agreed upon.

The minimum for it is one Imaam and one Ma'moom (follower), and the larger the congregation, the more pleasing it is to Allaah.

The Prophet said (in the meaning of which), "The congregational salaah is twenty-seven times better than the salaah performed individually." Agreed upon.

The Prophet also said (in the meaning of which), "If you two prayed in your homes and then came to a congregation at the masjid, then pray with them, for it will be a voluntary salaah for you." Narrated by the authors of al-Sunan.

<p>In a marfoo' narration on the authority of Abi Hurayrah, the Prophet said (in the meaning of which), "The imaam was only made so that he could be followed:</p>				
<p>[1] So, when he makes the takbeer, then make the takbeer. And do not make the takbeer until he does.</p>	<p>[2] When he bows, bow. And do not bow until he bows.</p>	<p>[3] When he says, "Sami' Allaahu liman hamidah" ("Allah has heard the one who praised Him"), say, "Rabbanaa wa lakal hamd" ("O our Rabb, to You belongs all praise").</p>	<p>[4] When he prostrates, prostrate. And do not prostrate until he prostrates.</p>	<p>[5] If he prays sitting, then pray sitting, all of you" Narrated by Abu Daawood, with its origin being in Saheeh al-Bukhaari and Muslim.</p>

<p>Furthermore</p>		
<p>[1] The Imaam should stand in front [of the congregation].</p>	<p>[2] The ones praying behind him should line up close together,</p>	<p>[3] and complete the first row before the next one.</p>

[4] Women should form rows behind the men.

Additionally, whoever prays behind the row by himself without an excuse, must repeat his prayer.
Ibn 'Abbaas said, "I prayed one night with the Prophet and stood on his left. So, he took a hold of my head from behind me and placed me on his right." Agreed upon.
The Prophet said (in the meaning of which), "When you hear the iqamah (call to start the prayer), walk to the salaah with calmness and tranquility, and do not hurry.
Whatever you catch (i.e., of the salaah), pray it. And whatever you miss, make it up."
Agreed upon.
It has been narrated in al-Tirmidhee (in the meaning of which), "If one of you comes to the salaah and finds the imaam in a certain position, then he must do what the imaam is doing."

CHAPTER: THE SALAAH OF THOSE WITH AN EXCUSE

[A section on the salaah of a sick person]

A sick person is pardoned from attending the congregational prayer. Furthermore, if standing during the prayer would increase his sickness, he can pray sitting. If he is unable (to pray sitting), then while lying on his side. This is due to what the Prophet said to 'Imraan bin Husayn (in the meaning of which), "Pray standing. If you are unable, then while sitting. If you are unable, then on your side." Narrated by Imaam al-Bukhaari.

Moreover, if it becomes difficult for one to perform each of the individual salawaat at their prescribed times, then he can combine between Duhr and 'Asr, and between the two evening prayers, Maghrib and 'Ishaa', at the time of either one of the two.

[A section on the salaah of the one who is traveling]

Similarly, it is permissible for someone who is traveling to combine [between Duhr and 'Asr, and between Maghrib and 'Ishaa', at the time of either one of the two, either by bringing forward the latter or by delaying the former]

Furthermore, it is a sunnah for him to shorten the prayers that have four units to two units. He is also permitted to break his fast during Ramadaan. [And he must make them up after Ramadaan].

[A section on Salaat al-Khawf (Prayer at times of fear)]

It is permissible to perform Salaat al-Khawf in any manner in which the Prophet prayed it, one of which is (mentioned in) the narration of Saalih bin Khawwaat on the authority of those who prayed Salaat al-Khawf with the Prophet on the day of al-Riqaa':

[1] One group prayed with him while another group faced the enemy	[2] He prayed one rak'ah with the ones who were with him	[3] Then, he remained standing while they finished by themselves	[4] Then, they left and lined facing the enemy -	[5] - while the other group came, and he prayed with them the remaining rak'ah	[6] Then, he remained seated while they finished by themselves	[7] Then, he made tasleem with them. Agreed upon
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If the fear becomes too intense, they can perform salaah while walking or riding, facing the direction of the Qiblah or something else, and making gestures (i.e., with their head) for rukoo' and sujud.

Similarly, anyone who fears for himself should pray according to his ability, and do everything that he needs to do to escape, etc. The Prophet said (in the meaning of which), "If I command you with something, then do as much of it as you are able to." Agreed upon.

CHAPTER: SALAAT AL-JUM'AH (FRIDAY PRAYER)

<p>Whoever is obligated to pray in congregation is also obligated to perform the Friday prayer, if he is a resident. The conditions of the Friday prayer include:</p>				
<p>[1] Performing it within its (prescribed) time.</p>		<p>[2] It should be (performed) in a town (and city, etc.).</p>		<p>[3] It must be preceded by two sermons.</p>
<p>It is narrated on the authority of Jaabir that (in the meaning of which), "When the Prophet used to deliver the sermon:</p>				
<p>[1] his eyes would turn red, his voice would rise, and his anger would intensify to the point that it would seem as if he was warning of an army, saying, 'They will attack in the morning, they will attack in the evening!'</p>	<p>[2] and he would say, 'To proceed; verily, the best speech is the Book of Allah and the best guidance is the guidance of Muhammad. The worst of matters are the innovated ones, and every bid'ah (innovation within religion) is misguidance.' Narrated by Imaam Muslim.</p>	<p>[3] In another wording: The Prophet, during the Friday sermon, would praise and exalt Allah. Then following that, he would raise his voice and say...</p>	<p>[4] In another narration: "Whoever Allah guides, none can misguide him, and whoever He misguides, none can guide him."</p>	<p>[5] He also said, "The length of a person's prayer and the shortness of his sermon are truly an indication of his understanding." Narrated by Imaam Muslim.</p>
<p>It is mustahabb (recommended) that the Imaam delivers the sermon on a minbar (pulpit). When he climbs it, he should face the people and greet them with the salaam. Then, he should sit, and the muadhhdhin should give the adhaan. He then stands and delivers a sermon, and then sits. Afterward, he delivers the second sermon. After this, the iqaamah for the salaah is given, and he prays two raka'aat with the people and recites out loud. In the first rak'ah, "Sabbih" (i.e., Soorat al-A'laa) should be recited, and al-Ghaashiyah should be recited in the second. Or, he recites al-Jum'ah in the first, and al-Munaafiqoon in the second.</p>				
<p>For someone going to the Friday prayer, it is mustahabb (encouraged):</p>				
<p>[1] to perform Ghushl (ritual bath).</p>	<p>[2] to apply fragrance.</p>	<p>[3] to wear their best clothes.</p>	<p>[4] to come to it early.</p>	

[5] to increase in sending salutations upon the Prophet.	[6] to read Soorat al-Kahf on the day of Jum'ah.
[7] to seek the hour when du'aa' is accepted (which is the last hour before Maghrib), and strive in making du'aa' during it.	
<p>It has been narrated in al-Bukhaari and Muslim that (in the meaning of which), "If you were to say to the one next to you, 'be quite' during Jum'ah, while the imaam is delivering the sermon, you will have invalidated [your reward]."</p> <p>A man entered the masjid on Friday while the Prophet was giving the sermon. So, the Prophet said (in the meaning of which), "Did you pray?" The man replied, "No." He said, "Stand and pray two raka'aat."</p>	
While the Friday sermon is being delivered, the following is prohibited for the musalli (i.e., the ones who will pray behind the Imaam):	
[1] Talking, except for addressing the Imaam.	[2] Overstepping the people.

CHAPTER: SALAAH OF THE TWO 'EIDS

<p>"The Prophet commanded the people to go out for them both (i.e., the two 'Eid prayers), even the adolescent girls and menstruating women, who will witness the goodness and the supplication of the Muslims. However, the menstruating woman should keep away from the area of prayer." Agreed upon.</p> <p>Its timing: From when the sun has risen to the height of a spear until Zawaal (it starts moving towards).</p> <p>Furthermore, it is a sunnah to do the following:</p>						
[1] Performing it in an open area.	[2] Hastening 'Eid al-Adhaa.	[3] Delaying 'Eid al-Fitr.	[4] To break fast on 'Eid al-Fitr - especially before the salaah - with an odd number of dates.	[5] To tidy oneself and apply fragrance.	[6] To wear one's best clothes.	[7] To take one path (to the prayer), and return from another.

The Imaam should pray two raka'at with the people, without an adhaan or iqaamah. He performs seven takbeers in the first rak'ah, including takbeerat al-Ihraam. In the second rak'ah, he says five takbirs, excluding takbeerat al-Qiyaam (saying "Allaahu Akbar" when standing for the second rak'ah).

Additionally, he raises his hands with each takbeer, praising Allah and sending salutations upon the Prophet between every two takbeers. Then, he should recite al-Fatihah and another soorah, out loud in both raka'at.

Then after making the tasleem, he should give two sermons like those of Jum'ah, and mention rulings that are suitable for that time in each sermon.

The following types of takbeer are encouraged:

[1] Unrestricted Takbeer: (which is to be said) on the nights of the two 'Eids, and the first ten days of Dhul Hijjah.

[2] Restricted Takbeer: (which is to be said) following the obligatory prayers from the Fajr salaah on the day of 'Arafah until the 'Asr salaah on the last day of the days of Tashreeq.

It is performed in the following way: "Allaahu Akbar, Allaahu Akbar, Laa ilaaha illallaah, Wallaahu Akbar, Allaahu Akbar, wa lillaahil hamd" ("Allah is The Greatest, Allah is The Greatest, there is no deity worthy of worship in truth except Allah alone. Allah is The Greatest, Allah is The Greatest, and to Him belongs is all praise").

BOOK OF AL-JANAA'IZ (FUNERALS)

The following is legislated when a Muslim dies:

[1] Before they die: Many things are legislated, which include: visiting the sick, reminding them to repent, to write a will, and how a sick person should perform tahaarah and pray. Performing ruqyah on them especially if they are yearning for it, and instructing them to say, "Laa ilaaha illallaah".

[2] During their death: A few things are legislated, which include: shutting their eyes and sealing the jaws.

[3] After they die: Several things are legislated, which include: Washing them, wrapping them, performing salaah over them, burying them, distributing their inheritance, their wife mourning, consoling their family, and visiting their grave.

The Prophet said (in the meaning of which), "Instruct your dying to say, 'Laa ilaaha illallaah' ('There is no deity worthy of worship in truth except Allah alone'). Narrated by Imaam Muslim. [And one should instruct them three times.] He also said (in the meaning of which), "Recite over your dying Yaa-Seen." Narrated by al-Nasaa'i and Aboo Dawood.

Note: The majority of scholars see that the hadeeth which mentions reciting (Soorat) Yaa-Seen is weak and not be used as evidence. Therefore, the correct view is that reading it over the dying is not legislated (i.e., prohibited).

The following is done (in order) when someone dies:

[1] Performing their ghusl (Ritual Bath).

[2] Wrapping them.

[3] Praying over them.

[4] Carrying them (i.e., to the graveyard).

[5] Burying them.

And all of this is a Fard Kifaayah (communal obligation).

The Prophet said (in the meaning of which), "Hasten with the funeral, for if it is righteous, then it is something good that you are sending him to, and if it is otherwise, then you are removing something evil from your necks." [Narrated by some of the authors of al-Sunan]

He also said (in the meaning of which), "The soul of the believer is tied to his debt until it is paid on his behalf." Narrated by Imaam Ahmad and al-Tirmidhi.

It is obligatory for the shroud to be a cloth that covers the entire body, except for the head of the muhrim and the face of the muhrimah.

The way of praying over the dead is the following:			
[1] The imaam should stand, then make takbeer, and then recite al-Faatihah.		[2] He then makes takbeer (again) and sends salutations upon the Prophet.	
[3] He then makes takbeer (again) and supplicates for the dead, saying:			[4] Then, he makes the takbeer and [either one or two] tasleem(s).
<p>اللَّهُمَّ اغْفِرْ لِحَيِّنَا وَمَيِّتِنَا، وَصَغِيرِنَا وَكَبِيرِنَا، وَشَاهِدِنَا وَغَائِبِنَا، وَذَكَرِنَا وَأُنْثَانَا، اللَّهُمَّ مَنْ أَحْيَيْتَهُ مَنَا فَأَحْيِهِ عَلَى الْإِسْلَامِ، وَمَنْ تَوَفَّيْتَهُ عَلَى الْإِيمَانِ</p> <p>("O Allaah, forgive those of us who are alive and those of us who are dead, our young and our old, those that are present and those that are absent, our men and women. O Allaah, whoever amongst us You give life, then let his life be upon Islaam, and whoever amongst us</p>	<p>اللَّهُمَّ اغْفِرْ لَهُ وَارْحَمْهُ وَعَافِهِ وَاعْفُ عَنْهُ وَأَكْرِمْ نُزُلَهُ وَوَسِّعْ مَدْخَلَهُ وَاغْسِلْهُ بِالْمَاءِ وَالتَّلْجِ وَالْبَرْدِ وَنَقِّهِ مِنَ الذُّنُوبِ كَمَا يَنْقَى الثَّوْبُ الْأَبْيَضُ مِنَ الدَّنَسِ، اللَّهُمَّ لَا تَحْرِمْنَا أَجْرَهُ، وَلَا تَفْتِنَّا بَعْدَهُ، وَاعْفِرْ لَنَا وَلَهُ</p> <p>("O Allaah, forgive him and have mercy on him, grant him health and pardon him, make his abode honorable, and make his grave wide. Cleanse him with water, ice, and hail. Purify him of sins just as a white garment is purified from stains. O Allaah, do not deprive us of his reward, do not put us to trial after him, and forgive us and him").</p>	<p>Additionally, if the deceased is a child, then after the general supplications, he says:</p> <p>اللَّهُمَّ اجْعَلْهُ فَرَطًا لَوَالِدَيْهِ، وَذُخْرًا، وَشَفِيعًا مُجَابًا، اللَّهُمَّ ثَقِّلْ بِهِ مَوَازِينَهُمَا، وَأَعْظِمْ بِهِ أَجُورَهُمَا، وَاجْعَلْهُ فِي كِفَالَةِ إِبْرَاهِيمَ، وَقِهِ بِرَحْمَتِكَ عَذَابَ الْجَحِيمِ</p> <p>("O Allaah, make him a source of salvation for his parents and a source of reward and treasure. Make him an intercessor whose intercession is accepted. O Allaah, through him make their scales heavy and increase their rewards greatly. Place him under the care of Ibraaheem, and protect him by Your mercy from the torment of Hell.")</p>	

<p>You take unto Yourself, then let that be upon Imaan")</p>			
<p>The Prophet said (in the meaning of which), "Whoever from amongst the Muslims dies, and forty men who do not commit any shirk with Allah offer his funeral prayer, Allah will accept their intercession for him." Narrated by Imaam Muslim He also said (in the meaning of which),</p>			
<p>[1] "Whoever participates in a funeral until the prayer is performed, then he will have one qeeraat.</p>	<p>[2] And whoever participates in it until the deceased is buried, then he will have two qeeraat."</p>		
<p>It was said, "What are two qeeraat?" He said, "Like the two great mountains." Agreed upon.</p>			
<p>Furthermore, "the Prophet prohibited (the following):</p>			
<p>[1] Plastering the graves,</p>	<p>[2] sitting on them,</p>	<p>[3] and building over them." Narrated by Imaam Muslim</p>	
<p>[4] The Prophet also prohibited writing over them.</p>	<p>[5] It is forbidden to put lights over them,</p>	<p>[6] building mosques over them,</p>	
<p>[7] and performing Salaah on or towards them.</p>			
<p>Note: The default is that graves should be outside structures and buildings so that they do not become a means to shirk. Also, they should be built as per the sunnah, which is by being raised by a handspan, and only one or two rocks being placed over them.</p>			
<p>After burying the deceased, the Prophet would stand over him and say, "إِسْتَعْفِرُوا لِأَخِيكُمْ وَاسْأَلُوا لَهُ التَّشْيِيتَ؛ فَإِنَّهُ الْآنَ يُسْأَلُ" Narrated by Aboo Daawood and graded Saheeh (authentic) by al-Haakim. It is recommended to offer condolences to the family of the deceased [which is done once, without gathering in one place or for food]. The Prophet cried over the dead and said (in the meaning of which), "Verily, it is mercy," even though "He cursed the woman who wails and the one who listens." The Prophet said (in the meaning of which), "Visit the graves, for indeed, they remind of the hereafter." Narrated by Imaam Muslim. Furthermore, whoever visits them should say,</p>			

"السلام عليكم أهل دار قوم مؤمنين، وإنا إن شاء الله بكم لأحقون، ويرحم الله المستقدمين منكم والمستأخرين؛ نسأل الله
"لنا ولكم العافية اللهم لا تحرمنا أجرهم، ولا تفتننا بعدهم، واغفر لنا ولهم، نسأل الله لنا ولكم العافية"

(Peace be upon you, O people of the abode of believers and the Muslims. Certainly we will, Allah-willing, join you. Allah, do not deprive us of their reward and do not cause us to stray after them. Forgive us and them. We supplicate to Allah to grant us well-being and to you).

Additionally, any good deed that one performs and intends its reward for a dead or alive Muslim, will benefit him. And Allah knows best.

Types of visits to the graves:

<p>[1] Legislated: To intend through it remembering the abode of the Hereafter, to not travel for it, and to intend to supplicate for himself and the dead with that which has been authentically narrated. One must not do anything that goes against the religion.</p>	<p>[2] Innovated: To intend to supplicate to Allah at the graves.</p>	<p>[3] A type of major shirk: To intend to supplicate to the dead buried in the graves.</p>
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Notes:

- The Sunnah in the funeral prayer is for the imaam to stand next to the head of the man and next to the middle of the woman.
- Women should not visit graves, because the Prophet "**cursed the women who visit graves**" and because fitnah (trial) and a lack of patience are feared from them visiting graves.
- Similarly, it is not permissible for them to follow funerals to the cemetery, because the Prophet ﷺ forbade them to do so.
- As for praying over the dead in the mosque or in any place of prayer, it is legislated for both men and women.
- The Messenger prohibited hoping for death. He said (in the meaning of which), "No one should long for death because of a calamity that had befallen him, and if he must, then he should say, '**O Allaah! Let me live if life is better for me, and take my life if death is better for me.**'" Agreed upon.
- A person should remember death in order to prepare for it, and work for the Hereafter. And this does not make him sadder, but rather, more enthusiastic. The Prophet said (in the meaning of which), "**Remember the destroyer of pleasure a lot.**" Narrated by some of the authors of (the books of) al-Sunan.

BOOK OF AL-ZAKAAT (OBLIGATORY CHARITY)

Al-Zakaat is types:					
[1] Obligatory Zakaat: which is two types:			[2] Voluntary Zakaat: this is every type of wealth that a person gives out purely as a form of worship.		
[1] Zakaat al-Maal (Zakaat of wealth): which is religiously defined as: "Worshipping Allah by giving out an Islamically obligated portion of a particular type of wealth for a specific group of people or authority" Furthermore, it is the third pillar of Islam, and is divided into four categories:			[2] Zakaat al-Badan (Zakaat of the body): which is Zakaat al-Fitr. It is obligatory upon every Muslim; big or small, male or female, slave or free.		
[A] Al-Naqdayn: which is gold, silver, and any other currency or something similar that takes their place. The nisaab (i.e., the minimum amount that one must have for zakaat to be obligatory) of gold is 20 mithqaal (85g) and the nisaab of silver is 200 dirhams (595g).	[B] Al-Saa'imaḥ (Grazing Livestock): which is livestock that grazes pasture that is not owned by anyone for a whole (Hijri) year or most of it. That which is intended by livestock is: camels, cows, and sheep.	[C] That which grows from the earth: Grains and fruits.	[D] Business merchandise: which is everything that is obtained for buying and selling.		

Following are some of the individual and social benefits and wisdoms behind Zakaat:

- | | |
|--|---|
| [1] It is the completion and perfection of one's Islam. | [2] It is evidence of the truthfulness and sincerity of one's Imaan. |
| [3] It purifies one's character and manners. | [4] It purifies one's wealth. |
| [6] It takes one closer to being a perfect and complete believer. | [7] It is a cause for entering Paradise. |
| [9] It makes the Islamic community like a single family. | [10] It extinguishes the heat of the poor's uprising. |
| [11] It prevents financial crimes. | [12] It saves one from the heat of the Day of Judgement. |
| [14] It leads one to have knowledge of the limits set by Allah and His laws. | [15] It is a cause for goodness being descended. |
| [16] It prevents the anger of al-Rabb (The Lord - Allah). | [17] It reacts with the affliction and calamity that befalls and prevents it from reaching the earth. |

A SECTION ON ZAKAAT AL-MAAL

It is an obligation upon everyone that is [Therefore, Zakaat is also obligatory on the wealth of children and those who are not sane]:

- | | | |
|---------------|---------------|---|
| [1] a Muslim, | [2] free, and | [3] possesses (wealth that has reached) the nisaab. |
|---------------|---------------|---|

Zakaat is not obligatory upon the wealth that is held for less than a hawl [which is one Hijri year], except for:

- | | |
|---|---|
| [1] That which is grown from the earth. | [2] That which falls under the original, such as the increase of nisaab or business profits. The hawl (i.e., the prescribed time for Zakaat to become obligated) of these two is the same as that of the original amount. |
|---|---|

Zakaat is only obligatory on four types of wealth:

[1] Al-Saa'imah (grazing livestock) from cattle.	[2] That which is grown from the earth.	[3] Gold, silver, and any other form of currency.	[4] Business merchandise.
<p>When it comes to al-Saa'imah (grazing livestock), it is based upon the hadeeth of Anas, that Aboo Bakr wrote for him, "This is the amount of the obligatory charity that the Messenger of Allah enjoined upon Muslims and that Allah commanded His Messenger with:</p> <ul style="list-style-type: none"> ➤ For twenty-four camels or less: for every five camels, one sheep is due. ➤ If they reach twenty-five to thirty-five in number, then a bint makhaad (one-year-old she-camel) is due. And if one does not have that, then an ibn laboon (two-year-old male camel). ➤ If they reach thirty-six to forty-five in number, then a bint laboon (two-year-old she-camel) is due. ➤ If they reach forty-six to sixty in number, then a hiqqah (three-year-old she-camel) that is fit for breeding is due. ➤ If they reach sixty-one to seventy-five in number, then a jadha'ah (four-year-old she-camel) is due. ➤ If they reach seventy-six to ninety in number, then two bint laboon (two-year-old she-camels) are due. ➤ If they reach ninety-one to one hundred and twenty in number, then two hiqqah (three-year-old she-camels) that are fit for breeding are due. ➤ If they exceed one hundred and twenty in number, then for every forty, a bint laboon (two-year-old she-camel) is due, while for every fifty, a hiqqah (three-year-old she-camel) is due. ➤ Additionally, if one has only four camels, then there is no Zakaat due on them unless their owner wishes otherwise. <p>When it comes to Zakaat on al-Ghanam [which are sheep and goats], if they graze naturally, then:</p> <ul style="list-style-type: none"> ➤ If they are from forty to one hundred and twenty in number, then one sheep is due. ➤ If they are more than one hundred and twenty to two hundred in number, then two sheep are due. ➤ If they are from two hundred to three hundred in number, then three sheep are due. ➤ If they exceed three hundred in number, then for every hundred, one sheep is due. ➤ If the grazing sheep are less than forty, then no Zakaat is due on them unless the owner wishes otherwise. 			

Livestock that is separate cannot be brought together, and those that are together cannot be separated out of fear of paying Zakaat.

If the livestock of different owners is mixed together, then their owners must pay according to their share of the livestock equally.

Additionally, one must not give as zakaat an animal that is decrepit [i.e., that is old and has lost its teeth] or an animal that has defects [i.e., a defective or sick animal].

- ❖ Zakaat due on al-Riqqah [i.e., silver]: For every two hundred dirhams, four-tenths (2.5%) is due. If there are only a hundred and ninety dirhams, then there is no zakaat due on it unless the owner wishes otherwise.

If one's camels reach the number where a jadha'ah (four-year-old she-camel) becomes due, and instead of a jadha'ah he owns a hiqqah, then the hiqqah would be accepted from him, accompanied by two sheep, if possible, or twenty dirhams.

Similarly, if one's camels reach the number where hiqqah (three-year-old she-camel) become due, and instead of hiqqah he owns jadha'ah, then jadha'ah is accepted from him and he would be given twenty dirhams or two sheep in return." Narrated by Imaam al-Bukhaari.

- ❖ It is narrated in the hadeeth of Mu'aadh that, "The Prophet ordered him to take a tabee' (one-year-old male calf) or a tabee'ah (one-year-old female calf) from every thirty cows, and a musinnah (two-year-old calf) for every forty." Narrated by the authors of the books of Sunan.
- ❖ As for the zakaat due on money (i.e., gold, silver, or any other form of currency), then it has already been mentioned that nothing is due on it unless the amount reaches two hundred dirhams, in which case four-tenths (2.5%) becomes due.
- ❖ Zakaat due on that which is grown from the earth, such as grains and fruits [with the condition that it must be weighable and], is the following: The Prophet said (in the meaning of which), "There is no sadaqah (i.e., zakaat) on dates that amount to less than five awsuq (pl. of wasaq)."

A wasaq is equivalent to sixty saa'. Therefore, the nisaab for grains and fruits is three hundred saa', according to the saa' of the Prophet.

The Prophet also said (in the meaning of which), "A tenth is due on that which is watered by rain, springs, or trough, while half of a tenth is due on that which is watered manually." Narrated by Imaam al-Bukhaari.

On the authority of Sahl bin Abi Hathmah, "The Messenger of Allah commanded us: When you estimate, put aside a third, and if not a third then put aside a fourth."

Narrated by the authors of the books of Sunan. [Al-'Athari is that from whose roots one drinks].

- ❖ Business merchandise: This refers to any commodity obtained and put up for trading to gain profit. Its value is calculated based on gold and silver and its

zakah is given to the poor [or any monetary wealth] and it is obligated that it is a quarter of a tenth (2.5%).

If one has a debt or some wealth that he is owed and doesn't expect it to be paid back to him, such as the debt of someone who delays its payment or someone unable to pay it, then there is no Zakaat due on it. [However, if one gets hold of it, he pays the zakaat that is due on it once, only in the year in which he got hold of it] **But, if this is not the case, then Zakaat is due on it.**

Furthermore, it is obligatory to give the zakaat from the average quality of one's wealth, and inferior quality wealth does not suffice. On the other hand, it is not necessary to give from the best either, unless the owner wishes otherwise.

- ❖ **It is narrated in a marfoo' hadith from Abu Hurayrah that (the Prophet said in the meaning of which), "On al-Rikaaz (buried treasure), a fifth (is due)." Agreed upon.**

Al-Difn (that which is found buried) can be of two types:

[1] Difn of jaahiliyyah: (i.e., before Islam)
This is the buried treasure on which Zakaat is obligatory. The one who finds it must give out a fifth of it.

[2] Difn of Muslims: (i.e., after Islam) This is considered a Luqatah and will be explained in the chapter of al-Luqatah.

CHAPTER OF ZAKAAT AL-FITR

Ibn 'Umar said, "The Messenger of Allah obligated Zakaat al-Fitr:

[1] A saa' of dates or grains,

[2] on the Muslims, the slave and the free, the male and the female, the young and the old.

[3] He ordered it to be paid before the people go out for the salaah." Agreed upon.

It is obligatory upon:

A person to pay for himself and for those on whom he is obligated to spend

If he possesses more than what he needs for one day and one night.

The obligatory amount is a saa' of dates, barley, cheese, raisins, or wheat.

**The best one to give is the most beneficial one.
It is not permissible to delay it until after the day of 'Eid.**

<p>The Messenger of Allah obligated it "as a form of purification for the fasting person from vain speech and indecency, and as nourishment for the poor.</p>					
<p>[1] Therefore, whoever pays it before the salaah, then it is zakaat that is accepted,</p>			<p>[2] and whoever pays it after the salaah, then it is just another charity." Narrated by Aboo Daawood and Ibn Maajah.</p>		
<p>The Prophet also said (in the meaning of which), "Seven will be shaded by Allah on the day when there will be no shade except His:</p>					
<p>[1] A just Imaam (leader).</p>	<p>[2] A young person who grew up in the obedience of Allah.</p>	<p>[4] Two men who loved each other for the sake of Allah. They met due to it and departed due to it.</p>	<p>[5] A man who was invited by a woman of status and beauty, and he said, 'I fear Allah.'</p>	<p>[6] A man who gave in charity in such secret that his left (hand) did not know what his right gave.</p>	<p>[7] A man who remembered Allah while he was alone and his eyes flowed with tears." Agreed upon.</p>
	<p>[3] A man whose heart was connected to the mosque.</p>				

CHAPTER: THOSE WHO ARE ELIGIBLE TO RECEIVE ZAKAAT.

Zakaat is given only to eight types of people whom Allah mentioned when He said (in the meaning of which), "Al-Sadaqaat (i.e., Zakaat) are only for the Fuqaraa' (i.e., the poor), the masaakeen (i.e., the needy), those employed for it, to attract the hearts of those who are inclined (to accepting Islam), for slaves, for those in debt, for Allaah's Cause, and for the wayfarers; an obligation imposed by Allaah. And Allaah is 'Aleem (All-Knowing) and Hakeem (All-Wise)"

Furthermore, it is permissible to restrict payment to just one of these, due to what the Prophet said to Mu'aadh (in the meaning of which), "So, if they obey you in that, then inform them that Allah has obligated charity upon them, to be taken from their rich and given to their poor."

It is not permissible to give Zakaat to the following:

[1] A rich person.	[2] Someone who is strong and able to earn.	[3] Any member of the family of Muhammad, who are Banu Haashim and their slaves.	[4] Those upon whom it is obligatory for one to spend at the time that it is due.	[5] A disbeliever.
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As for voluntary charity, however, it is permissible to give it to any of these, as well as others. However, whenever giving it will produce more benefit - whether general or a specific benefit - then it is better.

The Prophet said (in the meaning of which), "Whoever asks people for their money to increase his own wealth, then he is only asking for a piece of hot coal. So, he must seek to be independent or he must ask for more." Narrated by Imaam Muslim.

The Prophet said to 'Umar (in the meaning of which), "Whatever comes to you from this wealth while you are neither in charge of nor begging for it, then take it. And as for the rest, do not yearn for it." Narrated by Imaam Muslim.

There are eight types of people to whom Zakaat can be given, whom Allah has mentioned in Soorat al-Tawbah:

[1] The Fuqaraa' (impoverished/ extremely poor): They are those who do not have anything, or only have some of what would suffice them.	[2] The Masaakeen (poor): They are those who have either half or most of what would suffice them. Therefore, if we take the sufficient amount for a year to be twelve thousand, for example, then the faqeer (impoverished/extremely poor) is someone who has less than six thousand, and the miskeen is someone who has six or more thousand, but has not reached twelve. So, we give them that which suffices them for a whole year because Zakaat is obligatory in the hawl.	[3] Those working on Zakaat: They are the ones who collect it, guard it, and are entrusted with distributing it by the Muslim ruler. Additionally, it is not a condition that they must be poor. Rather, they are given even if they are rich.					
[4] Those whose hearts are inclined: They are those from whom we hope that they will revert to Islam, that their evil	[5] Those in Slavery: They are: <table border="1"> <tr> <td>The Muslim Slave who buys</td> <td>Freeing a Muslim Slave.</td> <td>A Muslim Captive.</td> </tr> </table>	The Muslim Slave who buys	Freeing a Muslim Slave.	A Muslim Captive.	[6] The debtors: They are: <table border="1"> <tr> <td>The debtor for rectifying between people.</td> <td>The debtor for himself.</td> </tr> </table>	The debtor for rectifying between people.	The debtor for himself.
The Muslim Slave who buys	Freeing a Muslim Slave.	A Muslim Captive.					
The debtor for rectifying between people.	The debtor for himself.						

will stop, or that their Imaan will strengthen.	himself from his owner.					
	A Slave who is freed by his owner, who then counts that to be a part of Zakaat, is not included among them. This is not permissible.			It is not allowed to pay off debt on behalf of a debtor who is faqeer (impoverished) with the intention of giving Zakaat.		
[7] For the sake of Allah: This includes soldiers and what they need in terms of weapons etc.			[8] The Wayfarer: He is the passing traveler whose money has run out. So, he is given what will allow him to return to his land.			
Categories of watering crops with the amount of Zakaat:						
[1] That which is irrigated with supplies only: half of a tenth is due.			[2] That which is not irrigated with supplies only: a tenth is due.			
[3] That which is irrigated equally from the above two: three-quarters of a tenth is due.			[4] That which is irrigated with both, but unequally: it is determined based on that which is more beneficial.			
[5] What is irrigated with both, but unequally, and we do not know which one is more beneficial: a tenth is due.						

[Appendix]

Some Important Definitions:		
Camels	Bint al-Makhaad	A she-camel that has become one year old is called this because her mother would be pregnant
	Bint al-Laboon	A she-camel that has become two years old is called this because her mother produces milk.
	Al-Hiqqah	A she-camel that has become three years old is called this because she is able to become pregnant now.
	Al-Jadha'ah	A she-camel that has become four years old, because, at this age, she loses her baby teeth.
Cows	Al-Tabee'	A male cow that has become 1 year old.
	Al-Musinnah	A female cow that has become 2 years old.

Quantities of Zakat			
Types of wealth	Hawl	Nisaab	Quantity of its zakaat:
Al-Saa'imah (grazing livestock)	It is a condition for zakaat to be obligated.	This will be explained later.	This will be explained later.
What grows from the earth	It is not a condition for zakaat to be obligated.	300 Saa'	A tenth (10%) is due on that which was watered by the sky (i.e., rain), springs, or troughs. Half of a tenth (5%) is due on that which was watered manually by oneself. Three fourths of a tenth (7.5%) is due

			on that which was watered through both methods.
Al-Athmaan (gold, silver, and other forms of currency)	It is a condition for zakaat to be obligated.	85 grams of gold, or 595 grams of silver.	A fourth of a tenth (2.5%)
Business Merchandise:	it is a condition for zakaat to be obligated.	it is the same as that of either gold or silver, based on the one which is more beneficial for the poor.	A fourth of a tenth 2.5%

The nisaabs for different types of grazing livestock, and their quantities.

Al-Ghanam: Sheep and Goats		Camels that have 1 or 2 humps			Cows and Buffaloes			
The quantity		The zakaat due on it	The quantity		The zakaat due on it	The quantity		The zakaat due on it
from	to		from	to		from	to	
40	120	1 goat	5	9	1 goat	30	39	1 male of female Tabee'
121	200	2 goats	10	14	2 goats	40	59	1 Mussinah
201	300	3 goats	15	19	3 goats	60	69	2 female Tabee'
Then for every 100 sheep; 1 extra goat is due			20	24	4 goats	Then, for every 30; 1 Male Tabee' is due. And for every 40; 1 Musinnah is due		
The following are not accepted as zakaat: A male goat, an old goat, a goat with defects, and shiraar al-Maal (worst of one's wealth). On the other hand, the following are also not accepted as zakaat: an			25	35	A Bint Makhaad			
			36	45	A Bint Laboon			
			46	60	A Hiqqah			
			61	75	A Jadha'ah			

extremely thin and weak goat, a pregnant goat, an extremely healthy goat, and khiyaar al-Maal (the best of one's wealth).	76	90	2 Bint Laboon
	91	120	2 Hiqqah
	121	129	3 Bint Laboon
	Then, for every 40, 1 Bint Laboon is due, and for every 50, 1 Hiqqah is due. Al-Waqas is 9 and less (al-Waqas is that which falls between two obligatory ranges of quantity).		

The ruling of Zakaat al-Fitr:

It is obligatory upon		Mustahab on behalf
upon every single Muslim who lives through the sunset of the last day of Ramadaan, regardless of whether he is young, old, male, female, free, or a slave.	Along with this, it is also a must that they own, for the day and night of 'eid, a saa' more than what they need to feed themselves and their dependents, along with fulfilling their basic needs.	the fetus.

The wisdom behind the obligation zakaat al-Fitr:

It is a form of purification for the fasting person from as a form of purification for the fasting person from vain speech and indecency.	It suffices the impoverished and poor from begging on the day of 'eid.
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The times of giving zakaat al-Fitr:

Permissible to give it one or two days before 'eid.	Recommended to give it before the 'eid salaah, after salaah al-Fajr.	Prohibited to give it after the 'eid salaah.
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That which counts as zakaat al-Fitr:

A saa' of food that serves as nourishment for humans. The quantity of a saa' of	Giving money does not count as zakaat al-Fitr.
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good wheat is 2kg 40g, and every type of food is weighed accordingly.		
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A saa' of food that serves as nourishment for humans. The quantity of a saa' of good wheat is 2kg 40g, and every type of food is weighed accordingly.	Giving money does not count as zakaat al-Fitr.	
The required quantity for zakaat al-Fitr of the most famous foods, with their weights:		
Flour: 1400g	Wheat: 2040g	Beans: 2060g
Semolina: 2000g	Lentils: 2100g	Dates: 1800g
Rice: 2300g	Chickpea: 2000g	Raisins: 1640g
Types of Zakaat based on the recipient and the quantity:		
[1] That in which the amount to be given is specified without looking at the payer and the recipient, such as Zakaat al-Fitr.	[2] That in which the amount to be given and the recipient are both specified, such as ransom of causing damage: "Feed six miskeens; half a saa' for every miskeen."	[3] That in which the recipient and payer both are specified, not the amount, such as expiation for oaths.

BOOK OF AL-SIYAAM (FASTING)

Al-Siyaam (fasting) is: Worshipping Allah by refraining completely from food, drink, and all the other mufattiraat (i.e., things that break one's fast) from sunrise (al-Fajr al-Saadiq) till sunset.

This is based on the statement of Allah (in the meaning of which), "O you who believe, fasting is prescribed for you just as it was prescribed for those before you."

Fasting during the month of Ramadan is obligatory for those who are:

[1] Muslim,	[2] Baaligh (mature),	[3] Sane,	[4] Capable of fasting.	[5] And this is either upon sighting the crescent or after the thirty days of the month of Sha'ban pass."
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The Prophet said, "When you see it, fast. And when you see it, stop fasting, but if you are unable to see it, then calculate." Agreed upon by Imaam al-Bukhaari and Muslim. In another wording, "Calculate it to be 30." And in another wording, "Complete the thirty days of Sha'baan."

Fasting starts with the sighting of the new moon by a just person, while the testimony of at least two just people is required for the rest of the months.

It is obligated to make one's niyyah (intention) during the night of the obligatory fast. However, it is permissible to make the intention during the day for the voluntary fast.

The sick, who would be harmed by fasting, and the traveler have the option to either fast or not fast.	It is not permissible for the menstruating woman or the one having post-natal bleeding to fast. Instead, they must make them up.	The pregnant woman and the one suckling: If they fear for their child, they can break their fast and make up the days along with feeding a miskeen (poor) person for every (missed) day.	The one who is unable to fast due to old age or sickness for which there is no hope of a cure should feed a poor person for every missed day.
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Whoever breaks a fast, the only obligation upon him is to make it up, regardless of whether he broke it by eating, drinking, intentionally vomiting, performing hijaamah (cupping), or directly ejaculating. However, whoever breaks their fast because of sexual intercourse:

[1] Must make it up and free a slave.

[2] If that is not possible, then they must fast two months consecutively.

[3] If they are unable to fast two consecutive months, then they should feed sixty miskeens (poor people).

The Prophet said (in the meaning of which), "Whoever forgets while fasting and eats or drinks (something), then he should complete his fast, for Allah was the one who fed him and gave him drink." Agreed upon.

He also said (in the meaning of which), "The people will remain upon goodness as long as they hasten to break their fast." Agreed upon.

And he said (in the meaning of which), "Eat suhoor (the pre-dawn meal), for indeed there is barakah (blessings) in suhoor." Agreed upon.

He also said (in the meaning of which), "When one of you breaks his fast, then he should break it with a date. If he does not have any, then let him break it with water, for verily it is purifying." Narrated by the five (i.e., Imam Ahmad, Abu Dawud, al-Tirmidhi, al-Nasaa'i, and Ibn Maajah).

The Prophet said (in the meaning of which), "Whoever does not abandon false speech, acting upon it, and ignorance, then Allah has no need for his abandoning food and drink." Narrated by Imam al-Bukhari

He also said (in the meaning of which), "Whoever dies while having some outstanding fasts to be made up, then his guardian fasts on his behalf." Agreed upon.

[That which is intended is that whoever was able to make up his fasts but didn't till he died, then it is legislated for his wali to fast on his behalf. And the wali is the inheritor.]

The Prophet was asked about fasting on the Day of 'Arafah, so he replied (in the meaning of which), "It wipes out [the sins of] the past year and the remaining year." He was asked about fasting on 'Ashura', so he replied (in the meaning of which), "It wipes out the [sins of the] past year." He was asked about fasting on Mondays, so he replied (in the meaning of which), "On that day I was born, and on that day I was sent or on that day I was given revelation." Narrated by Imam Muslim.

He also said (in the meaning of which), "Whoever fasts Ramadan and then follows it with six days in Shawwaal, it is as if he fasted a lifetime." Narrated by Imam Muslim.

Abu Dhar said, "The Messenger of Allah commanded us to fast three days out of a month: the thirteenth, fourteenth, and fifteenth." Narrated by al-Nasaa'i and al-Tirmidhi.

Also, the Prophet "prohibited fasting on two days: the day of al-Fitr and the day of al-Nahr." Agreed upon.

He said (in the meaning of which), "The days of Tashriq are for eating, drinking, and remembering Allah." Narrated by Imam Muslim.

He also said (in the meaning of which), "None of you should fast on Friday except by fasting either a day before or a day after it." Agreed upon.

He said (in the meaning of which), "Whoever fasts during Ramadan with sincere Iman, seeking to attain Allah's reward, then his previous sins will be forgiven. Whoever stands during Laylat al-Qadr with sincere Iman, seeking to attain Allah's reward, then his past sins will be forgiven." Agreed upon.

The Prophet "would observe I'tikaaf during the last ten days of Ramadan, until his death. Afterward, his wives observed I'tikaaf." Agreed upon.

"Travel is not undertaken except to three mosques: Masjid al-Haram, my masjid, and Masjid al-Aqsa." Agreed upon.

[Appendix]

Fasting is of two types:		
Obligatory: in Ramadan, and for expiations and vows.	Voluntary: other than the previously mentioned.	
Fasting has two pillars:		
[1] Al-Niyyah (Intention)		[2] Abstaining from things that break the fast.
Intention for the obligatory fast: For the obligatory fasts, the intention must be made at night, i.e., before Fajr. Furthermore, it is sufficient to make the intention at the beginning of the month in Ramadan. Its place is the heart, and uttering it is a bid'ah (innovation within religion).	Intention for the voluntary fast: It is valid at any hour of the day as long as one has not done something which breaks the fast. However, the reward is assumed from when the intention is made.	
The conditions for fasting to be obligatory are six:		
[1] Islam.	[2] Mind.	[3] Puberty. As for the one who has not attained puberty, he should be encouraged to fast and his guardian should command him to do so.
[4] Being settled: Fasting is not obligatory upon the traveler. But it is better for him to fast as long as it is not too difficult for him. This is because the Prophet did so, and also since it is quicker in freeing oneself from the obligation and easier for the mukallaf, and to attain the virtue of the month of Ramadan.	[5] Health.	[6] Not being in a state of menstruation or post-natal bleeding.

Types of sickness in fasting:			
<p>[1] A disease that is not expected to go away: The elderly who are unable to fast also fall into this category. They do not have to fast, but they must feed one poor person for each day. Either they gather poor people according to the number of days and feed them lunch or dinner, or by distributing food to the poor according to the number of days, giving a quarter of a saa' to every poor person, according to the saa' of the Prophet, i.e., half a kilo and ten grams of good quality wheat. Additionally, it is good that along with that they give meat or fat.</p>	<p>[2] A sickness that is expected to go away, and fasting with it is difficult: Those who fall under this category are: menstruating women, those experiencing post-natal bleeding, breastfeeding women, and the one who is traveling. When they recover, they should make up the number of days that they missed. If they die before that, then the obligation is lifted from them.</p>		
What confirms that the month of Ramadan has begun?			
-Seeing the new moon of Ramadan.		-By the completion of the thirty days of Sha'ban.	
Things which invalidate one's fast:			
[1] Eating or drinking intentionally: So, whoever does that forgetfully, then his fast is valid.	[2] Sexual Intercourse: If one does it during the day in Ramadan while fasting is obligatory upon him or her, then the prescribed expiation becomes obligatory, which is: freeing a slave, and if one cannot then fasting two months consecutively, and if one cannot do that then feeding sixty poor people.	[3] Ejaculation: if it is done directly, or through kissing, hugging, etc.	
[4] That which takes the place of food and drink: Such as nutritious injections. If they are not nutritious then it does not break one's fast.	[5] Extracting blood: if it is done through Hijaamah (Cupping). As for extracting a minute amount of blood for a check-up etc, then it does not break one's fast.	[6] Vomiting intentionally.	[7] Release of menstrual or post-natal blood.

Some of the things which are permissible for the fasting person:					
Swallowing saliva.	Tasting food due to a need.	Performing Ghusl.	Using the Siwaak.	Perfuming.	Cooling oneself.

Things which are recommended when it comes to fasting:			
[1] Al-Suhoor (Pre-Fajr Meal)	[2] Delaying the Suhoor.	[3] Hastening to break the fast.	[4] Breaking fast with an odd number of ripe dates. If one does not have those then an odd number of normal dates. And if one does not have that either, then by drinking water. If one does not have that either, then he intends in his heart to break his fast.
[5] Supplicating: at the time of breaking the fast and also during the fast itself.	[6] Increasing in giving charity.	[7] Striving to perform the night prayer.	[8] Reciting the Qur'an.
[9] Saying "I am fasting" to whoever curses at you.	[10] Performing 'Umrah.	[11] Al-I'tikaaf (Secluding oneself in the masjid): in the last ten days of Ramadan.	[12] To strive hard in seeking Laylat al-Qadr.

Things which are disliked while fasting:	
[1] Exaggerating in performing al-Madmadah (i.e., rinsing the mouth) and al-Istinshaaq (i.e., rinsing the nose).	[2] Tasting food unnecessarily.

Things that are prohibited for the fasting person:				
[1] Swallowing mucus: it does not break the fast, however.	[2] Kissing: if one feels that it will lead to his fast being invalidated.	[3] Qawl al-Zoor: which is doing anything haram (prohibited).	[4] Ignorance: which is foolishness and lack of forbearance.	[5] Al-Wasl: which is to not break one's fast for two continuous days.

Rulings regarding making up fasts:			
It is recommended to make up the fasts continuously one after the other.	One should hasten in making up their missed fasts after the day of eid.	It is not permissible to delay making up missed fasts until the next Ramadan.	If one delays making up their missed fasts (i.e., until next Ramadan comes), then they don't have to increase the number of fasts they have to make up. But they are sinning by delaying it nevertheless.

Voluntary Fasts:				
[1] Any six days of Shawwaal, for those who fasted Ramadan fully. Additionally, it is better to fast them one after the other starting from the second day of Shawwaal.	[2] The day of 'Arafah for those not performing Hajj.	[3] The day of 'Aashuraa', along with the ninth and eleventh of the month.	[4] Mondays and Thursdays, with Mondays being more emphasized.	
[5] Any three days of every month, with the best being "Ayyaam al-Bayd" which are the thirteenth, fourteenth, and fifteenth of the month.	[6] Fasting alternatively (i.e., every second day).	[7] The sacred month of Allah – Muharram.	[8] The first nine days of Dhul Hijjah.	[9] The month of Sha'baan, but not all of it.

Disliked Fasts	
-It is disliked to single out Friday, Saturday, and Sunday in fasting.	-But if one singles it out for a valid reason such as it being the day of 'Arafah, then that is fine.

Impermissible Fasts

[1] To single out the month of Rajab in fasting.	[2] Fasting on the two days of 'Eid.	[3] Fasting on the day of doubt, except for someone continuing their pattern of fasting, in which case it is fine.	[4] Fasting on the days of Tashreeq (i.e., the 11th, 12th, and 13th of Dhul Hijjah), except for someone who did not find al-Hadi (i.e., in Hajj).	[5] Fasting the whole year.
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BOOK OF BOOK OF HAJJ

Hajj is: worshipping Allah by performing pilgrimage rituals according to that which has been narrated from the sunnah of the Prophet.

'Umrah is worshipping Allah by performing Tawaaf (i.e., circling around) the House (i.e., the Ka'bah), at (the mountains of) Safaa and Marwah, and by either shaving or cutting/trimming (one's hair).

Furthermore, the original meaning of **al-Nusuk** is al-Dhabeedah (i.e., animal sacrifice). Hajj and 'Umrah were named as al-Manaasik due to the Hadi and Fidyah that they include.

The Hadeeth of Jaabir regarding how the Prophet performed Hajj:

It is based on the statement of Allah, "Hajj to the House is a duty that people owe to Allah, those who have the ability."

The conditions for Hajj to be obligatory are six:

[1] Islam (i.e., being a Muslim).	[2] Sanity.	[3] Puberty.	[4] Freedom (i.e., not being a slave).	[5] Ability (i.e., to perform Hajj).	[6] In the case of a woman: the presence of a Mahram, if she needs to travel for Hajj.
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Ability here is the most essential condition, which is:

Having provision and transportation, after possessing the essentials [which one cannot do without] **and basic requirements** [which one can do without, but with hardship and difficulty].

Ability also includes that a woman has with her a mahram if she needs to travel, [and the mahram must be Muslim, mukallaf (i.e., sane and reached puberty), and male].

The hadeeth of Jaabir regarding the pilgrimage of the Prophet includes the major rulings concerning Hajj, which is what Imam Muslim narrated from Jaabir Ibn 'Abdillaah, that:

- ❖ The Prophet stayed in Madinah for nine years without performing Hajj. Then in the tenth year, it was announced to the people that he would be performing Hajj. So, a large number of people headed toward Madinah, all hoping to accompany him and do what he does. [Furthermore, it is obligatory upon the mukallaf to perform Hajj as soon as possible.]
- ❖ We left accompanying him until we reached Dhal-Hulayfah. (At that time,) Asmaa' bint 'Umays gave birth to Muhammad bin Abi Bakr, and sent (someone) to the Messenger of Allah (asking), 'What should I do?' He said (in the meaning of which), 'Perform ghusl, wrap a cloth around your privates, and enter into ihraam.' [And in the hadith of 'Aa'ishah when she menstruated, he said to her, 'Do whatever a haajj does, except that you shouldn't perform tawaf around the House (i.e., the Ka'bah) until you become pure.]] The Prophet prayed in the masjid, then got on al-Qaswa (his female camel), and then when his camel got on the path al-Baida', he started saying the Talbiyah, 'Labbayka Allahumma labbayk, labbayka laa sharika laka labbayk. Inna al-hamda wan-ni'mata laka wal-mulk, laa sharika lak.'
- ❖ The people also pronounced this Talbiyah that they (i.e., the Sahabah) pronounce, and the Messenger of Allah did not stop them from any of them.
- ❖ The Messenger of Allah continued to say his own Talbiyah (i.e., stuck to his own wording).
- ❖ Jabir said, "Our intention was for only hajj and nothing else, we did not know of 'Umrah.
- ❖ When we reached the House (i.e., the Ka'bah) with him, he touched the corner (i.e., the yamaani corner with the black stone)
- ❖ And then made seven tawafs, jogging through three and walking four.
- ❖ He then went to Maqam Ibrahim and recited, 'Take the Maqam of Ibrahim as a place of prayer.' (Q, 2:125)
- ❖ He then prayed two rak'as, with the Maqam being located between him and the House. In another narration it has been reported that he recited in the two rak'as, 'Qul hua Allahu Ahad' (i.e., Surat al-Ikhlās) and, 'Qul yaa aiyyuhalkaafiroon' (i.e., Surat al-Kaafiroon).
- ❖ He then returned to the corner and touched it.
- ❖ Afterwards, he left from the gate toward Mount Safah. When he got close to Mount Safah he recited the verse, 'Safah and Marwah are among the symbols of Allah'
- ❖ He then climbed it until he saw the House. Then, he faced the Qiblah
- ❖ And said, 'La ilaha illallahu wahdahu laa sharika lahu, lahul-mulk wa lahulhamdu wa huwa 'ala kulli shay'in Qadir; la ilaha illallah wahdahu, anjaza wa'dahu wa

nasara 'abdahu wa hazama al-ahzaaba wahdahu' ('There is no deity besides Allah; He is alone with no partner. For Him is all sovereignty and praise, and He is over all things Qadeer (Able). There is no deity except Allah alone. He fulfilled His promise, aided His servant, and alone defeated the ahzaab.'). Then he supplicated between that, doing this three times.

- ❖ He then descended and walked toward (the mountain of) al-Marwah. When his feet touched down on the bottom of the valley, he walked fast. Then, when they rose again, he would begin to walk normally until he reached Marwah. He did on Marwah similar to what he did on Safah.
- ❖ When it was his last tawaf to Marwah, he said, 'If I knew then what I know now, I would not have brought with me a sacrificial animal and would have performed an 'Umrah instead. Therefore, whoever from amongst you does not have with him a sacrificial animal, let him remove his ihram and make it an 'umrah.'
- ❖ Suraaqah bin Maalik bin Ju'sham stood and said, 'O Messenger of Allah, is this only in regards to this year, or forever?' The Messenger of Allah interlocked his fingers and said, 'Umrah has entered into Hajj - two times - No, rather it is forever.
- ❖ 'Ali came from Yemen with the sacrificial animals of the Prophet and found Fatimah to be from among those who had removed their ihram. She was wearing a dyed garment and had on kohl. So, he rebuked her for what she had done. She said, 'My father commanded me to do so.' He (Jabir) said, 'Ali used to say in Iraq, 'I went to the Messenger of Allah, complaining about Fatimah for what she had done and asking him about it. I informed him that I had rebuked her.' So, he said, 'She has spoken the truth; she has spoken the truth. What did you say when you made hajj obligatory upon yourself?' He said, 'I said, "O Allah, I am exiting from the state of ihram with the same purpose that your Messenger has." The Prophet said, 'I have brought sacrificial animals with me, so do not exit from ihram.'
- ❖ He (Jabir) said, "The number of sacrificial animals that 'Ali brought from Yemen and the ones that the Prophet brought were one hundred."
- ❖ He [Jabir] said, "All the people exited from ihram and trimmed their hair, except for the Prophet and those who had brought sacrificial animals with them."
- ❖ When it was yawm al-tarwiya [which is the 8th of Dhul Hijjah], they went towards Mina having put on the *ihram* for *hajj*.
- ❖ The Prophet rode and prayed there Zuhr, 'Asr, Maghrib, 'Ishaa', and Fajr [shortening the 4 unit ones].
- ❖ After that, he waited a bit until the sun rose,
- ❖ And ordered for a tent of hair to be set up for him at Namirah. Allah's Messenger then set out, and the Quraysh did not doubt that he would observe a halt at the sacred site (i.e., at Muzdalifah) as the Quraysh used to do in the pre-Islamic period.

Allah's messenger passed on till he came to 'Arafah and found that the tent had been set up for him at Namira. He dismounted there,

- ❖ And when the sun had passed the meridian, he ordered al-Qaswaa' to be brought, who was then saddled for him.
- ❖ Then, he went down into the valley and addressed the people, saying, "Your lives and your property must be respected by one another like the sacredness of this day of yours in this month of yours in this town of yours. Everything pertaining to the pre-Islamic period has been put under my feet, and claims for blood-vengeance belonging to the pre-Islamic period have been abolished. The first of those murdered among us whose blood-vengeance I remit is the son of Rabee'ah bin al-Haarith who was suckled among the Bani Sa'd and killed by Hudhayl. The usury of the pre-Islamic period is abolished, and the first of our usury I abolish is that of 'Abbas bin 'Abd al-Muttalib, for it is indeed all abolished. Make taqwa of Allah regarding women, for you have got them under Allah's trust, and have the right to intercourse with them by Allah's word. They must not bring into your houses anyone whom you dislike, but if they do, then beat them in a manner that does not wound. You are responsible for providing them with their food and clothing in a fitting manner. I have left among you something, the Book of Allah, which if you hold by firmly, you will never again go astray. You will be asked about me, what will you say then?" They replied, "We testify that you have conveyed and fulfilled the message and given nasihah." Then, raising his forefinger towards the sky and pointing it at the people, he said, 'O Allah, bear witness; O Allah, bear witness,' three times.
- ❖ Bilal then performed the adhan (call to prayer), then the iqamah, and then he prayed Zuhr. He then performed the iqamah, and then he prayed 'Asr [two units each],
- ❖ And he didn't perform any other salah between the two.
- ❖ He then mounted (his camel) and came to the place of standing [in 'Arafah].
- ❖ Making his she-camel al-Qaswaa' turn its back to the rocks and having the path taken by those who went on foot in front of him, he faced the qiblah.
- ❖ He remained standing till sunset when the yellow light had somewhat gone and the disc of the sun had disappeared.
- ❖ He took up Usama bin Zayd behind him and went quickly. He pulled the nose string of al-Qaswaa' so forcefully that its head touched the saddle. Pointing with his right hand, he was saying: "O people! Tranquil! Tranquil!" Whenever he passed over an elevated tract of land, he slightly loosened the nose-string of his camel so that she climbs up.
- ❖ Then, when he reached al-Muzdalifah, he prayed there Maghrib and 'Ishaa' [two units] with one adhaan and two iqamahs without saying 'Subhaan Allah' between them.

- ❖ He then laid down till dawn and prayed Fajr with an adhan and an iqaamah when the morning light became clear to him.
 - ❖ He then mounted al-Qaswa' until he reached the sacred site.
 - ❖ Then there, he faced the qiblah, supplicated to Allah, made takbeer (i.e., saying "Allahu Akbar"), tahleel (i.e., saying "Laa ilaaha Illa Allaah"), and declared Allah's tawheed, and kept standing till the daylight was very clear.
 - ❖ He then went quickly before the sun rose, taking al-Fadl bin 'Abbaas behind him, and came to the valley of Muhassir (which is between al-Muzdalifa and Mina) and urged the camel a little. Then, he followed the middle road which comes out at the greatest jamrah until he reached the jamrah besides the tree.
 - ❖ Then, from the bottom of the valley, he threw seven small pebbles at it, saying "Allahu Akbar" each time he threw a pebble, with the pebbles being the size of those used with a sling-shot [which are larger than a chickpea but smaller than a hazelnut].
 - ❖ He then went to the place of sacrifice and sacrificed sixty-three (camels) with his own hand.
 - ❖ Then he gave some to 'Ali who sacrificed the remaining, and he made him a partner in his Hadi.
 - ❖ After that, he ordered that a piece of flesh from each (camel) should be put in a pot. When it was cooked, the two of them ate some of it and drank some of its broth.
 - ❖ Then, the messenger of Allah mounted and went quickly to the House (i.e., the Ka'bah),
 - ❖ And he prayed Zuhr in Makkah.
 - ❖ He came to Bani 'Abd al-Muttalib who were supplying water at Zamzam and said (in the meaning of which), "Draw water, B. 'Abd al-Muttalib. Were it not that people would take from you the right to draw water, I would draw it along with you." So, they handed him a bucket and he drank from it." Narrated by Imam Muslim.
- He used to perform the manaasik (Hajj rituals) and say to the people, "Take from me your manaasik." Therefore, the best and most complete Hajj is done by following the Prophet and his companions in it.

Arkaan (Pillars) and Obligatory Acts of Hajj

If the Haajj (someone performing Hajj) limits himself to just the following, Hajj is counted for him:

The Four Arkaan (Pillars):

[1] Going into Ihraam.

[2] Standing at 'Arafah.

	[3] Al-Tawaaf (Circulating around the Ka'bah).	[4] Al-Sa'i (between the mountains of Safaa and Marwah).	
The Obligatory Acts:	[1] Going into Ihraam from the Meeqaat.	[2] Standing at 'Arafah until sunset.	
	[3] Spending the night of al-Nahr (Slaughtering) at Muzdalifah	[4] and the nights of the days of Tashreeq at Mina.	
	[5] Throwing stones.	[6] Shaving or cutting/trimming.	
In Hajj, the difference between leaving off a rukn (pillar) and leaving off an obligatory act is the following:			
If one leaves off a rukn (pillar), his Hajj is not valid until he performs it in the described legislated manner.		If one leaves off an obligatory act, his Hajj is valid. However, he is sinful and must perform sacrifice for leaving it off.	
Explaining the four pillars of Hajj:			
[1] al-Ihraam: The intention of entering into the Nusuk, separate from Talbiya (which is a statement) and wearing the Izar and Rida' (which is an action).	[2] Standing at 'Arafah: From the time of Zawaal on the 9th day of Dhul Hijjah until Fajr of the day of 'Eid. The Prophet said (in the meaning of which) "Hajj is 'Arafah"; narrated by some of the authors of the books of hadith.	[3] Tawaf al-Ifaadah (also called Tawaf al-Ziyaarah): Which is after standing in 'Arafah, separate from tawaf al-Qudoom (tawaf of arrival).	[4] Al-Sa'i: Between (the mountains of) al-Safaa and al-Marwah. Allah said (in the meaning of which) , "Indeed, al-Safaa and al-Marwah are among the symbols of Allah."
The seven obligatory acts of Hajj:			
[1] Assuming the state of Ihraam from the Meeqaat.	[2] Standing in 'Arafah until Maghrib if one stands during the day.	[3] Spending the night at Muzdalifah.	[4] Spending the nights of the days of tashreeq at Minaa.
[5] Throwing pebbles.	[6] Shaving or shortening.	[7] Tawaf al Wadaa' - excluding the woman having her menses or post-natal bleeding – for those who want to leave Makkah, even if it is after the months of Hajj (the author did not mention this).	

The Mawaaqeet of Hajj and Umrah:				
[1] Time-based:		[2] Place-based (for both Hajj and Umrah):		
[a] For Hajj: The months of Hajj, which are Shawwaal, Dhul Qi'dah, and Dhul Hijjah	[b] For Umrah: There is no specific time.	[a] Dhul Hulayfah: for (the people of) Madinah and those passing by it.	[b] Al-Juhfa: for Shaam (i.e., the region of Syria and Palestine), Egypt, and Morocco.	[c] Qarn al-Manazil: for Najd.
				[d] Yalamlam: for Yemen.
				[e] Dhat 'Irq: for Iraq.

Recommended acts of Hajj		
[1] Performing ghusl and putting on perfume for Ihraam.	[2] For men: Wearing white lower and upper garments (Izaar and Ridaa').	[3] Clipping the nails and removing the hair that needs to be removed before making the intention for Ihraam.
[4] Making Talbiyah from the time of Ihraam, until the time of throwing Jamrat al-'Aqabah.	[5] Tawaaf al-Qudoom: for the one performing Hajj al-Ifraad or Hajj al-Qiraan.	[6] Doing "Raml" in the first three laps of Tawaaf al-Qudoom and the Tawaaf of 'Umrah for the one performing Hajj al-Tamattu'. Raml means walking quickly.
[7] Doing "Idtibaa'" in Tawaf al-Qudoom and Tawaf al-'Umrah for the one performing Hajj al-Tamattu', which is to uncover one's right shoulder.	[8] Combining between Maghrib and 'Ishaa' at the time of Maghrib in Muzdalifa when reaching there.	[9] Spending the night in Minaa on the night of 'Arafah.
[10] Kissing the black stone.	[11] Standing in Muzdalifa at the sacred symbol (Al-Mash'ar al-Haraam) from Fajr until a little bit before Sunrise. Furthermore, all of Muzdalifa is a place to stand in.	

SECTION: THE ANSAAK OF HAJJ

A person who intends to enter into ihram is given the choice between al-Tamattu' — which is the best — al-Qiraan, and al-Ifraad.

[1] al-Tamattu' : One enters into Ihraam first for 'Umrah during the months of Hajj, and completes it. He then assumes Ihraam for Hajj during the same season. Furthermore, he is required to slaughter an animal if he is not from the residents of al-Masjid al-Haraam.	[2] al-Ifraad : One enters into Ihraam with the sole intention of performing Hajj [and performs the actions of Hajj only].	[3] al-Qiraan [with actions of al-Ifraad]:	
		One either assumes Ihraam for 'Umrah and Hajj together or,	assumes Ihraam for 'Umrah and then combines Hajj with it before starting Tawaaf for 'Umrah.

A person who starts with al-Tamattu' is obliged to convert it to al-Qiraan under the following conditions:

[1] If one fears that he may miss standing at 'Arafah if he is busy performing 'Umrah.

[2] If a woman begins menstruating or has post-natal bleeding and knows that she will not become pure before the time of standing in 'Arafah.

The ones performing al-Ifraad and al-Qiraan observe the same rituals. However, it is obligatory for the one performing al-Qiraan to have a sacrificial animal with him, which is not a condition for the one performing al-Ifraad.

**SECTION: THINGS THAT MUST BE AVOIDED
IF ONE HAS ASSUMED IHRAAM**

During Ihraam, one must avoid:		
[1] Removing hair.	[2] Clipping nails.	[3] Wearing stitched clothes, in the case of men.
[4] Covering the head, in the case of men.		[5] Applying fragrances, for both men and women.
[6] Killing any hunted wild land animal that is permissible to eat, instructing others to do so, or aiding others in their killing.		[7] The gravest prohibition during Ihraam is sexual intercourse. This is because its prohibition is severe, it nullifies one's Hajj,

	and obligates the pilgrim to offer a camel as expiation.
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The nine impermissible acts during Ihraam:		
<ul style="list-style-type: none"> ❖ Whoever does them out of ignorance, forgetfully, or while being coerced: <ul style="list-style-type: none"> ➤ Then there is nothing upon him, ➤ except for the one who kills a hunted animal, in which case a fidyah (expiation) is due. ❖ But if one does them intentionally, then they are divided into four categories: 		
[A] No fidya due if you do it	[1] Undertaking a marriage contract: whether for yourself or for someone else.	There is no expiation in these cases, and one must repent to Allah.
	[2] Doing things that lead to sexual intercourse: without penetration, as long as it is not accompanied by ejaculation.	
[B] That in which the fidyah (Expiation) is similar:	[3] Killing a hunted land animal, or hunting it: Whoever kills it, then upon him is the fidyah in any case, which is an equal number of cattle, judged by two just men.	
[C] That in which the fidyah is severe:	[4] Sexual intercourse:	[a] If done before the first Tahallul, it leads to four things: 1- Invalidates ones Hajj. 2- One must still complete his Hajj while it is invalid. 3- Repeating Hajj becomes obligatory. 4- Slaughtering a camel becomes obligatory.
		[b] If done after the first Tahallul but before Tawaaf al-Ifaadah, it also leads to four things: 1- One is sinful. 2- Ihraam is invalidated. 3- One must make tahallul so that he can assume Ihraam again. 4- Fidyah becomes obligatory.
[D] That in which the fidyah is light:	[5] Removing hair: from the head and the body.	One is free to choose the fidyah for these actions from the following: [1] Fasting three days, [2] feeding five masaakeen (poor
	[6] Clipping nails.	
	[7] Covering the hair: with something that sticks to the head, in the case of males.	
	[8] Wearing something stitched: which is something that was designed either for the whole body or just one of the limbs. And this is the case for males.	

	[9] Wearing Niqaab (face covering) and gloves: in the case of women.	people); half a saa' for each, [3] or slaughtering a goat, which is then distributed among the Fuqaraa' (poor people) of al-Haram.
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Fidyat al-Adhaa (Expiation):

[1] If a man covers his head or wears stitched clothing, or if a woman covers her face or wears gloves, or if either of them applies fragrance, then they must choose from the following expiations:

[2] If one kills a hunted animal, then he must choose between:

[a] Fasting three days,

[b] feeding six poor people, or

[c] slaughtering a sheep.

[a] Slaughtering an animal similar to it if a similar animal is found in cattle.

[b] Assessing its value based on a similar animal from the place where he killed (the first), purchasing food with it to feed the poor, and then giving each person a mudd (two handfuls) of wheat or half a saa' (i.e., 2 mudds) of any other type of food.

[c] Fasting a day in place of each poor person that is to be fed.

**Concerning the sacrificial animal offered for al-Tamattu' and al-Qiraan, it is obligatory that it meet the conditions of an udhiyah (sacrificial animal).
If one cannot afford it, however, then he must fast ten days:**

- **three days during hajj**, [The period in which one can fast them begins from when one assumes Ihraam for Hajj or 'Umrah, and lasts until the last day of the days of tashreeq] **and it is permissible for him to fast the days of tashreeq as the three days,**
- **and seven days upon his return.**

This ruling also applies to:

[1] the one who abandons an obligatory act, and

[2] the one upon whom expiation became obligatory due to engaging in foreplay.

Furthermore, every sacrificial animal or food related to the Haram or Ihraam should be given to the poor of the Haram, whether they are residents [of Makkah] or Ufuqi [someone who isn't a resident of Makkah].

However, the fasts can be observed anywhere.

Additionally, regarding the meat of the slaughtered [animal] offered as al-Hadi and in al-Tamattu' and al-Qiraan, it is recommended that one: eats from it, gives some as a gift, and gives away some as charity.

As for slaughtering an animal as expiation that becomes obligatory due to doing something prohibited (during Hajj) or leaving off something obligatory, which is referred to as blood compensation, one cannot eat anything from it. Rather, all of it must be given away in charity since it takes the same ruling as a kaffarah.

Conditions of al-Tawaaf and al-Sa'i

The conditions of al-Tawaaf, in all cases, are the following:

[1] Al-Niyyah (intention)	[2] Starting with it from the Black Stone. Additionally, the sunnah is to			[3] Keeping the Ka'bah to one's left.	[4] Completing the seven rounds.	[5] Purifying oneself from al-Hadath (ritual impurity) and al-Khabath (physical impurity).
	touch and kiss it.	If one is unable to do so, however, then he should point to it	and say, "Bismillaah, Allaahu Akbar, Allaahumma Imaan bika, wa tasdeeqan bikitaabika, wa wafaa'an bi'ahdika, wattibaa'an li sunnati nabiyika Muhammadin salallaahu 'alayhi wa sallam. (In the			

			<p>name of Allah; Allah is the Greatest; Allah, having Imaan in You, belief in Your Book, loyalty to Your covenant, and compliance to the way of Your Prophet Muhammad.)"</p>			
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Additionally, being in a state of tahaarah (purity) for all the rituals, excluding the tawaaf, is a non-obligatory sunnah.

It is mentioned in a hadith that (in the meaning of which), "Tawaaf around the house is a salaah, except that Allah has made it permissible to speak during it." narrated by Altermathi

Furthermore, it is a sunnah to do the following:

[1] Observing al-Idtibaa' during tawaaf al-quḍum (tawaaf of arrival): by wrapping the middle part of one's upper garment (ridaa') under his right shoulder, and its end part over his left shoulder.

[2] Observing al-Ramal (i.e., walking fast) through the first three rounds, and walking normally through the remaining ones.

Moreover, it is not recommended to observe al-Ramal and al-Idtibaa' in any other tawaaf.

The conditions of al-Sa'i are the following:

[1] Al-Niyah (intention).

[2] Completing the seven (rounds).

[3] Beginning at al-Safaa.

Furthermore, it is legislated that one increase in mentioning Allah and supplicating to Him while performing al-Tawaaf, al-Sa'i, and all the other rituals. This is due to the statement of the Prophet (in the meaning of which), "Tawaf around the House and between al-Safaa and Marwah, and stoning the pillars were only prescribed to establish the remembrance of Allah." [Reported by some of the Authors of "al-Sunan"]

Abu Hurayrah narrated saying that when Allah granted His Messenger the conquest of Makkah, he, after praising and thanking Allah, stood up and addressed the people saying (in the meaning of which), "Allah kept the elephant away from Makkah and gave authority over it to His Messenger and the believers. It was neither permissible for anyone before me, nor will it be permissible for anyone after me. Verily, it was only made permissible for me for a few hours of a day, and indeed, it will never be permissible for anyone after me."

Therefore,				
[1] do not scare/shoo away its animals, and	[2] do not uproot its thorny shrubs.	[3] Its lost things are not permissible (to pick up) except for someone who will announce them publicly.	[4] The relative of the murdered is given the choice between blood money and retribution."	[5] Ibn 'Abbaas said, "O Messenger of Allah, except lemongrass, for we use it in our houses and our graves." So, the Prophet said (in the meaning of which), "Except for lemongrass." Agreed upon.
<p>He also said (in the meaning of which), "All of Madinah is sacred, from (the southern hill of) 'Ayr to (the northern hill of) Thawr." Narrated by Imam Muslim.</p> <p>And he said (in the meaning of which), "Five animals, which are harmful, can be killed in both the haram and outside it:</p>				
[1] Crows	[2] kites	[3] scorpions	[4] mice	[5] rabid dogs
Dogs are of three types:				
[1] 'Aqoor (Rabid): Killing them is obligatory.	[2] Black: Kill them is permissible.	[3] The rest: Killing them is prohibited except if they cause harm.		

Chapter: Al-Hadi, Al-Udhiyah, and Al-'Aqeeqah

The obligatory aspects of al-Hadi have already been mentioned, and anything in addition to that is sunnah, with the same applying to al-Udhiyah and al-'Aqeeqah.

It is not befitting for a Muslim who is able to perform al-Udhiyah to leave it. The Prophet said (in the meaning of which), **"Whoever can afford to perform al-Udhiyah but does not, must not come near our prayer place."** Reported by Imam Ibn Majah and Imam Ahmad. The Messenger of Allah said (in the meaning of which), **"If the ten (days) of Dhul Hijjah arrive and one of you wants to perform al-Udhiyah, then he should not cut any of his hair or nails until he performs it."** Narrated by Imam Muslim, who in another narration narrated, **"nor from his skin."**

Concerning this, it must be an animal [found in cattle, meeting the following conditions when it comes to age]:			
[1] Al-Jadh' : a half-year-old sheep,	[2] Al-Thani' (which includes the following):		
	[a] Five-year-old camel.	[b] Two-year-old cow.	[c] One-year-old goat.
[Additionally, it is a condition that they must be free from any defects that prevent al-Udhiyah from being correct.], The Prophet said (in the meaning of which), "Four types of animals that are not permissible for al-Udhiyah are:			
[1] an explicitly one-eyed animal	[2] a clearly sick animal	[3] a limping animal whose limping is clear	[4] an old one without a marrow." Authentic; narrated by the Five
<p>The (sacrificial animal) should be of a good breed and complete in all its features. The more perfect it is, the more beloved it is to Allah, and the greater the reward is for its owner.</p> <p>Jabir said, "In the year of Hudybiyah, we sacrificed with the Prophet a camel on behalf of seven (people), and (also) a cow on behalf of seven."</p>			
The 'Aqeeqah is a [highly emphasized] sunnah for the father [or whoever takes his place], and it is recommended to sacrifice:			
[1] two sheep for a newborn boy		[2] one sheep for a newborn girl	
In 'Aqeeqah, the sacrifice is made on:			
[1] The seventh day: So, for example, if he/she is born on a Saturday, the sacrifice is made on Friday, i.e., one day before the same day that he/she was born.	[2] If one misses the seventh day: then, on the fourteenth day.	[3] And if one misses that too: then, on the twenty-first day.	
Sacrifice is made on behalf of every child into whom the soul has been blown, even if it comes out dead.			
The following are also prescribed on the seventh day:			
[1] Naming the child: as long as a name has not been prepared for him already.	[2] Shaving the head: if the child is a boy.	[3] Giving in charity: the weight of the hair in silver.	

The Prophet said (in the meaning of which), "Every newborn is in pledge for his 'Aqeeqah. Sacrifice is made for him on the seventh day, he is shaved, and named." Authentic; narrated by the Five.

Additionally, one eats from the sacrifice, gives some away as a gift, and some in charity. However, one should not give anything from it to the butcher as payment. Rather, one gives him a gift or some charity.

[Appendix]

The names of the days of Hajj:					
[1] Yawm al-Tarwiya: The eighth day of the month, on which they used to transfer water to Mina.	[2] Yawm 'Arafah: or al-Waqfah, which is the ninth day of the month.	[3] Yawm al-'Eid: or al-Nahr, which is the tenth day of the month.	[4] Yawm al-Qarr: The eleventh day of the month.	[5] Yawm al-Nafr al-Awwal: The twelfth day of the month.	[6] Yawm al-Nafr al-Thaani: The thirteenth day of the month.
And Laylatu Jam'in is the night of 'Eid, which was named this way because people would gather on it after standing at 'Arafah since the people of Makkah in the pre-Islamic period would not go out to 'Arafah.					

The times for Du'a in Hajj are five:				
[1] At 'Arafah, after Zawaal on the ninth day until sunset.	[2] At Muzdalifah, after Fajr on the ninth day, until Isfaar.	[3] After throwing al-Jamrah al-Sughraa and al-Wustaa (i.e., the small and the middle jamrahs) on the days of Tashreeq.	[4] During Taawaf.	[5] During performing Sa'i between al-Safaa and al-Marwah, and also while being on them.

Types of visits to the city of the Prophet that are legislated:				
[1] To intend to travel in order to pray in the mosque of the Prophet because of the hadith (in the meaning of which): "Travel is only undertaken for three mosques:	[2] For praying in Masjid Qubaa', because of the hadith (in the meaning of which)"Whoever purifies himself in his house, then comes to Masjid Qubaa' and offers one	[3] For visiting the grave of the Prophet and his two companions (Abu Bakr and 'Umar), because the companions did it.	[4] For visiting the graveyard of al-Baqee', because the Prophet did it.	[5] Visiting the shuhadaa' (martyrs) of (the battle of) Uhud, because the Prophet did it.

al-Masjid al-Haraam, this Masjid of mine, and al-Masjid al-Aqṣaa."; agreed upon, and the hadith (in the meaning of which) "One salah in this Masjid of mine is better than a thousand salahs elsewhere." Agreed upon.	prayer therein, will have a reward like that for 'Umrah." Reported by Ibn Maajah.			
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KITAAB AL-BUYOO' (BOOK OF TRANSACTIONS)

In Islamic terms, al-Bay' (trading and transactions) is the exchange of money - even if it is in debt - or that of a permissible benefit - such as a walkway in a house - for the same value of either one of them, permanently without any Riba (usury/interest) or loan.

The Arkaan (Pillars) and Conditions of al-Bay'

Types of 'Uqood (pl. of 'Aqd - Contracts):

<p>[1] 'Uqood al-Mu'aawadah (Commutative Contracts): such as al-Bay' (Sale) and al-Ijaarah (Hiring or leasing out).</p>	<p>[2] 'Uqood al-Tawtheeq: such as mortgage and insurance/guarantee.</p>	<p>[3] 'Uqood al-Tabarru': such as loans, gifts, wills, and charity.</p>
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Arkaan (Pillars) of al-Bay':

<p>1- The two contractors: The seller and the buyer.</p>	<p>2- The object of the contract: That which is sold.</p>	<p>3- The method: which can be:</p>	
		<p>[a] Verbal: through offering and accepting.</p>	<p>[b] Action based: through give and take.</p>

The default ruling concerning it [i.e., al-Bay'] is that it is halal (permissible). Allah said, "And Allah has permitted trading and prohibited usury." Therefore, for all objects such as real estate, animals, furniture, etc. = it is permissible to initiate contracts on them if the conditions of al-Bay' are met.

The conditions of al-Bay' revolve around three things: al-Zulm (injustice), al-Ribaa (usury/interest), and al-Gharar (uncertainty and ambiguity). Therefore, whoever sells something that he does not own, then this falls under injustice. Whoever deals with usury, then this falls under al-Ribaa (usury/interest). Lastly, whoever sells something unknown, then this comes under al-Gharar.

Conditions of al-Bay':

[1] Both parties must be satisfied.	[2] There must not be any Gharar (ambiguity/uncertainty) in the price or the item being sold.	[3] Both parties must own (i.e., that which they are selling), or be authorized to handle them.	[4] The transaction must be free from al-Ribaa (usury).	[5] The price and the item being sold must not be Haram (prohibited).
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Some types of Buyoo' (transactions) that are prohibited:

[1] Buying and selling for someone upon whom the Jum'ah prayer is obligatory, after the second adhaan.	[2] Selling something to someone who will use it for sinning or in things that are haram (prohibited).	[3] A Muslim making a sale over the sale of his brother or buying over the purchase of his brother.	[4] Bay' al-'Eenah.	[5] Selling an item before having it in your possession.	[6] Selling fruits before they become ripe.
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The most important conditions are:

[The First Condition]

Al-Ridaa (Satisfaction of both parties), which is due to the statement of Allah, "Except it is a trade amongst you through mutual consent."

Therefore, if one is coerced into making the transaction (such as the judge forcing him for the benefit of those in debt), then it is valid.

[The Second Condition]

There must not be any gharar (ambiguity) or jahaalah (unawareness) because the Prophet, "prohibited bay' (transactions which involve) gharar." Narrated by Imam Muslim.

The following (types of transactions) fall under this:

[1] Selling a runaway [slave] or a wandering [animal].	[2] Selling by saying, "I will sell you one of these two items,	[3] Or by saying, "the amount based on the distance this pebble I throw reaches.", etc.	[4] Selling that which one's female slave is pregnant with, or the fruits that one's tree will bear.	[5] Selling that which a pregnant one carries.
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Furthermore, this applies whether the gharar (ambiguity) is in the price or the item being sold.

[The Third Condition]

The 'aaqid (contracting party) who is someone baaligh (i.e., hit puberty), sensible, [and sane,] must own the object or have authority concerning it.

[The Fourth Condition]

The conditions of al-Bay' (transaction) also include: that it must not contain any Ribaa (usury/interest).

Types of Ribaa (Usury/Interest):

[1] Ribaa al-Fadl: Selling items of the same type at different amounts, with regards to items in which Ribaa can take place.

[2] Ribaa al-Nasee'ah: Delaying al-Qabd (direct possession) in a manner that involves Ribaa.

It is reported on the authority of 'Ubaadah that the Messenger of Allah said (in the meaning of which), "Gold for gold, silver for silver, wheat for wheat, grain for grain, dates for dates, and salt for salt; same for same, like for like. If these types differ, then sell however you want as long as it is hand-in-hand. Whoever increases or asks for an increase has fallen into Ribaa (usury/interest)." Narrated by Imam Muslim.

Ribaa can take place in six types of items:

[1] Gold

[2] Silver

[3] Al-Burr
(Wheat)

[4] Al-Sha'eer
(Barley)

[5] Dates

[6] Salt

[1] Therefore, a measurable commodity is not to be sold or traded for another measurable commodity of the same type except according to these two conditions, and the same applies to commodities that are weighed.

[2] If something that is measured is traded for something else that is measured, or something that is weighed is traded for something else that is weighed, but the two items are not of the same type, then it is permissible with the condition that possession takes place before parting.

[3] If something that is measured is traded for something that is weighed, or vice-versa, then it is permissible even if possession takes place after parting.

Additionally, being unaware of al-Tamaathul (i.e., equality between items) is like being aware of al-Tafaadul (i.e., disparity between items). [I.e., Being unaware of them being equal is similar to knowing that one of them is more than the other.] This is similar to how the Prophet prohibited al-Muzaabanah: "Which is buying dates with (fresh) dates from palm trees." Agreed upon. "However, he gave a concession for Bay' al-'Araayaa on the

basis of estimation, for anything that is less than five awsuq (pl. of wasaq which equals 60 sa'), for someone who is in need of fresh dates but does not have the money to purchase them." Narrated by Imam Muslim.

Conditions for Bay' al-'Araayaa to be permissible are:

[1] One must not have anything that he can purchase using, except these dates.	[2] The amount must be five awsuq (i.e., three hundred sa') or less.	[3] The resulting value of these fresh dates would be the same as that of the dry dates.	[4] One must need fresh dates for eating, and must not intend to keep them until they become dry.	[5] The fresh dates must be on the trees.
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[The Fifth Condition]

Another condition is that the contract must not take place concerning something Islamically prohibited:

[1] The product itself can be forbidden, just as "the Prophet prohibited the sale of alcohol, dead animals, and idols." Agreed upon.	[2] It can also be forbidden due to how it can severe relationships between Muslims, just as the Prophet forbade "selling over the sale of another Muslim [by saying, for example, to someone who bought a phone for ten, "I will give you one similar to it for nine."], buying over his purchase [by saying,	[3] Another type that falls under this is the Prophet forbidding "separating between slaves who are related." [Reported by al-Tirmidhi and Ibn Maajah]	[4] This also includes: If it is known regarding the buyer that he will use the item in disobedience to Allah, such as buying walnuts and eggs for gambling or buying weapons to cause fitnah (tribulations/ corruption) or selling them to bandits.	[5] The Prophet also prohibited from going out to meet incoming merchandise , saying, "Do not go out to meet the incoming merchandise . Whoever goes out to meet it and buys from it, then when its owner reaches the marketplace, he is free to choose (i.e., between continuing the transaction and	[6] He also said, "Whoever cheats us is not from us." Narrated by Imam Muslim.
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	<p>for example, to someone who sold his phone for nine, "I will buy it from you for ten."], and al-Najash [whereby someone who does not want to buy an item increases its price only to harm either the seller, the buyer, or both.]" Agreed upon.</p>			<p>canceling it)." Narrated by Imam Muslim.</p>	
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<p>The following are examples of explicit Ribaa (Usury/Interest):</p>			
<p>[1] Using deception through the use of al-'Eenah, whereby one sells an item on credit for one hundred and then repurchases it from the buyer in cash at a lesser price, or vice versa.</p>	<p>[2] Using deception by reversing debts.</p>	<p>[3] Using deception to deal with interest through the use of loans, such as giving a loan with the condition of benefiting from some of that money, or getting something as compensation for it. As such, every loan which brings about a [stipulated/pre-conditioned] benefit is Ribaa.</p>	<p>[4] Another form of deception is selling silver jewelry along with something else, for silver, or selling a mudd of dates along with dirham, for dirham (only).</p>

The Prophet was asked about trading dried dates for ripe ones, upon which he asked, "Does it decrease when it dries?" They replied, "Yes." So, he prohibited it. Narrated by The Five. [This is because ripe dates are heavier than dried dates. However, Bay' al-'Araayaa along with its conditions which were recently mentioned, is excluded from this.]
"He also prohibited selling a heap of dried dates, whose measure is unknown, for a fixed measure of dried dates." Narrated by Imam Muslim

As for trading something that one owes:

[1] If it is sold to the one on whom it is due, then it is permissible with the condition of collecting its compensation before parting. This is because the Prophet said (in the meaning of which), "There is no harm if you take it for its daily price, as long as you two do not depart while there is still something between you two." Narrated by The Five.

[2] If it is sold to other than the one on whom it is due, then it is not permissible because it would be a form of gharar.

CHAPTER: TRADING CROPS AND PRODUCE

Example of what falls under this chapter: Date Palm is considered a crop, and its dates are considered produce.

[Trading crops]

The Prophet said, "Whoever sells a date palm tree after it has been pollinated, then its fruits belong to the seller unless stipulated otherwise by the buyer."

This Hadeeth is regarding someone who sells date palm trees, not a piece of land. Therefore, if one sells some date palm trees after they are pollinated:

The fruits they bear belong to the seller,

except if the purchaser stipulates the fruits along with the trees, which is better.

This also applies to all other trees whose produce ripens [like apples and grapes, because they are similar to pollinated date palms].

Likewise, it applies to produce which is harvested only once, when it ripens.

However, if it is harvested more than once, then the tree will go to the buyer and its apparent harvested produce will go to the seller.

[Trading produce]

**"The Messenger of Allah prohibited the sale of produce until their good quality becomes apparent; he forbade it for both the seller and the buyer."
Additionally, when asked about its good quality, he said (in the meaning of which), "Until its defect goes away." In another narration, "Until it becomes red or yellow." [Meaning, until it becomes good for eating.]
Additionally, "He prohibited the sale of grains until they matured in size." Narrated by the authors of al-Sunan.**

If grains are sold for fodder, however, then it is not a condition that they mature in size.

The Prophet said (in the meaning of which), "If you were to sell to your brother some crops, which were then destroyed, then it is not permissible for you to take anything from him. With what right would you take the money of your brother?!" Narrated by Imam Muslim.

Meaning: the seller returns the full price to the buyer.
Except if the buyer was negligent and took too much time in picking the product at harvest time, in which case he is accountable for his negligence and is not owed anything.

As for if the land is sold and it has:

[1] Trees: If the land is sold and it has trees, then they are considered part of the land and thus, belong to the buyer.

[2] A crop that is harvested repeatedly: The ready harvest at the time the land is sold is for the seller, and the land is for the buyer. Furthermore, if the buyer stipulates that the ready harvest is for him, then that is valid.

[3] A crop that is harvested only once: like wheat and barley, belongs to the seller until the time of harvest.

**CHAPTER: AL-KHIYAAR AND OTHER ISSUES
[AL-IQAALAH]**

Al-Khiyaar (Right of choice): Choosing the better option between accepting the deal or canceling it, whether for the seller or buyer.

A contract becomes binding when undertaken unless there is a religious reason that entails otherwise.

Categories of contracts based on their binding nature:		
[1] An optional contract for both parties: like al-Wikaalah.	[2] A contract binding upon both parties: like trading and leasing.	[3] A contract binding upon one party and optional for the other: like mortgages.

Al-Khiyaar (Right of choice) is of eight types:			
[1] Al-Khiyaar while in the majlis (sitting/gathering where the deal is taking place).	[2] Al-Khiyaar in a condition.	[3] Al-Khiyaar due to injustice.	[4] Al-Khiyaar due to dishonesty.
[5] Al-Khiyaar due to a defect.	[6] Al-Khiyaar due to price, whenever it is less or more than what was previously agreed on.	[7] Al-Khiyaar due to the two parties disagreeing.	[8] Al-Khiyaar due to a discrepancy in the description.

[The First Type]

Khiyaar al-Majlis (Choice to cancel before departing): The Prophet said, "If two men conduct a sale, each one has a right of choice (i.e., to continue or cancel the transaction) as long as they have not parted from one another, or if one of them gives the other the right to choose. Therefore, if one of them gives the other the right to choose and they both conclude the sale and neither abandons the transaction, then it becomes binding." Agreed upon.

[The Second Type]

Khiyaar al-Shart (Choice to cancel based on conditions), if the right to choose had been stipulated for one or both of the contracting parties for a known time period. The Prophet said (in the meaning of which), "Muslims are bound by their conditions, except for the conditions that make the permissible impermissible or make the impermissible permissible." Narrated by the authors of al-Sunan.

[The Third Type]

If one of the parties has been deceived above and beyond the norm, such as in the case of najash, going out to meet the merchandise beforehand, etc.

[The Fourth Type]

Khiyaar al-Tadlees: whereby the seller deceives the buyer in a way that raises the price of the merchandise. For example, leaving the milk to collect in an animal's udder. The Prophet said (in the meaning of which), "Do not keep camels and sheep un-milked for a long time. Whoever purchases such an animal has the option to milk it and afterward

keep it, or return it to the seller along with a saa' of dates." Another wording says, "He has the right to choose for three days."

[The Fifth Type]

If one purchases something defective without knowing about the defect, then he has the choice between returning or keeping it. If he is unable to return it, however, then he is entitled to receive al-Arsh (compensation) for it," [which is the difference between the price of the intact and the defective product.]

[The Sixth Type]

If the two differ over the price, then they both must swear an oath (with the seller going first), after which they both have the option to cancel the transaction.

al-Iqaalah:

Cancellation of a contract that took place between two parties, with agreement and consent from both sides.

The Prophet said (in the meaning of which), "Whoever takes back (cancels) a transaction he made with a Muslim, Allah will forgive his fault." Narrated by Abu Dawood and Ibn Maajah.

CHAPTER: AL-SALAM OR AL-SALAF

Salam is valid for everything that can be precisely specified by its description and attributes, with the following conditions:

[1] One precisely determines the item with all its descriptions that affect the price; [quantity, category, type, and attributes].

[2] Its time period is mentioned.

[3] Price is paid [fully] before the parties depart.

Ibn Abbas said (in the meaning of which) that The Messenger of Allah arrived in Madinah and the people would pay in advance the cost of fruits that would be delivered after a year or two. So, he said, "Whoever pays in advance for something: must know its weight, measure, and specified term." [Agreed upon].

He also said (in the meaning of which), "Whoever takes money from people with the intention to pay it back, Allah will pay it back for him, and whoever takes it intending to waste it, Allah will destroy him." Narrated by Imam al-Bukhari.

An example of al-Salam: A farmer goes to a merchant and says to him, "Give me one thousand riyals in cash and I will give you after one year a hundred saa' of wheat. Therefore, the farmer benefits from the money, and the merchant benefits from the wheat."

**CHAPTER: [UQOOD AL-TAWTHEEQ]
AL-RAHN (MORTGAGE), AL-DAMAAN
(INSURANCE), AND AL-KAFAALAH
(SPONSORSHIP)**

These are all means of documenting established rights.

[Al-Rahn (Mortgage)]:

Securing a loan with an item or part of an item that covers all or part of the loan.
This includes:

[1] The Mortgagor: The one who provides the collateral item to secure his loan.

[2] The Mortgagee: The one who takes possession of the collateral, i.e., the lender.

[3] The Collateral Item: That which was taken to secure the loan.

Al-Rahn (Mortgage) is valid using every commodity that is permissible to sell. [So, a mortgage is not carried out using something that is not permissible to sell, such as (items given in) Waqf, dogs, and that which one does not own]. **It remains as a trust with the mortgagee (i.e., the lender). He does not guarantee it unless he misuses it or is negligent concerning it, as is the case with all other trusts.**

Afterward:

[1] If the debt is repaid completely: the mortgaged item is released.

[2] If it is not repaid, however, and the mortgagee (i.e., the lender) requests that the mortgaged item be sold, then:

It is obligatory to sell it and pay back the lender using the money.

Any money that remains after paying off the debt belongs to its rabb [i.e., its owner].

-However, if some of the debt remains unpaid, then it remains an unsecured debt without any mortgage.

If someone damages the mortgaged item, then he is liable to replace it with another, which then becomes (the new) mortgage. Additionally, the yield of the mortgage is

subordinate to the (principal) mortgage, while its expenses are the responsibility of the owner.

Furthermore, the mortgagor is not allowed to benefit from the mortgage except with the permission of the lender or according to what the shaari' (the Prophet) permitted, saying, "An animal can be ridden for payment if it was something given as a mortgage; that which is in its udder can be drunk for payment if it was something given as a mortgage. And it is upon the one who rides or drinks to pay for it." Narrated by Imam al-Bukhari.

The mortgagee has no right to benefit from the mortgaged item in any case, except for animals. So, he must not reside in the house or use the car except by (paying) their fee. As for animals, however, one can benefit from them if he spends on them, as has been mentioned in the last hadith.

Example of al-Rahn (mortgaged item): A person gives a cow as a mortgage and the mortgagee (i.e., the lender) starts milking it. In this case, we say that you can milk it according to the amount of the nafaqah (i.e., what he spent on it):

[1] If its milk costs a hundred a week and he spends the same amount on it weekly, then in this case, he neither gets nor owes anything.

[2] If the milk equals two hundred a week and the nafaqah equals a hundred, then one has to pay a hundred to the mortgagor. However, it becomes a form of mortgage because it is what the Rahn (mortgage) yielded.

[3] If it is the opposite, i.e., the nafaqah is two hundred and the milk is worth a hundred, then in this case, the mortgagor now also owes the difference between the price of the milk and that which was spent on the cow.

[Al-Damaan]

Al-Damaan: Guaranteeing a right on behalf of the one on whom it is due.

[Al-Kafaalah]

Al-Kafaalah: Guaranteeing to bring the one liable for a financial right [to where judgment will take place]. The Prophet said (in the meaning of which), "Al-Za'eemu Ghaarimun ("The guarantor is liable")." [Reported by al-Tirmidhi and Ibn Maajah].

Therefore, both of them are guarantors, except in the following cases:

[1] They fulfill what they are obligated to do.

[2] The one who is owed the right absolves it.

[3] The one in debt is freed from his obligation. And Allah knows best. [Al-Kafaalah]

CHAPTER: AL-HAJR (FREEZING ASSETS) DUE TO BANKRUPTCY ETC.

Al-Hajr: Blocking someone from having control over either both his wealth and debt or his wealth alone.

Based on the benefit sought through it, al-Hajr is divided into two types:

[1] For the benefit of the one whose assets are being frozen: This is in the case of the minor, the incompetent, and the mentally challenged.

[2] For the benefit of a second person: This is in the case of someone who is bankrupt.

-The one with the right (i.e., the lender) should be patient with the debtor who is bankrupt, and he should make it easy for the one who is well-off.
-On the other hand, the one who owes the right (i.e., the debtor) should fulfill it completely, both in quantity and quality.
- The Prophet said (in the meaning of which), "Procrastination (in repaying the debt) by a wealthy person is (a form of) oppression, and if he transfers his debt to someone who is able to pay it, then he (i.e., the lender) should agree." Agreed upon. This is a form of lenience.
-The well-off person is the one who is able to repay, does not procrastinate, and can be brought to the place of judgment.
-If a person's debt exceeds his wealth and all or some of the lenders request a judge to freeze his assets and prevent him from controlling any of his wealth, he (i.e., the judge) can liquidate his assets and divide the proceeds among the lenders in proportion to the amount they are owed.

-Furthermore, he must not give precedence to any of the lenders over one another, except:

[1] the lender with a mortgaged item, by (giving him) its proceeds.

[2] The Prophet said (in the meaning of which), "Whoever finds his wealth with a bankrupt person has more right to it than anyone else." Agreed upon.

Additionally, it is obligatory upon the guardian of a minor, an incompetent, or a mentally challenged person:

[1] to prevent him from controlling his wealth in a way that would cause him harm. Allah said (in the meaning of which), "Do not give to the foolish your wealth which Allah has made a means of support for you."

[2] On the other hand, the guardian must not come near their wealth except to improve it, by

[a] maintaining it,

[b] using it in ways that will bring benefit to them,

[c] and giving them from it what they require.

Moreover, their guardian is:

[1] their father, if he is competent and sensible,

[2] and if not, then the ruler can appoint as a guardian someone from their relatives who is the most compassionate, knowledgeable, and trustworthy.

Furthermore, if one is rich, then he should not take anything (i.e., from their wealth). If one is poor, however, then he should take what is adequate for him, which is the lesser amount of the amount someone like him earns and the amount he needs to suffice. And Allah knows best.

If we assume that one needs a thousand riyals to suffice but his pay is five hundred, then we give him five hundred because it is the lesser amount.

CHAPTER: AL-SULH (RECONCILIATION/COMPROMISE)

Al-Sulh: A contract that results in stopping two conflicting parties from fighting. It is of many categories and relates to all financial and other types of rights. Additionally, al-Islaah (reconciliation) is prevented in one case: which is when it becomes clear to the judge that one of the parties is right.

The Prophet said (in the meaning of which), "Al-Sulh (Reconciling) between Muslims is permissible, except when it makes something permissible prohibited, or something prohibited permissible." Narrated by Abu Dawud and al-Tirmidhi; the latter called it hasan sahih, and al-Hakim graded it to be sahih (authentic).

[1] Therefore, if one comes to a compromise with the other regarding a commodity for another commodity or debt, then it is permissible.

[2] If one of them owes the other something and they come to a mutual compromise where another commodity or something as debt is given which is taken into possession before parting, then it is permissible.

[3] If one comes to a form of agreement with the other on a known benefit in his real estate etc.

[4] If they compromise over a debt to be paid back later, by paying some of it now.

[5] If one party is owed something but both parties are unaware of the exact amount that is owed, so they come to an agreement upon something, then it is valid.

The Prophet said (in the meaning of which), "A neighbor should indeed not prevent his neighbor from fixing a wooden beam in his wall." Narrated by Imam al-Bukhari.

**CHAPTER: AL-WAKAALAH (DEPUTYSHIP),
AL-SHARIKAH (PARTNERSHIP), AND
AL-MUSAAQAH AND AL-MUZAARA'AH
(SHARECROPPING)**

Al-Wakaalah (Deputyship): Someone who rightfully possesses control asking someone else like him to take control in regard to those things in which giving control (i.e., deputyship) is permissible.

Al-Sharikah (Partnership): Two or more people partnering up in rights or control.

Al-Musaaqah: A contract between two people whereby one of them gives the other a tree to grow, in exchange for a quantity of its produce.

Al-Muzaara'ah: A contract between two people whereby one of them gives the other a piece of land to farm, in exchange for a quantity of the harvest.

[A Section on al-Wakaalah (Agency)]

The Prophet used to assign (others) to carry out his special needs and the needs of the Muslims related to him. Therefore, it is a permissible contract for both the parties [the assigned and the assigner].

[1] It is valid in everything in which deputyship is valid, such as,

[a] the Rights of Allah, like distributing zakaah, kaffarah (expiation), etc,

[b] and the rights of people, such as contracts, annulments, etc.

[2] As for matters in which deputyship is not valid and a person himself is required to perform something, and that which is related to his own body such as Salaah, Tahaarah, taking oaths, equal treatment of wives, etc, al-Wakaalah (deputyship) is not permissible here.

Furthermore, the wakeel (deputy) does not control that which he has not been permitted to, both verbally and customarily.

It is also permissible to deputize someone on one's behalf for some form of payment. Here, the deputized person is like all other trustees in the sense that he is not required to guarantee the entrusted object except in cases of violation or negligence. Their statement in this regard is accepted if accompanied by an oath. Additionally, whoever claims to have returned the trust, then:

[1] if it (i.e., the deputyship) was paid in the form of al-Ju'l: it will only be accepted with proof.	[2] If he was volunteering, however, then his statement will be accepted with his oath.
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[A Section on al-Sharikah (Partnership)]

The Prophet said (in the meaning of which), "Allah says, 'I am the third to two partners, as long as one does not deceive the other. If he deceives the other, then I withdraw from both of them.'" Narrated by Abu Dawud. Therefore, al-Sharikah (partnership) in all its forms is permissible.

Ownership and profit in this case are according to what the two parties agree on if it is a known and specific portion. [Each one of them gets half of the profit, for example.]

This includes the following:

[1] Sharikat al-'Inaan: Both partners contribute capital and labor.	[2] Sharikat al-Mudaarabah: One person contributes the capital and the other contributes labor.	[3] Sharikat al-Wujooh (Not sure about this translation): (Both partners share in the profit of) what they bought by borrowing from the people.	[4] Sharikat al-Abdaan: Both partners share in what they earn through their labor from that which is permissible, such as herbs, etc, and the work they accept.	[5] Sharikat al-Mufaawadah partnership: Includes all that has been mentioned.
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All these (types of partnerships) are permissible. However, they become invalid if oppression or gharar (ambiguity) by either one of the partners comes into play. For example, if one of them is entitled to a profit of a specific period, and the other to the profit of another period, or the profit of one of the products, or the profits of one of the trips, and so forth.

[A Section on al-Musaaqaah and al-Muzaara'ah]

Likewise, the above things also invalidate al-Musaaqaah and al-Muzaara'ah partnerships [if they are unknown; like saying, for example, "I have given you this tree to grow in return for some of its produce, or a hundred kilos of it." This is not valid because it is not well-known.]

Al-Rafi' b. Khadijj said, "We used to rent out land during the lifetime of Allah's Messenger. We rented it for a specific amount of produce. Sometimes the crop of that portion was affected by blith, etc., while the rest remained, or the rest was affected by blith while that portion remained safe, and this was the only form of renting that the people knew. The Prophet forbade this practice. As for rent on something that is known and guranteed, there is no harm in it." narrated by Muslim

<p>Additionally, the Prophet contracted with the people of Khaybar for half of what they harvested from their fruits and plants. This hadith is agreed upon by Bukhari and Muslim.</p>	
<p>[1] Musaqah partnership of trees refers to the owner [of the trees] giving out the tree to a laborer who tends to it in return for an agreed upon portion of its harvest.</p>	<p>[2] Muzara'ah refers to when an owner gives out the land to a laborer who cultivates it in return for a specific portion of the harvest.</p>
<p>Both partners are subject to:</p>	
<p>[1] The customarily acknowledged conditions,</p>	<p>[2] The conditions that contain no ambiguity.</p>
<p>Additionally, if a person gives an animal to someone else to use it for work in return for half of the profit, then that is permissible.</p>	

CHAPTER- REVITALIZATION OF BARREN LAND (IHYA' AL-MAWAT)

Al-Mawat: (the land that is free of ownership) like the torrent streams and pastoral places, **(and from the ownership Ma'soom)** [it's the muslim or the thimy "who is under the protection of muslims", or Almuhaad "the one who entered a covenant with the muslims" or the Almusta'man "the one who is given protection and peace"]

Al-Ihya': Everything that people consider to be revival is revival, and vice versa.

Mawat refers to a unwanted/barren land that has no known owner, so whoever revives it by building a fence, digging a well, irrigating it, or removing whatever prevents cultivation [such as rocks, weeds, etc.], then he becomes the owner of everything on it, with the exception of metals that do not require excavation. Ibn 'Umar said in the following hadith (in the meaning of which), "Whoever revitalises a barren land that does not belong to anyone, then he has more right to it." narrated by Bukhari

So, if a person encircles the barren land with stones, digs a well that does not bring up water, or is granted a dead land, then he has the most right to it, [because he started reviving it but didn't finish it yet] but he does not own it until he shows signs of life on it by the way stated above [however if he is late in reviving it and it was demanding by a person, then he is giving a grace period]

CHAPTER: AL-JA'AALAH AND AL-IJAARAH

Al-Ja'aalah: Assigning something known to someone who does for you: either a known or unknown task over a known or unknown period of time.

Al-Ijaarah: A contract concerning a known benefit or task.

Both of them refer to assigning a certain amount of payment to someone who does for you either a known or unknown task - in the case of al-Ja'aalah - or a known task - in the case of al-Ijaarah - or in return for a benefit from something one owns or is responsible for.

It becomes known through:

[1] **Specifying:** the quantity and description.

[2] **Al-Mushaa':** i.e., shares and ratios.

Therefore, whoever does what he is being paid to do, deserves compensation, or else he does not. However, if the task cannot be done in the case of al-Ijaarah, then the payment is given according to the amount of task completed.

It is reported from Abu Hurayrah that the Prophet said (in the meaning of which), "Allah, the Most High said, 'I will be an opponent to three types of people on the Day of Judgment: a person who makes an agreement in My Name and then breaks it, a person who sells a free person and consumes the proceeds, and a person who employs a worker and gets full work from him but does not pay him.'" Narrated by Imam Muslim.

Al-Ja'aalah is broader than al-Ijaarah because:

[1] it is permissible for acts of worship,

[2] the task in its case can either be known or unknown,

[3] and it is a permissible contract (i.e., one of the parties can withdraw from the contract), unlike al-Ijaarah [which is binding].

Furthermore, it is permissible to sublease a leased object to another person who takes the first person's place, but not if the resulting harm is more. There is no form of guaranteeing when it comes to these two unless there is transgression [i.e., doing something impermissible] or negligence [i.e., abandoning something obligatory]. In the hadith (in the meaning of which), "Give the laborer his wage before his sweat dries." Narrated by Ibn Maajah.

Whoever performs a task for someone else without a contract, then he gets nothing except in three situations:

[1] Saving the wealth of an innocent person from being destroyed.

[2] Returning the Aabiq, who is a runaway slave.

[3] If the person prepares for work themselves.

**CHAPTER- LUQATAH (LOST PROPERTY) AND
LAQIT (A CHILD BORN OUTSIDE OF
WEDLOCK)**

[A Section on Luqatah]

Luqatah: (a lost wealth or thing which is somebody's possession, and is considered wanted amongst people.)

Luqatah is of three types:

[1] Its value is small, such as a whip, a loaf of bread, and anything similar. It is permissible [for the person who finds it] to keep it and benefit from it without announcing it. [and so is the case for what people have abandoned because of not desiring it, such as broken chairs and some utensils]

[2] Stray animals from whom predators stay away from, such as camels. They cannot come into the ownership of the one who finds it at all. [also, it's forbidden to take the big ox and the horse, except when it's most probably that its owner won't be able to find it]

[3] That which is not part of the first two categories. [it is everything that is deemed valuable for the common person whether it is: wealth or animal that cannot protect itself from predators] it is permissible to pick it up and own it, if the found property has been announced for a complete year. [if its feared that what is paid to maintain the animal surpass the value of the animal itself then he memorizes the description of the animal, sells the animals and keeps the money for its owner]

Zayd b. Khalid al-Juhani said (in the meaning of which): A man came to the Prophet صلى الله عليه وسلم and asked him about lost property (luqatah) that is found. He said, familiarise yourself with its description and what is inside it, then announce it for a year. If the owner does not come forward, then it is yours to do with it [as you will]." The man asked, "[What if it is] a stray sheep?" He answered, "It is for you, your brother, or the wolf." The man asked, "[What if it is] a stray camel?" He said, "What concern is it of yours? It has its water and hoofs, and will find water and eat from the plants until its owner finds it. " narrated in Bukhari and Muslim

Is it better to take the luqatah (lost property)? Being free of it takes precedence, he leaves it unless he believes that he is capable of announcing it.

What is the ruling of the luqatah (lost property) in Makkah? the messenger ﷺ said (in the meaning of which): “No one is allowed to pick up lost property (Luqatah) unless he announces it (what he has found) publicly (in order to return it to the owner)” agreed upon, meaning he wants to announce eternally or else handles it to the ruler.

[A Section on Laqit (a child born outside of wedlock)]

Laqit: (an abandoned child with an unknown lineage and states of slavery or freedom)

Picking up the laqit and caring for it is fard kifayah. If the Muslim Treasury is unable to provide for and care for the laqit, then it becomes binding on the individual who finds it.

CHAPTER: COMPETITION AND CONTEST

Competition is of three types:

[1] A type which is permissible, whether it has a prize associated with it or not, and applies to competition between horses, camels, and archery.

[2] A type which is permissible only when no prize is associated with it; it involves all forms of competition other than the three mentioned above.

[3] A type which is absolutely impermissible [because the heart clings to it and it distracts and wastes time], such as dice games (al-nard), chess (shatranj), and anything similar, because they are all categorically forbidden.

This is due to the hadith (in the meaning of which), "There is no competition except in camel racing, archery, or horse racing." narrated by Ahmed, Abu Dawood and Alnasai' As regards to other forms of competition, then they are included under gambling.

It must be known that the permissible when it leads to harm it becomes prohibited:

So if a horse, camel or an archery competition is held at the time of the congregation prayer then it becomes prohibited.

If it leads to enmity, hatred, biasness or intolerance then it's forbidden.

Competition of animals:

It's a condition in the competition which involves animals that the animal is not harmed, therefore if there is harms to them it becomes prohibited, like cockfight, ram fighting or bullfighting.

The Ruling of boxing

It's prohibited.		However if a person is only boxing as an exercise, while ensuring he refrain from hitting the face then it is permissible
Because it involves the hitting of the face which is prohibited.	It's dangerous.	

CHAPTER: AL-GHASB

Al-Ghasb is taking another person's wealth unrightfully.
It is prohibited due to the hadeeth, "Whoever takes a piece of land unjustly, on the Day of Resurrection Allah will strangle him with it from seven earths." Agreed upon.

If someone does this, then he must:

[1] return it to its owner even if he has to pay manifolds,	[2] compensate for any damage taken place,	[3] pay its rent for the period during which it remained in his possession,	[4] and to guarantee it if it is destroyed in any way.
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Moreover, any increase in it belongs to its (rightful) owner.
If it is a piece of land on which one has planted or built something, then its (rightful) owner can uproot/destroy it. This is due to the hadeeth (in the meaning of which), "The unjust has no right." Narrated by Abu Dawud.
Whoever knowingly comes into possession of something that was taken unjustly, then he takes the same ruling as that of the one who took it unjustly in the first place.

CHAPTER: AL-'AARIYAH AND AL-WADEE'AH

[Al-'Aariyah]

Al-'Aariyah: Permitting someone to benefit from an item. [The benefit must be something that is permissible; like lending books, for example.]

It is something that is recommended due to being a form of Ihsaan (Excellence and benevolence) and Ma'roof (Good deeds). The Prophet said (in the meaning of which), "Every good deed is a charity." [Agreed upon]

[1] Additionally, if	[2] Otherwise, he is not bound [to guarantee it].
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[a] guaranteeing the item is put down as a condition, then the borrower guarantees it.	[b] Similarly, he also guarantees it if he violates or is negligent in regard to it.	
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[Al-Wadee'ah (Deposit)]
[Al-Wadee'ah is: Giving money to someone who will protect it for its owner.]
Whoever is given a wadee'ah (deposit) must keep it in a secure place that is assigned for keeping similar things, and he is not allowed to benefit from it without the permission of the owner. [Through this, it becomes clear that the money put in banks is not wadee'ah. Rather, it is a loan.]

When must the borrower return the borrowed item?				
[1] When the time period finishes.	[2] If its owner demands it back.	[3] If one fears it being stolen.	[4] If the borrower travels.	[5] If one has finished using it.

CHAPTER: AL-SHUF'AH (RIGHT TO PREEMPTION)

Al-Shuf'ah: A person's right to take first possession of the share of his partner from the one to whom it is transferred either through a sale or something else. Additionally, this is specific to undivided property due to the narration of Jaabir, "The Prophet legislated al-Shuf'ah (preemption) in everything that has not been divided. However, if there are clear boundaries and the roads are fixed, then there is no Shuf'ah (preemption)." Agreed upon.
It is not permissible to use tricks in order to nullify al-Shuf'ah. If trickery is used, it does not cause al-Shuf'ah to become void, and this is based on the narration, "Verily, actions are only according to intentions."

Moreover, the neighbor has a right to Shuf'ah (preemption) if the road is single, or in regard to anything that they both share. Otherwise, there is no Shuf'ah for him.

Example of al-Shuf'ah: Two men share a piece of land as partners. One of them sells his portion to a third person. Now, the partner who did not sell has the right to take away this portion from the buyer forcefully with its value and add it to his own. This way, the entire piece of land comes into the possession of the first partner who did not sell.

CHAPTER: AL-WAQF (ENDOWMENT)

Al-Waqf is: Tahbees of the original item (i.e., making it inalienable - incapable of being alienated, surrendered, or transferred) and dedicating the benefits for Allah's sake. It is the best and most beneficial deed through which closeness to Allah is gained. This is if it is done righteously and is free from oppression, due to the hadeeth (in the meaning of which), "When a person dies, his deeds are cut off except for three things: ongoing charity, knowledge that benefits, or a righteous child who supplicates for him." Narrated by Imam Muslim.

It is reported from Ibn 'Umar that he said (in the meaning of which), "Umar acquired some land in Khaybar. So, he went to the Prophet asking what he commands him to do. He said, 'O Messenger of Allah, I have acquired some land in Khaybar and I have never acquired any type of wealth more expensive than it.' The Prophet said, 'If you want, you can freeze it (i.e., make it a charitable trust) and give its produce away in charity.' He (Ibn 'Umar) said: So, he gave it in charity with (the condition) the property not be sold, inherited, or given away as a gift. He performed charity with it among the poor, the nearest relatives, in emancipating slaves, in the path of Allah, the wayfarers, and the guests. There is no sin on the one who administrates it if he eats from it in a reasonable manner or feeds his friends, and does not hoard up goods." Agreed upon.

Furthermore, the best type of Waqf is that which benefits Muslims the most.

Additionally, it becomes binding by statements [and actions] that suggest (that it is a) Waqf.

As for its conditions and where its yield can be spent, the stipulations of the one who gave it as Waqf are referred back to, as long as they conform to the religion.

Moreover, it is not to be sold except if it is no longer of benefit, at which point it is sold and the proceeds are used in a similar waqf or part of a similar waqf.

Types of Waqf:

[1] **General:** It must be for a righteous purpose.

[2] **Specific:** There must not be any sin involved in it.

The difference between al-Waqf (Endowment) and Wasiyyah (Will):

Al-Waqf (Endowment):

- ❖ It is an immediate contract.
- ❖ Performed using all of the wealth.
- ❖ For both the inheritor and the one who doesn't inherit.

Al-Wasiyyah (Will):

- ❖ It is a contract conditional on death.
- ❖ Performed using a third or less (of the wealth).
- ❖ Not for the inheritor.

**CHAPTER [OF DONATION CONTRACTS]:
AL-HIBAH, AL-'ATIYYAH, AND AL-WASIYYAH.**

They are different types of donation contracts:

[1] Al-Hibah: Donating wealth while one is alive and healthy.

[2] Al-'Atiyyah: Donating wealth while one is sick from an illness from which death is feared.

[3] Al-Wasiyyah: Donating wealth after the person's death.

Types of Illnesses:

[1] Critical: Where the chances of dying are more than that of surviving.

[2] Non-Critical: Where the chances of surviving are more than that of dying.

All of these forms fall under Ihsaan (excellence and benevolence) and righteousness.

[1] Al-Hibah: is given from all of one's wealth.

[2] Al-'Atiyyah and Al-Wasiyyah:

[a] are given from one-third or less of the wealth in the case of someone who is not an inheritor.

[b] If it exceeds one-third of the wealth or is given to an inheritor, then it is subject to the approval of the other inheritors of sound mind.

Additionally, it is obligatory that fairness and justice be observed among one's children in all of these cases. This is based on the hadeeth (in the meaning of which), "Fear Allah and be just among your children." Agreed upon.

Once the hibah has been donated and has come into the possession of the recipient, it is not permissible to ask back for it. This is due to the hadeeth (in the meaning of which), "The one who takes back his hibah is like a dog who vomits and then eats it back." Agreed upon.

In the other hadeeth (in the meaning of which), "It is not permissible for a Muslim man to give an 'atiyyah and then take it back, except for a father concerning what he has given to his child." Narrated by the authors of al-Sunan.

"The Prophet used to accept gifts and give back in return."

Furthermore, a [free Muslim] father can take from his son's wealth what he wills, except if [1] it harms him, [2- he is in need of it], [3] he gives it to another child, [4] or it is taken when one of them is sick with an illness that leads to death. This is based on the hadeeth (in the meaning of which), "You and your wealth is your father's." [Reported by Ibn Maajah]

It is reported from Ibn 'Umar that the Prophet said (in the meaning of which), "It is not permissible for any Muslim who has something to give as wasiyyah (will) to spend two nights without having his will written and kept with him." Agreed upon.

It has been narrated in a hadeeth, "Verily, Allah has given everyone who has a right their right. So, there is no wasiyyah (will) for an inheritor." Narrated by the authors of al-Sunan.

Another wording says, "Except if the inheritors will otherwise."

Additionally, someone who does not have enough to leave the inheritors well off should not donate any of it as wasiyyah. Rather, he should leave the entire inheritance for his inheritors. The Prophet said (in the meaning of which), "That you leave your inheritors rich is better than to leave them needy, begging from people." Agreed upon.

And goodness is sought in all conditions.

Those who are allowed to control (someone's wealth) are four:

<p>[1] Al-Wakeel: Someone allowed control while one is alive.</p>	<p>[2] Al-Wasi: Someone allowed control after one's death.</p>	<p>[3] Al-Naadhir: Someone allowed control in waqf (endowment).</p>	<p>[4] Al-Wali: Someone whom the Shaari' (Allah) has allowed control; like the orphan's guardian.</p>
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Examples of al-Wasiyyah (Will):

This is what I give as wasiyyah: (Mentions his name: So-and-so the son of so-and-so), and he testifies that there is no deity truly worthy of worship except Allah, without any partner, and that Muhammad is his 'Abd (worshiper) and Messenger.

Furthermore, I advise (i.e., as wasiyyah) my children, my family, and my close relatives to make Taqwa of Allah (i.e., to comply with His commands and stay away from what He prohibited).

I request that whatever debts I had owed be paid, and they are the following:

I give as wasiyyah (if one leaves something good): (mentioning the amount which must be less than a third) for: (mentions those from the ones who are not inheritors whom the wasiyyah is for).

I advise that the Sunnah be followed when it comes to performing my ghusl, burial, and mourning.

(Then, one signs the wasiyyah, writes the date, and calls to witness it.)

BOOK OF AL-MAWAAREETH (INHERITANCE)

It is (defined as) having knowledge in regard to how the inheritance is distributed among those who have a right to it.

It is based on:

[1] The Statement of Allah in Soorat al-Nisaa' (in the meaning of which): "Allah commands you in regards to your children: the male shall have a share equal to that of two females." till His Statement: "These are the limits set by Allah."

[2] His Statement at the end of the Soorah (in the meaning of which): "They ask you for a verdict. Say, Allah gives you a verdict regarding al-Kalaalah."

[3] Along with the hadeeth of Ibn 'Abbas that the Prophet said, "Give the Faraa'id (legal shares of inheritance) to those who are entitled, and what remains should go to the nearest male relative" Agreed upon.

These noble verses along with the narration from Ibn 'Abbaas cover the majority of the rulings of inheritance, which have been mentioned in detail along with its conditions.

Allah made that the paternal male and female children, grandchildren from the son, and full or half-brothers with different mothers, whenever they are present, they divide the inheritance amongst themselves.

Whatever inheritance remains after the Ashaab al-Furood (i.e., the inheritors who are assigned specific shares) have taken their share is distributed on the basis of the male receiving a portion equal to that of two females. The males mentioned take the inheritance or what is left after the legal shares have been distributed.

[ASHAAB AL-FUROOD (INHERITORS WHO ARE ASSIGNED SPECIFIC SHARES)]

[Daughter]	A sole daughter gets half of the inheritance.	If there are two or more, however, then they get two-thirds.
[Granddaughter from the son]	If there is a daughter and a granddaughter from the son, then the daughter will get half, and the granddaughter will get a sixth, which completes two-thirds.	
[Sister]	Likewise, this also applies to full sisters and half-sisters with the same father in the case of al-Kalaalah, which is when the deceased leaves	

	neither a child (i.e., descendant) nor a parent (i.e., ascendant) as inheritors.	
<p>If the daughters take up the entire two-thirds, then the granddaughters from the son that are lower than them (i.e., in the chain of lineage) do not inherit, unless a male is present, either of the same or a lower degree [of relationship], who renders them as 'Asabah (residuary inheritors).</p> <p>Similarly, full sisters stop half-sisters with the same father from inheriting if they are not rendered as 'Asabah (residuary inheritors) by their brother.</p>		
[Siblings with the same mother]	Brothers and sisters who have the same mother: If there is only one, then he takes a sixth. If there are two or more, however, then they take a third, with the males getting a share equal to the females. However, they do not inherit in the presence of furoo' (specified inheritors from the descendants) under any condition or in the presence of male usool (ascendants).	
[Husband]	The husband gets half if the wife did not leave any children behind.	If she did, however, then he gets a fourth.
[Wife]	One or more wives get a fourth if the husband did not leave any children behind.	If he did, however, then they get an eighth.
[Mother]	The mother gets a sixth if one leaves behind a child or two or more siblings.	
	If not, then she gets a third.	She also gets a third of what remains if accompanied by a husband and the parents or a wife and the parents.
[Grandmother]	"The Prophet assigned a sixth for the grandmother if there is no mother below her." Narrated by Abu Dawood and al-Nasaa'i.	
[Father]	The father gets a sixth, which does not increase by the presence of male children.	With the presence of female children, however, he gets a sixth and if anything remains after their shares, he takes it as 'asabah.
	The same applies to the grandfather.	
[Grandfather]	The same applies to the grandfather.	
Furthermore, they both inherit as 'asabah when there are no children at all.		

CHAPTER: RULINGS OF AL-TA'SEEB

Likewise, all males, other than the husband and the maternal brother, are 'asabah (i.e., they inherit without a specific prescribed amount). They are:				
[1] Full or paternal brothers, and their sons.	[2] Full or paternal uncles and their sons, uncles of the deceased, his father's and grandfather's uncles, and all uncles after that.	[3] Sons and grandsons.		
The ruling of the 'aasib (residual inheritor, i.e., the one who inherits from the remaining wealth without a specific prescribed amount) is the following:				
[1] He inherits all the wealth if he is by himself (i.e., if there is no inheritor other than him).	[2] If he is accompanied by a saahib fard (someone who is entitled to a specific amount of inheritance), then he takes the remaining inheritance after them.	[3] If the entire inheritance is inherited by the furood, then the 'aasib will not get anything. Additionally, they (i.e., the furood) cannot inherit everything by themselves if there is a paternal son or the father present.		
If there are two or more 'aasibs present, then priority is given in the following order:				
[1] Sons.	[2] Fathers.	[3] Brothers and their sons.	[4] Uncles and their sons.	[5] Emancipated male slaves, including the freed slave and his 'asabah, who become 'asabah by themselves.
Therefore, priority is given to:				
[1] Those who are closest in relationship (to the deceased).	[2] If they are in the same degree of relationship, then priority is given to those who have closer blood ties.	[3] If they are equal in closeness, then priority is given to those who have the strongest blood ties, i.e., a full relationship is given priority over a paternal relationship.		

Moreover, the sisters of an 'aasib, if he is not a son or brother, do not inherit anything along with them.

[RULINGS OF AL-'AWL]

If the inheritance that the furood deserve exceeds the amount of the actual wealth left behind whereby they end up eliminating each other (from inheriting), then the issue becomes one of al-'Awl and is applied according to their specified shares.

[Some Examples:]

1	If the case involves a husband, a mother, and a non-maternal sister, in which case the original denominator is supposed to be six, then the new denominator will rise to eight.
2	If the case involves a maternal brother, then it is the same as the one above.
3	If there are two maternal sisters, however, then the denominator will rise to nine.
4	If there are two non-maternal sisters instead, the denominator will rise to ten.
5	If there are two daughters, a mother, and a husband, the denominator will rise from twelve to thirteen.
6	If they are accompanied by a father, then the denominator rises to fifteen.
7	If one leaves behind two wives, two maternal sisters, two non-maternal sisters, and a mother, then the denominator will rise to seventeen.
8	If there are two parents, two daughters, and a wife, then the denominator rises from twenty-four to twenty-seven.

Example (1)		6	8
Husband	1/2	3	3
Non-maternal sister	1/2	3	3
Mother	1/3	2	2

Example (2)		6	8
Husband	1/2	3	3
Non-maternal sister	1/2	3	3
Mother	1/6	1	1

Maternal brother	1/6	1	1
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Example (3)		6	9
Husband	1/2	3	3
Non-maternal sister	1/2	3	3
Mother	1/6	1	1
Two maternal sisters	1/3	2	2

Example (4)		6	10
Husband	1/2	3	3
Two non-maternal sister	2/3	4	4
Mother	1/6	1	1
Two maternal sisters	1/3	2	2

Example (5)		12	13
Husband	1/4	3	3
Mother	1/6	2	2
Two daughters	2/3	8	8

Example (6)		12	15
Husband	1/4	3	3
Mother	1/6	2	2
Two daughters	2/3	8	8
Father	1/6	2	2

Example (7)		12	17
Two wives	1/4	3	3
Two maternal sisters	1/3	4	4
Two non-maternal sisters	2/3	8	8
Mother	1/6	2	2

Example (8)		24	27
Wife	1/8	3	3
Mother	1/6	4	4
Two daughters	2/3	16	16
Father	1/6	4	4

[SOME OTHER RULINGS]

If the furood (those entitled to specific shares) are less than the wealth left behind (i.e., they do not consume the entire inheritance) and there is no 'aasib (residual inheritor) with them, then the remaining wealth is divided amongst the furood according to their shares.

If there are no furood or residual inheritors, then the wealth is inherited by the dhawu al-Arhaam (blood relatives), who are everyone except the ones mentioned. They take the place of those who were closer to the deceased.

As for the one who leaves no inheritors behind, then his wealth goes to the Bayt al-Maal (treasury of the Muslims) and is spent on general and specific interests.

Furthermore, when a person dies, four rights get associated with the wealth he leaves behind in the following order:

[An acronym for it is the word تَدْوْم (Tadoom)]	ت	Firstly, providing for preparing the body (for burial).
	د	Then, paying off both mortgaged and non-mortgaged loans from the entire wealth.
	و	Then, if he left behind a will, it is fulfilled from one-third of the wealth for the non-inheritors.
	م	[Inheritance:] Then, the remaining wealth is divided among the aforementioned inheritors. And Allah knows best.

Causes through which one becomes an inheritor are three:

[1] Lineage,

[2] correct marriage, and

[3] al-Walaa'.

Matters that prevent one from inheriting are three:

[1] Killing,

[2] Slavery, and

[3] Difference in religion.

Additionally, if some of the inheritors are fetuses, missing persons, etc, then caution is observed and their share is held for them. If the inheritors demand that the inheritance be distributed, necessary precaution is taken according to what the fuqahaa' (scholars of Fiqh) - may Allah have mercy on them - have decided.

CHAPTER OF AL-'ITQ
(EMANCIPATION/FREEING SLAVES)

Entering into al-Riqq (Slavery) takes place in two ways:	
[1] Capturing in wars.	[2] A female slave giving birth but not through her owner.

Types of Slavery:			
[1] Al-Qinn: A complete slave.	[2] Al-Mukaatab: Someone who buys himself through installments.	[3] Al-Muba"ad: Part of him is free.	[4] Al-Mudabbar: One whose emancipation depends upon his owner's death.
[5] Al-Mu'allaq: One whose emancipation depends on a certain attribute.		[6] One whose emancipation has been specified in the will.	[7] A child's mother.

It is emancipating and freeing slaves from slavery.

It is one of the best acts of worship; due to the hadith (in the meaning of which), "Any Muslim who emancipates a Muslim slave, Allah will save a limb of his from the fire for every limb (that he freed)." Agreed upon.

The Messenger of Allah was asked (in the meaning of which): which slave is best? He said, "The most expensive slave, and the one most valuable to its owner." Agreed upon.

Al-'Itq takes place:			
[1] verbally: which is by saying "al-'Itq" or anything else that denotes its meaning.	[2] through ownership: whoever owns someone who is related to them through birth and is impermissible for them due to blood relation, then they are freed. [Meaning, owns someone related to them through birth such that having	[3] through mutilation: by cutting off or burning a slave's limb.	[4] through al-Siraayah (Partial Emancipation): due to the hadeeth (in the meaning of which), "Whoever emancipates his share of a slave and has sufficient wealth to free him completely, then he should let the slave's price be estimated by a just person and give his partners the price of their shares, and free the slave. If he is unable, however, then he frees the slave partially." In another wording, "Otherwise, he is fairly estimated and ordered to go out and earn a wage that does not cause hardship for him." Agreed upon.

	intercourse with them is prohibited; assuming that one of them is female.]		
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If the owner makes freeing of the slave dependent on his death, then such a slave is called a **mudabbar** and is freed if that is covered by one-third of the deceased owner's wealth. It is reported from Jaabir (in the meaning of which) that a man from the Ansaar stipulated that his slave be freed upon his death, apart from whom he did not possess any wealth. When this reached the Prophet, he said, "Who will purchase this slave from me?" Na'eem bin Abdillaah bought him for eight hundred dirhams, and as he owed a debt, the Prophet gave him the money and said, "Pay off your debt." Agreed upon.

Al-Kitaabah: refers to a slave buying himself from his owner for a deferred price to be paid in two or more installments. Allah says (in the meaning of which), "then make a contract with them if you know there is within them goodness." Meaning, righteousness in their religion and capacity (to earn).

However, if corruption is feared as a result of emancipating or making a contract with him, or if he has no means to earn, then emancipating or making a contract with him for his freedom is not legislated.

Furthermore, a **mukaatab** is only freed after he has fulfilled the contract. This is due to the hadith (in the meaning of which), "A **mukaatab** remains a slave as long as a single dirham is pending from his contract." Narrated by Abu Dawud.

It is reported from Ibn 'Abbaas in **marfoo'** form and from 'Umar in **mawqoof** form (that the Prophet said in the meaning of which), "Any female slave who gives birth to her owner's child becomes free after his (i.e., the owner's) death."

Reported by Ibn Maajah. However, the **raajih** (preponderant view) is that it is the statement of 'Umar. And Allah knows best.

Note: Someone who looks at the rulings of Islam and their proofs and evidence, clearly finds the extreme yearning and encouragement of the Religion towards al-'Itq, along with the great reward that is prepared for it. Some of these include:

[1] Allah's order to the slave owner that he accepts making a contract with his slave for his freedom if he sees righteousness in his religion and ability to earn and survive by himself.	[2] The statement of the Prophet (in the meaning of which): "Any Muslim who emancipates a Muslim slave, Allah will save a limb of his from the fire for every limb (that he freed)."	[3] The slave being freed from his owner if the owner mutilates him by cutting or burning one of his limbs.
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<p>[4] The slave being freed from his owner by mere ownership if he is related to him through blood ties.</p>	<p>[5] Freeing slaves being made a form of expiation in many cases, both in optional and obligatory forms.</p>	<p>[6] A slave who is shared between multiple owners is freed if one of the partners frees his part of the ownership, whereby he is commanded - if he has the money to do so - that he pays each partner their share so that they can free him.</p>
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BOOK OF AL-NIKAH (MARRIAGE)

Al-Nikah: to sign a contract with a woman with the intention of enjoying her, having children, and other benefits.

Marriage is a sunnah of the Messengers. It is narrated in a hadith (in the meaning of which), "O youth, whoever of you is able to marry should do so, for it lowers the gaze and guards chastity. And whoever is not able to marry should fast, for it will be a shield for him." Agreed upon.

He also said, "A woman is married for four things: her wealth, her lineage, her beauty, and her religion. So, choose the one who possesses religion and prosper." Agreed upon. Additionally, one should choose a wife who: has religious commitment, is of noble lineage, is affectionate, fertile, and respected.

If one decides to propose to a woman, then he can look at those attributes of her that will attract him to marry her.

Conditions that make looking at the woman permissible are six:

[1] It must be done without any form of khalwah (seclusion).

[2] It must be done without any form of shahwah (desire, lust).

[3] He thinks that she will most likely accept.

[4] To only look at that which is normally seen.

[5] He must have a firm intention to propose to her.

[6] The woman must not show her beauty through adornments or apply perfume (like kohl and other types of beautification).

It is not permissible for a man to propose to a woman whom his Muslim brother has proposed to until he gives permission to do so, withdraws his proposal, [or gets his proposal rejected].

It is not permissible in any case to publicly mention a proposal to a woman who is in her 'iddah (waiting period). However, it is permissible to implicitly propose (al-Ta'reed) to a woman who has become baa'in (i.e., irrevocably divorced woman) through death, etc. This is due to Allah's statement, (the meaning of which is) "There is no sin on you if you make a hint of marriage..."

The method of doing al-Ta'reed (implicitly proposing) is to say, "I indeed would like someone such as yourself," or, "Do not pass me by," or other statements of a similar nature.

A principle: every woman whom one is not allowed to have a marriage contract signed with, then it is prohibited to explicitly propose to her. As for doing it implicitly, then this issue has further detail.

During the marriage contract, the sermon narrated by Ibn Mas'ood should be said. He said (in the meaning of which), "The Messenger of Allah taught us to recite tashahhud during times of need: All praise be to Allah; we praise Him, seek His help, guidance, and forgiveness. We seek refuge in Allah from the evils of ourselves and our bad deeds. Whoever Allah guides, none can misguide him, and whoever He misguides, none can guide him. I bear witness that there is no deity truly worthy of worship except Allah alone without any partners, and I bear witness that Muhammad is His 'Abd (worshiper) and Messenger. Then he recites three aayaat." Narrated by the authors of al-Sunan. He then reads the following three Aayaat (the meanings of which are):

[1] "You who believe, fear Allah as he should be feared, and do not die except in a state of submission." (Q, 3:102)

[2] "People, be dutiful to your Lord, Who created you from a single person, and from him, He created his wife, and from them both He created many men and women. Fear Allah through Whom you demand [your mutual rights], and do not sever your kinship. Allah is All Watching over you." (Q, 4:1)

[3] "You who believe, maintain your duty to Allah and fear him, and speak the truth. He will direct you to do righteous deeds and will forgive you your sins. Whoever obeys Allah and His Messenger has indeed achieved a great achievement." (Q, 33:70-71)

Marriage is only contracted through the following:

[1] Offer, which is made by the guardian, such as his saying, "I marry you [to my daughter]," or, "I give her to you [in marriage]."

[2] Acceptance, which is uttered by the [future] husband or his representative, and can take the form of, "I accept this marriage," or, "I accept," and any statement of a similar nature.

CHAPTER: CONDITIONS OF AL-NIKAH (MARRIAGE)

The marriage contract must be done by the consent of both spouses, with the following exceptions:

[1] An underage girl: who can be married off by her father.

[2] A female slave: who can be married off by her owner.

Furthermore, a wali (guardian) must be present; The Prophet said in a sahih (authentic) hadith reported by the Five, (the meaning of which is) "There is no marriage without a wali (guardian)."

The one who is most entitled to marry off a free woman is:

[1] Her father, grandfather, and so forth no matter how high the ascendant.

[2] Her son, grandson, and so forth no matter how low the descendant.

[3] Then, the closest of her 'asabah (i.e., her residual inheritors).

In a hadith that is agreed upon, it states that the Messenger of Allah said, (the meaning of which is) "A divorced woman is not married off until she is consulted, and a virgin is not married off until she agrees." They asked, "O Messenger of Allah, how does she agree?" He said, "By her remaining silent."

The Prophet said, (the meaning of which is) "Announce the nikah."
Some ways of making the marriage known are:

Witnessing of two just people,

announcing and publicizing it,

beating the duff,

etc.

The woman's wali (guardian) cannot marry her off to anyone that is not suitable for her. So, an immoral man is not to be matched with a chaste woman, and the Arabs are a match for each other.

If she does not have a guardian, her guardian has been absent for a long time, or he prevents her from marrying someone that is suitable for her, then the ruler can marry her off. This is established from the hadith, (the meaning of which is) "The ruler is the wali of the one who has no wali." Reported by the authors of al-Sunan except for al-Nasaa'i.

It is obligatory that the one who is intended for marriage is specified.

So, saying "I marry you to my daughter," is invalid if one has more than one daughter unless he specifies his daughter by name, description, [or pointing to her].

Lastly, there should be no preventive factors in either of the spouses, which are mentioned in the Chapter of the women who are prohibited in al-Nikah.

CHAPTER: THE WOMEN WHO ARE PROHIBITED IN AL-NIKAH (MARRIAGE)

Women who are prohibited to marry are of two types: Those who are prohibited permanently, and those who are prohibited temporarily.

[1] The ones who are permanently prohibited include:	Seven (who are prohibited) due to kinship, and they are:	[1] Mothers, no matter how high the ascendant.		[2] Daughters, no matter how low the descendant - even if they are granddaughters (from the daughter's side).		
		[3] All types of sisters,	[4] their daughters,	[5] and their brother's daughters.		
		[6, 7] Paternal and maternal aunts; both if they are his or of one of his usool.				
	Seven (who are prohibited) due to breastfeeding: They are the same as the ones mentioned above.					
	Four (who are prohibited) due to marriage, and they are:	[1] Mothers-in-law, no matter how high the ascendant.		[2] Step-daughters, no matter how low the descendant as long as sexual relations have occurred with their mother.		
		[3] Wives of fathers, no matter how high the ascendant.		[4] Wives of sons, no matter how low the descendant, whether through lineage or breastfeeding.		
The fundamental evidence for this is:	The Statement of Allah, (the meaning of which is) "Forbidden to you are your mothers," until the end of the aayah.					
	And the statement of the Prophet, (the meaning of which is) "Whatever is prohibited due lineage and birth is also prohibited due to breastfeeding." Agreed upon.					
[1] The ones who are temporarily prohibited include:	Those referred to in the Prophet's statement, (the meaning of which is) "A person must neither marry a woman and her paternal aunt nor a woman and her maternal aunt simultaneously." Agreed upon.					
	Those referred to in Allah's statement, (the meaning of which is) "and that you take two sisters in marriage simultaneously."					
	It is not permissible for a free man to have more than four wives, or for a slave to have more than two wives. As for a man who has female slaves, then he can have sexual relations with as many of them as he wishes. If a disbeliever embraces Islam while being married to two sisters simultaneously, he should choose one of the two, and if he has more than four wives, he should choose four and divorce the rest.					

Additionally, women in the following scenarios are forbidden for a man to marry:			
[1] A woman in the state of ihram, until she exits from it.	[2] A woman in her 'iddah (waiting period) who has been divorced by another man, until she completes it.	[3] The adulteress is for an adulterer as well as anyone else until she repents.	[4] An irrevocably divorced woman is prohibited for the husband (who divorced her initially) to marry until she marries another husband and completes her 'iddah after he has had sexual relations with her and divorced her.

Additionally, owning two sisters simultaneously (as slaves) is permissible. However, if one has sexual intercourse with one of them, then the other becomes impermissible for him until he makes the former one prohibited for himself by removing her from his possession or her getting married after istibraa' (i.e., after it is ascertained that she is not pregnant by her owner).

The type of suckling that prohibits (marriage) is that which occurs before weaning and consists of five or more instances of breastfeeding. Moreover, with this, both the suckled child and his children become children of the wet nurse and her husband. The prohibition of marriage to the wet nurse and her husband is similar to the prohibition due to blood relation.

CHAPTER: CONDITIONS OF AL-NIKAH

Conditions of Nikah and buying and selling, etc. are of two types:		
[1] Conditions that are necessitated by the contract: It is obligatory to abide by them even if they were not mentioned at the time of making the contract.; such as good companionship.	[2] Additional conditions: which are further divided into	
	[a] Valid: It is obligatory to abide by them.	[b] Invalid: It is prohibited to abide by them even if they were mentioned at the time of making the contract.

These are conditions that are stipulated by either of the two spouses (as being obligatory) upon the other, and they are of two types:

<p>[1] Valid; such as stipulating that the husband may not marry another wife along with her, not take a concubine, not remove her from her house or country, or that he may increase the amount of dowry (mahr) or spending money (nafaqah), etc. These and all other similar conditions are included under the Prophet's statement, (the meaning of which is) "The conditions that deserve to be fulfilled the most are those that make the private parts lawful to you." Agreed upon.</p>	<p>[2] Invalid conditions; which include al-Mut'ah (temporary marriage), Tahleel, and Shighaar marriages.</p>
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The Prophet initially permitted al-Mut'ah but then prohibited it later. Furthermore, he cursed the Muhallil (a man who marries an irrevocably divorced woman without consummating it, for the sole purpose of making her lawful for her ex-husband to remarry) and the Muhallal Lahu (the ex-husband of the woman who was irrevocably divorced, seeking to remarry her through an unlawful marriage). Lastly, he also forbade shighaar marriage, which is when two guardians marry off those who are under their guardianship to each other without any dowry between them. And all of the hadiths concerning it are authentic.

CHAPTER: DEFECTS IN AL-NIKAH

If one of the spouses finds a defect in the other [i.e., a deficient attribute that goes against the contract] that was unknown prior to the contract:

<p>[1] such as mental insanity, leprosy, etc, then that spouse has the option to nullify the marriage.</p>	<p>[2] If the wife finds the husband to be impotent, then he is given a year's time. If after that he is in the same condition, then she has the right to nullify the marriage.</p>
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If a woman gets completely emancipated and her husband remains a slave, then she is given the choice to:

<p>[1] either stay married to him</p>	<p>[2] or separate from him.</p>
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This is based on the lengthy hadith reported by 'Aa'ishah regarding the story of Bareerah: (the meaning of which is) "Bareerah was given choice regarding her husband when she was emancipated." Agreed upon.

If the marriage is nullified:

[1] before consummation: then there is no dowry due.

[2] after consummation: then the dowry remains due on him. Additionally, he should demand it back if someone deceives him.

BOOK OF AL-SADAAQ (DOWRY)

Al-Sadaaq: The compensation that is obligated through the contract of nikah or that which is connected to it (like having intercourse with doubt).

[A SECTION ON RULINGS OF AL-SADAAQ]

It is befitting to make it affordable [but not canceling it completely, and it is owned by the wife alone].

'A'ishah was asked (in the meaning of which), "How much was the dowry that the Prophet gave?" She said, "The dowry he gave was twelve ounces and one nash. Do you know what a nash is?" I said, "No." She said, "It is half of an ounce. So that makes it five hundred dirhams." Narrated by Imam Muslim.

She also said, "He emancipated Safiyyah and made that her dowry." Agreed upon. The Prophet also said to a man, (the meaning of which is) "Find something (to give) even if it is an iron ring." Agreed upon.

Therefore, anything that is valid as a form of currency or payment, even if it is a small amount, is valid as a dowry.

If a man marries a woman without stipulating a dowry for her, then she gets similar to what other women like her get as mahr.

If a man divorces a woman prior to consummating the marriage, then she receives al-Mut'ah; the rich according to his means and the poor according to his. The evidence for this is the statement of Allah, (the meaning of which is) "There is no sin on you if you divorce women with whom you have not consummated, nor appointed for them their [dowry] amount, but make provisions for them, the rich according to his means and the poor according to his means, a gift of reasonable amount; this is a duty on the good-doers."

Furthermore, the dowry is:

[1] paid fully		[2] paid half: if separation occurs at the request of the husband, prior to consummation; like divorce.	[3] not paid:	
[a] upon the death (of the husband)	[b] or upon consummation		[a] if separation occurs from	[b] if the husband nullifies the

	on of the marriage.		the wife's side.	marriage contract due to a defect of hers.
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The one who divorces his wife should provide her with some maintenance as a means of emotional consolation. This is due to Allah's statement (in the meaning of which), "Divorced women shall have maintenance according to what is fair. This is a duty on those who make taqwa of Allah."

CHAPTER: SPOUSAL RELATIONS

Each spouse is obligated to live harmoniously with the other, through maintaining good company [both Islamically and customarily], refraining from causing any harm, and not delaying giving their due rights.

[1] The wife is obligated to obey the husband in the following things:

[2] It is obligatory for the husband

[a] Acts of intimacy.

[b] Refraining from leaving or traveling, except with his permission.

[c] Carrying out chores such as cooking, etc.

[a] to spend on the wife's expenditures and

[b] clothe her in a fair manner.

As Allah said (in the meaning of which), "Live with them honorably."

It is also based on the following hadiths, (the meaning of which is) "Treat the women good." [Agreed upon] "The best of you is the one who is best to his family." [Reported by al-Tirmidhi]

He also said, (the meaning of which is) "If a man calls his wife to his bed and she refuses to come, then the angels curse her until the morning." Agreed upon.

Additionally, it is obligatory for a husband to be just in his dealings with his wives, such as dividing his time, spending on them, clothing them, and everything else in which he is able to be just with them. It is reported in a hadeeth, (the meaning of which is)

"Whoever has two wives, but inclines towards one more than the other will come on the Day of Judgment leaning more to one side." Agreed upon.

It was also reported on the authority of Anas, (the meaning of which is) "It is from the Sunnah that when a man marries a virgin while being married to a non-virgin, he should remain with the virgin for seven days, and afterward divide (the days equally between

them). If he marries a woman who is a non-virgin, then he stays with her for three days and then divides (the days equally between them)." Agreed upon.
'A'ishah said, "Whenever the Messenger of Allah intended to travel, he would draw lots among his wives, and the one whose lot was chosen would accompany him." Agreed upon.
If a woman waives her rights regarding the division of time, expenditure, or clothing, with the permission of the husband, then this is permissible.
"Sawdah bint Zam'ah gifted her days to 'A'ishah. So, the Prophet would divide up the days and give 'A'ishah her day and that of Sawdah's." Agreed upon.

If a husband fears nushooz (marital discord) from his wife [i.e., the wife disobeying her husband in those rights of his that are obligatory upon her to fulfill], and her disobedience becomes apparent, then he should:

[1] Admonish her.	[2] If she persists in her disobedience, then he should abandon sharing the bed with her.	[3] If she still persists, then he should hit her in a manner that does not leave a mark. [and in a hadith, (the meaning of which is) "The Prophet never hit anything with his hand, neither a woman nor a servant." Reported by Imam Muslim. He also said, (the meaning of which is) "None of you should flog his wife as he flogs a slave and then have sexual intercourse with her in the last part of the day." Agreed upon.]
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[4] However, if separation is feared between the spouses, then the judge should choose someone from his family and another from her family to act as a judge. They should have knowledge of the situation and whether reconciliation or separation is best. They should try to reconcile between them through some form of compensation etc, or separate them. Whatever decision they agree upon, it becomes binding on the parties. And Allah knows best.	[5] And if she does not stop: he divorces her a single divorce in the 'iddah (waiting period).
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Note: Allah said (in the meaning of which), "But if they return to obedience" and come back to the correct path, "seek not against them means (of annoyance)." Meaning, don't remind them of that which happened before by saying, "You did this and that, and I said this and that..." which brings up the matters of the past. Rather, leave off that which is in the past.

Question: What is the ruling if the woman is fearful of her husband committing nushooz?

Answer: There is no sin on them both if they make terms of peace between themselves, meaning: they come to an agreement among themselves

The two judges do what they wish, they have the option to bring them together or to separate them, and their conditions are:

[1] Being male.	[2] That they are related to the husband/wife	[3] That they have knowledge of the sharee'ah and the situation.	[4] That they want to fix the situation.
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CHAPTER: AL-KHUL'

Al-Khul' is when the wife separates from her husband [due to bad marital relations,] in exchange for some type of compensation either paid by her or someone else.

The fundamental evidence for this is the Statement of Allah, (the meaning of which is) "If you fear that they would not be able to maintain the limits ordained by Allah, then there is no sin on either of them if she gives back (her dowry) for her release."

Therefore, if a competent and sensible wife dislikes her husband's manners or his physical characteristics, and fears that she will not be able to fulfill his obligatory rights if she remains with him, then there is no harm that she offers him compensation so that he divorces her.

Furthermore, it is valid whether it is a small or large amount as long as it is valid for the person giving divorce to do so. However, if it is done without any fear of not being able to maintain the limits ordained by Allah, then it has been mentioned in a hadith that, (the meaning of which is) "Any woman who asks her husband for a divorce without a good reason, then the smell of Paradise is forbidden for her." [This was reported in a similar form by some of the authors of al-Sunan. So, it is prohibited for her to oppose her husband when their situation is good, and without a valid reason that calls for it.]

BOOK OF AL-TALAAQ (DIVORCE)

Al-Talaaq (Divorce): refers to canceling the restrictions of al-Nikaah, either completely (al-Baa'in) or partially (al-Raj'i).

Types of Talaaq:

[1] The Sunni Talaaq , from the aspect of:		[2] The Bid'i (Innovated/Heretic) Talaaq , from the aspect of:	
[a] The situation it occurs in: In a period when the woman is pure and the husband has not had sexual relations with her.	[b] The number of divorces: Only one divorce.	[a] The situation it occurs in: During her menses or a period when she is pure and the husband has had sexual relations with her.	[b] The number of divorces: Anything more than one divorce at one time.

Note: When it comes to fataawaa (Islamic verdicts) regarding divorce, we refer back to the people of fatwaa and the Islamic courts of law.

Anger when it comes to the person divorcing is at three levels:

Where there is agreement		Where there is a difference of opinion
Divorce is counted: This is when it happens at the beginning of anger when the man knows what he is saying and is able to stop himself.	Divorce is not counted: This is when it happens at the highest point of anger and he does not know what he is saying.	That which is in between those two levels; when he knows what he is saying but the anger overtakes him.

The fundamental evidence for this is Allah's Statement, (the meaning of which is) "O Prophet, when you divorce women, divorce them at their prescribed periods..." When it comes to divorcing them at their prescribed periods ('Iddah), then this is explained in the hadith of Ibn 'Umar where he divorced his wife during her menses. 'Umar then asked the Messenger of Allah concerning this. He replied, (the meaning of which is) "Command him to take her back, then leave her alone until she enters her (second) menses and then again becomes pure. Then, if he wishes, he can stay with her, and if he wishes he can divorce her before having sexual intercourse with her. That is the prescribed period that Allah has commanded for divorcing women." Agreed upon.

In another narration, it says, (the meaning of which is) "Command him to take her back, and then divorce her after she is pure or pregnant."

[(Allah says, the meaning of which is) "And turn them not out of their homes nor shall they (themselves) leave"]

This is proof for that it is not permissible to divorce a woman while she is menstruating or during a period of purity in which the husband has had sexual relations with her unless it has become clear that she is pregnant.

Talaaq takes place [from the husband who is baaligh (i.e., hit puberty), sane, choosing to do so, and has tamyeez (i.e., can differentiate between good and evil)] by using any word(s) that indicates it, (which can be):

[1] **Explicit: which is such that only Talaaq can be understood from it, such as saying the word "talaaq", its derivatives, or anything similar to it.**

[2] **Implicit: If he intends to divorce by it, or the context denotes so.**

Talaaq takes place either:

[1] **immediately (without any conditions), or**

[2] **pending due to a stipulated condition, such as the husband saying, "If such-and-such a time comes, you are divorced." Therefore, when the condition upon which the divorce is pending is fulfilled, the divorce takes place.**

Connecting divorce to a condition has multiple situations:

[1] **A pure condition:** Here, divorce takes place in any case; such as saying, "When the sun sets, you are divorced." So, when the sun sets, she is divorced.

[2] **A pure oath:** Divorce does not take place, and expiation for the oath is obligated; such as saying, "If I talk to Zaid, then my wife is divorced" while he intends to abstain (from talking to him). This is a yameen mahdah (pure oath) because there is no connection between him talking to Zaid and divorcing his wife.

[3] **Can be either of them:** In this case, the intention of the man is referred back to.

[A SECTION ON (AL-BAA'IN) IRREVOCABLE AND (AL-RAJ'I) REVOCABLE DIVORCE]

A free man possesses the right to pronounce divorce three times. So when these three take place, his wife becomes impermissible for him until: she marries another man through a valid marriage who then has sexual intercourse with her. This is based on Allah's Statement (in the meaning of which), "Divorce may be (revoked) twice," until his Statement (in the meaning of which), "So if he divorces her (the third time), then she is not lawful to him afterward until she has married another husband."

Talaaq takes place as baa'in (irrevocable) in four cases:

[1] The case mentioned above is the first.

[2] If the husband divorces his wife prior to consummating the marriage. This is based on Allah's Statement (in the meaning of which), "O you who believe, if you marry believing women and then divorce them without having sexual intercourse with them, then there will be no waiting period with respect to them."

[3] If he is in an invalid marriage.

[4] If it was done in exchange for compensation.

The ruling of a woman who is taken back (by her husband) after a revocable divorce is the same as other wives except when it comes to equal division (of the husband's time). Furthermore, it is prescribed for a person to declare the marriage, divorce, and retraction of a divorce, and to also have witnesses for them. This is due to Allah's statement (in the meaning of which), "And take as witness two just persons from among yourself."

It has been reported in a hadith that (in the meaning of which)"Three things when said seriously are taken seriously and when said joking are (also) taken seriously: marriage, divorce, and retraction (of a divorce)." Narrated by the Four except for al-Nasaa'i.

[Therefore, clear explicit divorce takes place whether it was done seriously or jokingly.]

It is also reported from Ibn 'Abbas in Marfu' form (in the meaning of which), "Allah has forgiven my Ummah for their mistakes, forgetfulness, and what they do under compulsion." Narrated by Ibn Maajah. [Therefore, divorce does not take place if it is done by someone who is being coerced or by someone who is severely angry whereby he does not know what he is saying.]

**CHAPTER: AL-EELAA', AL-ZIHAAR, AND
AL-LI'AAN**

[Al-Eelaa': which is prohibited in Islam]

Al-Eelaa' is when the husband swears [by Allah] to abandon having sexual relations with his wife either forever or for a period of more than four months. If during this time the wife requests her right to have sexual relations with him, then he is commanded to fulfill it and a period of four months is given to him:

[1] If he has sexual relations (in this period of time), then he offers an expiation for breaching his oath.

[2] If he refrains from doing so, however, then he must divorce her.

This is due to Allah's statement (in the meaning of which), "Those who take an oath to abstain from their wives must wait four months. So if they go back, then Allah is Ghafoor (Most Forgiving), Raheem (Most Merciful). However, if they decide on divorce, then verily, Allah is Samee' (All-Hearing), 'Aleem (All-Knowing)."

[Al-Zihaar]

Al-Zihaar is when a husband says to his wife, "You are as forbidden to me as the back of my mother," or other similar words that denote an explicit form of forbiddance of his wife for him. This is a rejected act and a false statement [but not divorce. Rather, it is only an oath that requires expiation]. Although his wife does not become forbidden for him through this, it is not permissible for him to have sexual relations with her until he does that which Allah has commanded in His Statement (in the meaning of which), "Those who make their wives unlawful for themselves through zihaar and wish to free themselves from what they uttered," till the end of the aayah.

[1] Therefore, he must free a believing slave who is free of any defects that would hinder him from working.

[2] If he cannot do this, however, then he must fast for two consecutive months.

[3] If he is unable to do even this, he must feed sixty poor people.

All this applies whether zihaar was unrestricted or for a fixed time period, such as the month of Ramadan or anything similar. In regards to making one's female slave forbidden or declaring some permissible food or clothing as forbidden, etc, then this entails offering an expiation. This is due to Allah's statement, "O you who have believed, do not make forbidden the good things that Allah has made permissible for you." till where Allah mentions the expiation related to these matters.

[Al-Li'aan]

Al-Li'aan: If the husband accuses his wife of al-Zinaa (adultery), the hadd (legal punishment) of al-Qadhf (accusation) is charged against him, which is eighty lashes, unless he does one of the following:

[1] Establishes al-Bayyinah (proof) for it through the testimony of four just witnesses, in which case the hadd will be carried out on the wife.	[2] Does mulaa'anah (invoking Allah's curse upon the one who is lying) which then results in the hadd being dropped for him.
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The description of al-Li'aan has been described by Allah in Soorah al-Noor, where He says, (the meaning of which is) "Those who accuse their wives and have no witnesses but themselves, let the testimony of one of them be to swear by Allah four times that he is one of the truthful, and the fifth that may the curse of Allah be upon him if he is one of those who lie. However, it will avert the punishment from her that she bears witness four times by Allah that he is one of the liars and the fifth that may the wrath of Allah be upon her if he is one of the truthful." (Al-Noor, 24: 6-9)

[1] The husband testifies five times, swearing by Allah, that she is an adulteress. In the fifth testimony, he says, "May the curse of Allah be upon me if I am lying."	[2] The wife then testifies five times, swearing by Allah, that he is a liar. In the fifth testimony, she says, "May the wrath of Allah be upon me if he is speaking the truth."
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After this Li'aan is carried out:

[1] The hadd is dropped for the husband.	[2] The hadd for the wife is avoided.	[3] Both spouses are separated and prohibited for each other forever.	[4] The child is not attributed to the husband if he was mentioned in the li'aan. And Allah knows best.
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Some important rulings:

- ❖ Allah said, (the meaning of which is) "O you who believe! Avoid much suspicion/assumption; indeed some assumptions/suspicious are sins." It was narrated on the authority of Abu Huraira that the Messenger of Allah said (in the meaning of which), "Beware of suspicion/assumption, for it is the worst false speech." Agreed upon.
- ❖ Allah also said, (the meaning of which is) "O you who believe! Let not a group mock another group, it may be that the latter are better than the former. Nor let (some) women mock other women, it may be that the latter are better than the former. Nor defame one another, nor insult one another by nicknames. How bad is it to insult one's brother after having Imaan. And whosoever does not repent, then such are indeed Zaalimoon (wrong-doers, criminals, oppressors, etc.)." Allah also said, (the meaning of which is) "Woe to every slanderer and backbiter."
- ❖ It was narrated on the authority of Abu Huraira that the Messenger of Allah said, (the meaning of which is) "It is enough evil for a Muslim to belittle/demean his Muslim brother." Narrated by Imam Muslim.

**BOOK OF AL-'IDAD (WAITING PERIODS) AND
AL-ISTIBRAA'**

Al-'Iddah is the waiting period observed by a woman whose husband has separated from her through divorce or death.

Categories of separation that make al-'Iddah obligatory:

[1] Separation by death.	[2] Separation during their lifetime through a divorce. Here, the wife can be in one of two situations:			
	[a] That she has had sexual relations with her husband.	[b] That she has not had sexual relations with her husband.		
[1] As for separation by death, then the following applies:	When the husband dies, the wife observes the 'iddah in any case:	[a] If she is pregnant: then her 'iddah is until she delivers every child she is carrying. This is due to Allah's Statement (in the meaning of which), "Those who are pregnant, their 'iddah is until they deliver." Additionally, this is general and applies to both when separation occurs through death or divorce.		
		[b] If she is not pregnant: then her 'iddah is four months and ten days.		
	Furthermore, it is obligatory for a woman during this 'iddah to observe mourning through the following	[a] By leaving off:	Adorning herself	Wearing jewelry
	Wearing perfume		Beautifying herself using hinnāa', etc.	
		[b] By remaining in the house where she was living with her husband when he died, and only leaving the house during the day out of necessity. This is due to Allah's Statement, (the meaning of which is) "Those of you who die and leave behind wives, they (i.e., the wives) shall wait four months and ten days."		
[2] As for separation that occurs while the	[a] If he divorces his wife prior to consummation, then there is no 'iddah obligatory upon her. This is based on the Statement of Allah (in the meaning of which), "O you who believe, if you marry believing women			

<p>husband is alive, then the following applies:</p>	<p>and then divorce them without having sexual intercourse with them, then there will be no waiting period with respect to them."</p>	
	<p>[b] If he consummated the marriage with her or was in seclusion with her, then the following will apply:</p>	<p>[1] If she is pregnant, then her 'iddah continues until she delivers every child she is carrying, regardless of whether that duration is short or long.</p>
		<p>If she is not pregnant, however, then:</p>
		<p>[2] If she has her menstrual periods: then her 'iddah is three full menstrual cycles. This is due to Allah's Statement (in the meaning of which), "Divorced women should wait three (menstrual) periods."</p>
		<p>[3] If she does not have any menstrual periods - such as a young girl, the one who does not menstruate, and the one experiencing menopause - then her period is three months. This is due to Allah's Statement (in the meaning of which), "Those who have passed the age of menstruation, and you are in doubt, then their 'iddah is three months, as well as for those who have not received their menstruations."</p>
		<p>[4] If she has menstrual periods but they have stopped due to breastfeeding, etc, then she must wait for her periods to return and then begin her 'iddah.</p>
		<p>[5] If her menstrual periods have stopped and she does not know the cause, she must wait nine months as a precaution that she might be pregnant and then begin her 'iddah of three months.</p>
<p>[6] If she becomes doubtful due to showing signs of pregnancy after completing her 'iddah, then she must not marry until the doubts are gone.</p>		

Furthermore, the wife of a missing man must wait until he has been declared dead by the judge according to his effort and reasoning and then begin her 'iddah.

Al-Nafaqah (financial support) is only given in the following cases:

[1] For a woman who is observing 'iddah due to a revocable divorce.	[2] For a woman whose husband is alive and separates from her while she is pregnant. This is due to Allah's Words, "If they are pregnant, then spend on them until they deliver."
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Al-Istibraa' refers to the waiting period observed by a female slave whose owner has had sexual relations with her.

A husband or new owner must not have sexual relations with her, except for the following cases:

[1] Until she completes one menstrual cycle.	[2] If she does not have any menstrual cycles, however, then she should make sure that she is not pregnant by waiting one month.	[3] If she is pregnant, then after delivering.
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CHAPTER OF AL-NAFAQAH (FINANCIAL SUPPORT) FOR WIVES, CLOSE RELATIVES, SLAVES, AND THOSE WHO ARE UNDER ONE'S CUSTODIANSHIP.

Conditions for al-Nafaqah to be obligatory are:

[1] The one spending must have the wealth to do so.	[2] The one being spent upon must be in need of it.	[3] Adhering to the same religion, except for a slave owner.	[4] The spender must be an inheritor of the one being spent upon through fard, ta'seeb, or rahim (blood ties).
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It is obligatory for a man to provide financial support, clothing, and housing for his wife in an honorable manner, according to his ability. This is due to Allah's Statement, "Let the rich spend according to their means; those whose resources are limited, let them spend according to what Allah has given them. Allah does not burden a person beyond what He has given him."

If the wife requests from him, then the husband must provide those things that are obligatory. It has been reported in the hadeeth of Jabir which Imam Muslim narrates, (the meaning of which is) "It is due on you to provide for and clothe them (i.e., your wives) in an honorable manner."

Therefore, one is obligated to provide for the following:

<p>[1] His poor parents, grandparents, and offspring, if he is rich.</p>	<p>[2] His inheritors, whether they are from the furood or the residual heirs.</p>	
<p>Additionally, it is narrated in a hadeeth, (the meaning of which is) "A servant is due his food and clothing, and he should not be burdened with labor except that which he is able to perform." Narrated by Imam Muslim. If a slave requests to get married, then it is obligatory for the owner to get him married.</p>		
<p>[1] Moreover, it is also obligatory for a person to provide his animals with food and drink,</p>	<p>[2] and to not burden them with that will harm them.</p>	
<p>It is reported in a hadeeth, (the meaning of which is) "It is enough of a sin for a man to withhold sustenance from the one who is under his care." Narrated by Imam Muslim. Al-Hadaana (Custodianship) refers to protecting a child against that which will harm him and doing that which will benefit him. It is obligatory for everyone for whom al-Nafaqah (providing financial support) is obligatory.</p>		
<p>[1] However, the mother has more rights to her child, whether a son or a daughter, if he is under seven years old.</p>	<p>[2] When the child reaches seven years of age, then the following applies:</p>	
	<p>[a] If the child is a boy, he is given a choice to choose which parent he wishes to stay with, and then remains with whom he chooses.</p>	<p>[b] If the child is a girl, however, then she remains with whoever can act in her best interest, whether it is her mother or her father.</p>
<p>Additionally, a child is not to be placed in the custody of someone who does not protect him and act in his best interest.</p>		

BOOK OF AL-AT'IMAH (FOOD AND DRINK)

General principles concerning food and drink:

- [1] The default ruling concerning all types of food and drink is permissibility. [2] Every food that is pure and does not contain harm is permissible.
- [3] Everything on the earth is permissible for us to eat, drink, wear, and utilize.
- [4] The default ruling concerning all food and drink of Muslims is permissibility. When it comes to non-muslims, however, then that is not the case.
- [5] Every food that is najis (impure) is prohibited, but not everything that is prohibited is najis. [6] Every single sea creature is permissible without exception.
- [7] Every animal that Allah has commanded us to kill or prohibited us from killing is prohibited.

Some manners of eating:

- ❖ The Prophet ﷺ said (in the meaning of which), "O boy! Mention the Name of Allah and eat with your right hand, and eat from the dish that which is in front of you." Agreed upon.
- ❖ The Prophet ﷺ used to say when the table of food was lifted away (in the meaning of which), "All praise is to Allah, praise in abundance, good and blessed. It cannot be compensated for, nor can it be left, nor can it be done without, our Rabb." Reported by Imam al-Bukhari.
- ❖ The Prophet ﷺ said (in the meaning of which), "I do not eat reclining." Reported by Imam al-Bukhari.
- ❖ "The Prophet ﷺ never expressed disapproval of food; if he desired it he ate it and if he disliked it he left it." Agreed upon.
- ❖ "The Messenger of Allah ﷺ used to eat with three fingers and lick his hand before wiping it." Reported by Imam Muslim.
- ❖ He ﷺ commanded licking the fingers and the dish, saying (in the meaning of which), "You do not know in which portion the barakah lies." Reported by Imam Muslim.

They [i.e., Food and Drink] are of two types: Animal-based and non-animal-based.

[1] **Non-animal-based,**

[a] **such as grains, fruits, etc, which are all permissible to eat except for that which contains harm, like poison and anything similar.**

	<p>[b] As for drinks, then everything is permissible except for that which intoxicates, in which case both a small or large amount of it is prohibited. This is based on the hadeeth, (the meaning of which is) "Everything that intoxicates is forbidden, and whatever intoxicates in large amounts, (even) a handful of it is impermissible." [Reported by Abu Dawood] But if alcohol turns into vinegar, it becomes permissible.</p>	
<p>[2] Animal-based is of two types:</p>	<p>[b] Land-based: The default ruling concerning these is that they are permissible, [which includes cattle, horses, desert lizards, zebras, rabbits, hyenas, antelopes, ostriches, chicken, and locusts,] except those that are stated (as prohibited) by Allah. They are the following:</p>	<p>[1] That which is mentioned in the hadith of Ibn 'Abbas, "All predatory animals with canines are prohibited to be eaten." [Reported by Imam Muslim. This also includes elephants, dogs, pigs, monkeys, cats, and bears.]</p>
		<p>[2] "The Prophet prohibited (eating) all birds that possess talons." Narrated by Imam Muslim. [Meaning, the one that hunts with its talons, like eagles, kites, and owls.]</p>
		<p>[3] "The Prophet also prohibited eating the meat of domesticated donkeys." Agreed upon.</p>
		<p>[4] "The Prophet also prohibited killing four types of animals: ants, bees, hoopoes, and shrikes." Narrated by Imam Ahmad and Abu Dawud. [Additionally, the basic rule is that every animal that we have been commanded to kill or prohibited from killing in the two revelations, is prohibited to eat.]</p>
		<p>[5] All filthy animals such as insects etc. are prohibited (to eat). [and that which eats corpses; like storks and crows.]</p>
		<p>[6] "The Prophet also prohibited al-Jallaalah and their milk until they are held and fed pure food for three (days)." [Al-Jallaalah are those (animals) who mostly eat impure things.]</p>
		<p>[7] That which is born from something permissible to eat and something impermissible; like mules.</p>

[Appendix: Medicine and Remedies]

Some narrations that talk about medication:

- ❖ The Prophet ﷺ said (in the meaning of which): **"There is a cure in three things: the incision of a cupping glass, a drink of honey, or cauterization by fire, and I forbid my ummah from cauterization."** Reported by Imam al-Bukhari.
- ❖ 'A'ishah narrated that she heard the Messenger of Allah (ﷺ) say (in the meaning of which), **"This black seed is a cure for every disease, except al-Saam."** I said, **"What is al-Saam?"** He replied, **"Death."** Reported by Imam al-Bukhari.
- ❖ -He ﷺ said (in the meaning of which), **"Verily, al-Talbīnah gives rest to the heart of the patient and relieves some of the sorrow and grief."** Agreed upon.
Al-Talbīnah is a soup like al-Harīrah, made with flour or bran. It is named so due to its similarity to milk in its whiteness.
- ❖ He ﷺ said (in the meaning of which), **"Upon you is (to use) this Indian incense, for it has seven cures. It is to be sniffed by someone having throat trouble and to be put into one side of the mouth of someone suffering from pleurisy (a disease of the lungs)."** Agreed upon.
- ❖ He ﷺ said (in the meaning of which), **"Verily, the best of that which you can treat yourselves with are al-Hijaamah (cupping) and sea incense."** Agreed upon.
- ❖ He ﷺ said (in the meaning of which), **"Truffles are from al-Mann and their water is a cure for the eyes."** Agreed upon.
- ❖ He ﷺ said (in the meaning of which), **"Fever is from the heat of the hellfire, so put it out with water."** Agreed upon.
- ❖ He ﷺ said (in the meaning of which), **"If you hear of an outbreak of plague in a land, do not enter it; but if the plague outbreaks in a land while you are in it, do not leave it."** Agreed upon.
- ❖ He ﷺ said (in the meaning of which), **"Whoever takes some 'Ajwa dates every morning, he will not be affected by poison or magic that day until the night."** Agreed upon.

Some narrations which talk about al-Ruqyah:

- ❖ Abū Sa'īd Al-Khudri رضي الله عنه made ruqyah on the chief of a tribe who was bitten. He started reciting the Umm Al-Qur'ān (i.e., Surah Al-Fatihah), gathering his saliva and spitting it, after which the chief was cured. So, his people then presented them with a herd of sheep. Then the Prophet ﷺ said (in the meaning of which), **"How do you know that it (i.e., Surah al-Fatihah) is a form of ruqyah? Take it (i.e., the flock of sheep) and allot a portion for me."** Agreed upon.
- ❖ On the authority of 'Āishah رضي الله عنها that "the Prophet ﷺ used to spit on himself by (reciting) the mu'awwidhāt during the illness which he died from. But when he became seriously ill, I used to spit on him by reciting them, and I would wipe using his own hands due to their barakah. Agreed upon.
- ❖ It has been reported from 'Āi'shah that she said (in the meaning of which), **"When the Prophet (ﷺ) went to bed at night, he would spit on his hands by (reciting)**

Qul huwa Allāhu Ahad (i.e., Surah Al-Ikhlās) and the mu'awwidhatayn (i.e., Surah Al-Falaq and Surah Al-Nās), and then he would wipe his hands over his face and whatever parts of his body his hands reached." Reported by Imam Al-Bukhari.

- ❖ On the authority of 'Āishah that the Prophet صلى الله عليه وسلم "commanded that Ruqyah is to be sought for (treating) evil eye." Agreed upon.
- ❖ It has been reported from 'Āi'shah that she said (in the meaning of which), "The Prophet (صلى الله عليه وسلم) permitted doing ruqyah for every* animal that stings." Agreed upon.
- ❖ His ruqyah includes (the du'aa), "Allāhumma Rabban Nās, mudhibal bās, Ishfī Anta Shāfī, Lā Shāfiya illa Anta, Shifā-an lā yugādiru sakama" ("O Allāh, Rabb of mankind, Remover of harm, Heal, for You are The Healer. There is no healer but You; a (complete) healing which leaves no disease behind.") Agreed upon.
- ❖ And (the du'aa), "Imsaḥil bāsa Rabban Nās, bi-yadika al-Shifā', Lā kāshifa lahu Illa Anta." ("O the Rabb of mankind! Remove the harm, healing is in Your Hands, and no one can remove it except you." Agreed upon.
- ❖ It also includes that He صلى الله عليه وسلم would take some of his saliva on his index finger, place it on dirt, lift some of the dirt sticking on his finger, and then wipe it on the wound or the place of the illness, saying, "Bismillāhi turbatu 'ardina, birīqati ba'dinā, yushfā saqīmunā, bi'idhni Rabbinā." ("By the Name of Allāh, with the dirt of our land and the saliva of some of us, our sick ones are cured by the permission of our Rabb.") Agreed upon.

CHAPTER OF AL-DHAKAAH (SLAUGHTERING) AND AL-SAYD (HUNTING)

Al-Dhakaah: Making blood flow from as animal that is permisb:

[1] **in the neck:** if the animal can be controlled.
It is done either through:

[2] **Al-'Aqr:** In any place in its body if it cannot be controlled.

[a] **Al-Dhabh**

[b] **or Al-Nahr**

Animals that are permissible to eat only become lawful after being slaughtered, except for fish and locusts.

The conditions for al-Dhakaah (slaughtering) are:

[1] **The one doing the slaughtering should be a Muslim or from the People of**

[2] **It must be done using something sharp.**

[3] **It must cause blood to gush out.**

[4] **The trachea [which is the course of breath] and esophagus [which is the**

[5] **He must mention the name of Allah before doing it.**

the Book, [along with being sane and having tamyeez].			course of food] must be cut.	
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These conditions also apply in hunting, with the exception that it is permissible to kill them in any part of their body.

Types of hunting:

[1] **Permissible:** To hunt (an animal) out of necessity and for food.

[2] **Prohibited:** To hunt an animal for just fun and games.

Similar to hunting is an animal that runs away and is unable to be slaughtered. It has been narrated on the authority of Raafi' bin Khadeej in a marfoo' hadith that the Prophet said (in the meaning of which), "If blood gushed forth and the Name of Allah was mentioned, then eat, but not a tooth or a nail; for the tooth is a bone, and the nail is the knife of the Ethiopians." Agreed upon.

Furthermore, animals hunted by a trained dog are permissible with the following conditions:

[1] The dog hunts when released,

[2] stops when held back,

[3] and does not eat from that which he catches.

Additionally, the owner should mention the Name of Allah before releasing the animal. It has been narrated on the authority of 'Adiy bin Haatim that the Prophet said (in the meaning of which), "When you release your trained dog, mention the Name of Allah before it:

[1] If you reach the animal that he has captured and find it alive, then slaughter it.

[2] If he has already killed it by the time you reach it but has not eaten from it, then eat it.

[3] If you find another dog with your own dog and the animal is killed, then do not eat from it because you do not know which of the two has killed it.

[4] If you shoot an arrow, then mention the Name of Allah.

[5] If it disappears for a day and (when you find it) you only see on it the mark which your arrow left, then eat (it) if you wish.

[6] However, if you find it drowned in water, do not eat (it)." Agreed upon.

It has been narrated in another hadith (in the meaning of which), "Verily, Allah has enjoined doing good (Ihsaan) in everything. So when you kill, kill in a good way, and

when you slaughter, slaughter in a good way. Every one of you should sharpen his knife, and let the slaughtered animal die with comfort." Narrated by Imam Muslim. The Prophet also said (in the meaning of which), "The fetus is slaughtered by slaughtering its mother." Narrated by Imam Ahmad.

CHAPTER: AL-AYMAAN (OATHS) AND AL-NUDHOOR (VOWS)

Al-Yameen (Oath)

Al-Yameen (Oath): Emphasizing or confirming something by mentioning something glorified (Allah, one of His Names, or one of His Attributes) in a specific way.

Its form: Through one of the letters of al-Qasam (swearing): al-Waw الواو, al-Baa' الباء, al-Taa' التاء, al-Haa' الهاء الممدودة, al-Hamzah al-Mamdoodah الهمزة الممدودة.

Principle: The oath goes back to the intention, then the reason for which it was uttered, then that which was made necessary, then the statement itself.

Oaths are only valid and counted when they are taken by Allah, by one of His Names, or by one of His Attributes.

Types of oaths:

[1] Swearing by Allah on something :

[a] in the past.

[b] in the future.

[2] Swearing by anything/anyone other than Allah is an act of shirk (polytheism) and the oath does not count.

Moreover, the oath that necessitates expiation must be:

[1] taken for something in the future.

[2] (Must be taken) by Allah.

[3] (Must be done) with intention.

If one takes an oath for something in the past:

[1] knowing that he is lying [which causes a Muslim's wealth to be seized], then this is considered as a yameen ghamoos (i.e., false oath).

[2] However, if one believes that he is telling the truth, then it is considered an unintentional oath [which just comes to his tongue without intending it]. Like saying, for example, "No, by Allah!" and "Indeed, by Allah!" while talking.

If one breaks his oath [while choosing to do that and remembering it], by doing something he swore not to do or by not doing something he swore to do, then the kaffarah (expiation) becomes obligatory for him to give, which is:

[1] Firstly, choosing one from the following:			[2] Then, in order:
[1] Freeing a slave,	[2] feeding ten poor people,	[3] or clothing them [i.e., the ten poor people].	If one cannot do any of those, then he fasts for three [consecutive] days.

It has been narrated on the authority of Abd al-Rahman bin Samurah that the Prophet said (in the meaning of which), "If you take an oath to do something and then see something that is better than it, expiate your oath and do that which is better." Agreed upon.

In another hadeeth, the Prophet said (in the meaning of which), "Whoever takes an oath and says, 'If Allah wills,' then there is no breaking the oath with regard to him." Narrated by the Five.

Feeding and the one who is fed have three situations:		
[1] Where that which is to be given has been specified but not the one receiving: like Zakaat al-Fitr.	[2] Where both that which is to be given and the one receiving have been specified: like Fidyat al-Adhaa.	[3] Where the one receiving has been specified but not that which is to be given: like the expiation for an oath.

In the case of al-Aymaan (oaths), we look at the following:

[1] When it is not a lawsuit/allegation:			[2] In cases of lawsuits/allegations:
[a] The intention of the swearer,	[b] then the reason that provoked the oath,	[c] and then the wording that indicates the intention and will.	This applies except in cases of lawsuits/allegations because the Prophet said (in the meaning of which), "The oath is according to the intention of the one who makes it." Narrated by Imam Muslim.

[Al-Nudhoor (Vows):]	
Linguistically: a vow means a covenant and compulsion.	
In Islamic terms: it means (someone who is mukallaf obligating himself with something that is not obligatory).	
Types of Vows:	[1] For other than Allah: It is major shirk. Just like swearing by other than Allah in wording only does not count, the vow also does not count. Meaning, one

	<p>does not have to fulfill or give an expiation for it. However, one must repent to Allah from it.</p>		
	<p>[2] for Allah, which is counted. It is of two types:</p>	<p>[a] A general vow: This applies to every Muslim ("They are those who fulfill their vows"); because every Muslim has vowed to Allah that he will fulfill all the commands and leave off all the prohibitions.</p>	
		<p>[b] A specific vow: such as making a vow for something specific. Its ruling is:</p>	
		<p>Before uttering it: Prohibited; because the Prophet prohibited it, and because if it was any good, the Prophet ﷺ would have done it. So, when he abandoned and prohibited it, this shows that it is not permissible.</p> <p>After uttering it: One must either fulfill it or expiate for it, and its ruling changes based on its type:</p>	<p>[1] Vow of obedience: Fulfilling it is obligatory, and if one doesn't then he must offer expiation for it. For example, if a person vows to pray a voluntary prayer at a time in which it is not prohibited to do so.</p>
			<p>[2] Vow of disobedience: It is prohibited to fulfill it and obligatory to break and expiate for it. For example, if a person vows to do something prohibited like backbiting.</p>
			<p>[3] Vow for something permissible: One has the option to choose between fulfilling it - which is better - and breaking it and expiate for it. For example, if a person vows to wear a certain permissible item of clothing.</p>
			<p>[4] Vow in time of al-Lijaaj and anger: This takes the same ruling as the permissible one and is in the meaning of an oath. For example, if a person vows to leave his country.</p>
			<p>[5] Vowing to do something disliked: It is disliked to fulfill it and recommended to break and to expiate for it. For example, if a person vows to look and turn around during prayer.</p>
	<p>[6] Unrestricted nadhr: This is when one does not name anything. In this case, offering expiation is obligatory. For example, if someone says, "I vow to Allah..." and remains silent.</p>		

Furthermore, making a vow is disliked [or prohibited].

The Prophet prohibited vowing and said, "No good comes from it, but it is a means of extracting something from a miserly person." Agreed upon.

If one makes a vow to do something good, then it is obligatory to fulfill it. This is due to the statement of the Prophet (in the meaning of which), "Whoever vows to obey Allah, he should obey Him, and whoever vows to disobey Allah, he should not disobey Him." Agreed upon.

If the vow is taken with regard to something permissible, if it takes the ruling of an oath - like vowing at a time of frustration or anger - or if it is a vow to do an act of disobedience, (then the following applies):

[1] Fulfilling it is not obligatory.

[2] It obligates the expiation of an oath if one does not fulfill it.

[3] It is prohibited to fulfill it if it is an act of disobedience.

The difference between a vow of obedience, a vow of disobedience, and vowing for other than Allah:

[1] **Vow of obedience for Allah:**

It counts, i.e., you must either fulfill or expiate for it, with fulfilling it being obligatory.

[2] **Vow of disobedience for Allah:**

It counts, i.e., you must either fulfill or expiate for it, with fulfilling it being prohibited.

[3] **Vowing to other than Allah:**

It does not count. So, there is no fulfilling or expiating for it, but one must repent to Allah from it. Furthermore, it is an act of major shirk.

Levels of protecting an oath:

[1] **Protecting it initially:**

by not swearing much.

[2] **Protecting it after that:**

by not breaking it; except that which is excluded.

[3] **Protecting it finally:**

by expiating for it if one breaks it.

[4] **By not swearing by other than Allah.**

Some texts that talk about the prohibition of lying:

Allah said (in the meaning of which), "And follow not that of which you have no knowledge. Verily! The hearing, the sight, and the heart, each of those will be questioned (by Allah)."

Allah said (in the meaning of which), "Not a word does he utter but there is a watcher by him ready"

The Prophet (ﷺ) said (in the meaning of which), "Verily, truthfulness leads to righteousness, and righteousness leads to Paradise. A man keeps on telling the truth until he is written to be a siddeeq (truthful person) before Allah. Verily, falsehood leads to Al-Fujoor (i.e. wickedness, evil-doing), and Al-Fujoor leads to the Hellfire, and a man will keep on telling lies until he is written to be a kadhhaab (excessively lying person) before Allah." Agreed upon.

BOOK OF AL-JINAAYAAT (FELONIES/OFFENCES)

Al-Jinaayah (A felony/offense) is transgressing against a person's body which obligates qisaas (retribution), payment, or expiation.

It is divided into:

[1] An offense that is manslaughter.	[2] An offense that is less than manslaughter, (done either):		
	[a] by wounding:		[b] cutting off a limb.
	a wound on the face or head.	wounds on the rest of the body.	[c] or rendering a body part useless.

Killing unjustly is divided into three categories:

First: Intentional Murder, whereby one intentionally inflicts an injury upon a person that results in death most of the time. In this case, the guardian (of the murdered) is given the choice between		Second: That which resembles intentional murder, whereby one intentionally inflicts an injury on a person that does not lead to death most of the time.	Third: Involuntary manslaughter, whereby one commits the crime unintentionally, either directly or indirectly. In this last case, no legal retribution is paid. Rather, the following applies:	
[a] Death penalty and	[b] al-Diyah (blood money).		[a] Expiation from the killer's wealth [which is freeing a Muslim slave, and if one cannot do that then fasting for two consecutive months.]	[b] Blood money is paid to the 'aaqilah, who are all his relatives, the near and the distant ones. It is to be distributed among them according to their condition and over a span of three
This is due to the Prophet's statement, "If a person's relative is killed, he is free to choose between two: either the murderer can be killed, or he can request blood money." Agreed upon.				

			years, a third being paid every year.
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The conditions for al-Qisaas (retribution) for manslaughter:

[1] The killer must be mukallaf (i.e., a sane adult).	[2] The deceased's life must be preserved (i.e., not sentenced to death, for example).	[3] Equality between the killer and the killed, so they should be equal in terms of freedom and religion.	[4] Parenthood is excluded. So, one of the parents is not to be killed because of the manslaughter of his children or their offspring.
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The conditions of carrying out al-Qisaas (retribution):

[1] The accused must be mukallaf (i.e., a sane adult).	[2] The heirs must agree on carrying out the retribution.	[3] It must be guaranteed that retribution doesn't transgress against anyone other than the accused.
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The three types of manslaughter and their rulings:

[1] Intentional	[2] Semi-intentional	[3] Mistakenly/Unintentional
Qisas can be carried out.	There is no qisaas.	
The killer must pay the diyah (blood money).	There is diyah (blood money) upon the relatives.	
The killer does it intentionally.		It is done unintentionally.
Severe diyah (blood money) is to be paid.		A reduced diyah is to be paid.
It is a grave sin.	It is a sin.	It is not a sin.
There is no expiation for it.	There is an expiation for it.	

Two rules concerning blood money:

- ❖ There is no diyah for any body part which is paralyzed/no longer functioning except the nose and ears. However, there is hukoomah (i.e., not a set diyah, but an estimate made by the ruler).
- ❖ Anyone who brings about paralysis to any body part must pay the diyah of that body part, except for the nose and ears because their beauty/shape remains even if they are paralyzed.

The blood money for manslaughter and other crimes has been explained in detail in the hadith of 'Amr bin Hazm in which, "the Prophet wrote to the people of Yemen..." The hadith then includes, "Whoever wrongfully kills a believer and his crime has been legally proven, for him will be legal retribution equal to his crime, except in the case where the relatives of the murdered agree.

Manslaughter	For manslaughter, the blood money is one hundred camels.		
Nose	For a nose that has been completely severed, there is blood money (of a hundred camels).	Tongue	For the tongue, there is blood money (of a hundred camels).
Lips	For the two lips, there is blood money (of a hundred camels).	Penis	For the penis, there is blood money (of a hundred camels).
Testicles	For the two testicles, there is blood money (of a hundred camels).	Backbone	For the backbone, there is blood money (of a hundred camels).
Eyes	For the eyes, there is blood money (of a hundred camels).	Feet	For one foot, there is half the blood money (i.e., fifty camels).
Al-Ma'moomah	For al-Ma'moomah, there is a third of the blood money (i.e., a third of a hundred camels).	Stomach	For the stomach, there is a third of the blood money (i.e., a third of a hundred camels).
Dislocation	For dislocated bones, (the blood money is) fifteen camels.		
Fingers and Toes	For each finger and toe, (the blood money is) ten camels.		
Teeth	For the teeth, (the blood money is) five camels. [Additionally, there is no difference between a tooth and a molar.]		
al-Moodihah	For al-Moodihah, (the blood money is) five camels.		

Furthermore, in any of the senses like hearing, seeing, and smelling, a complete diyah is due.

and that a man shall be executed for killing a woman. As for those who can pay the blood money only in gold, then one thousand dinars." Narrated by Abu Dawood.

Some of the types of wounds:			
[1] Al-Ma'moomah المأمومة: The one that reaches the membrane surrounding the brain.	[2] Al-Jaa'ifah الجائفة: The one that reaches the inside of the abdomen.	[3] Al-Munaqqilah المنقّلة: The one that moves the bone from one place to another.	[4] Al-Moodihah الموضحة: The one that uncovers the bone.

The body parts of a human being are divided according to how many he has of them:				
[1] One: Example: The tongue. Its ruling: paying the diyah.	[2] Two: Example: The eyes. Its ruling: paying the (complete) diyah for both, and half of it for one eye.	[3] Three: Example: The nose because it has two nostrils and a divider. Its ruling: the (complete) diyah for the three of them together, and a third for one of them.	[4] Four: Example: The eyelids. Its ruling: the (complete) diyah for the four of them together, and a quarter for one of them.	[5] Ten: Example: The fingers. Its ruling: paying the (complete) diyah (for all of them), and a tenth of it for one.

The conditions for al-Qisaas(legal retribution) to be obligatory are the following:				
[1] The killer must be mukallaf (i.e., a sane adult).	[2] The deceased must be someone whose blood cannot be spilled and must be equal to the killer in: Islam, and slavery or freedom. Therefore, a Muslim cannot be executed for killing a non-Muslim, and neither is a free person	[3] The murderer must not be a parent of the murdered since the parents are not executed for killing their child.	[4] The guardians, who are of the age of accountability, must be in agreement.	[5] There must be no fear of transgression in seeking qisaas.

	executed for killing a slave.			
<p>A group of people can be executed for the death of a single person. Furthermore, retribution for an injury caused to each limb is achieved through inflicting an injury to a similar limb if that can be done without transgression. This is due to Allah's Statement (in the meaning of which)t, "We ordained for them in it a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for the wounds is a legal retribution. But if anyone forgoes it out of charity, it will serve as his atonement [for sins]. Those who do not judge by what Allah has revealed are the wrongdoers." Additionally, the blood money for a woman is:</p>				
[1] half of that of a man,		[2] except for less than a third of the diyah, in which case it is the same for both.		

<p>Some texts that talk about killing oneself (Suicide):</p> <p>Allah said (in the meaning of which), "And do not kill yourselves. Surely, Allah is Raheem (Most Merciful) to you."</p> <p>The Prophet said (in the meaning of which), "Whoever kills himself in the Dunya with something, he will be punished with it on the Day of Judgement." Agreed upon.</p> <p>He also said (in the meaning of which), "Among those who lived before you was a man who had a wound and had so little patience to bear it that he took a knife with which he cut off his hand, but the blood did not cease to flow till he died. Allah said (in the meaning of which), "My 'abd has tried to outstrip me in taking his life, so I have excluded him from paradise." Reported by Imam al-Bukhari.</p> <p>Furthermore, suicide is mostly done out of despair and hopelessness. Allah said (in the meaning of which), "And who despairs of the Mercy of his Rabb except those who are astray?"</p> <p style="text-align: center;">Some narrations that talk about killing a non-muslim whose blood cannot be spilled (Al-Dhimmi, Al-Musta'man, al-Mu'aahad):</p> <p>The Prophet said (in the meaning of which), "Whoever kills a Mu'aahad shall not smell the fragrance of Paradise." Reported by Imam al-Bukhari. He also said (in the meaning of which), "Whoever kills a man from among Ahl Adh-Dhimmah, he will not smell the fragrance of Paradise." Reported by Imam Ahmad and al-Nasaa'i. He also said (in the meaning of which), "Whoever guarantees another person his blood and then kills him, then I am free from the killer even if the murdered was a disbeliever." Reported by Ibn Hibbaan.</p>
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Types of agreements with the disbelievers:		
<p>[1] An agreement by which they abide: We abide by it with them. Allah said (in the meaning of which), "So long as they are true to you, stand true to</p>	<p>[2] An agreement that they break: There is no agreement for them. Allah said (in the meaning of which), "But if they violate their oaths after</p>	<p>[3] An agreement where we fear that they will break it: We reject it. Allah said (in the meaning of which), "If you fear treachery from any people throw back (their</p>

<p>them. Verily, Allah loves Al-Muttaqeen."</p>	<p>their covenant, and attack your religion with disapproval and criticism, then fight the leaders of disbelief (chiefs of Quraish pagans of Makkah) - for surely their oaths are nothing to them - so that they may stop (evil actions)."</p>	<p>covenant) to them (so as to be) on equal terms (that there will be no more covenant between you and them). Certainly, Allah likes not the treacherous."</p>
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BOOK OF AL-HUDOOD (LEGAL PUNISHMENTS)

Al-Hadd: refers to the ordained punishment in Islam.

Hudood can only be carried out on someone who:

[1] is a mukallaf (i.e., a sane adult),	[2] a multazim (i.e., adheres to the rulings of Islam),	[3] and knows that the act is prohibited.
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It is only carried out by:

[1] the Muslim ruler or his deputy,	[2] except for a slave owner, for he can apply it on his slave, especially flogging.
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Additionally, the punishment of flogging a slave is half of that of a free person.

[The hadd for inaa (Illegal Sexual Intercourse)]

The punishment for Zinaa - which is fornication - whether it is vaginal or anal, is the following:

[1] If the fornicator is a muhsan: i.e., the one who has married and consummated the marriage and both persons involved are free and mukallaf, then such a person is stoned to death, [whether it's a man or woman].	[2] If the fornicator is not a muhsan: then such a person is flogged a hundred times and exiled from his homeland for a year. [Additionally, the woman is only exiled with a mahram].
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However, the punishment is only applied if one of the following is fulfilled:

[1] The fornicator confesses four times to the crime,	[2] That four just [male] witnesses give testimony that they saw this person performing the act,
[3] that a woman who has no husband or owner becomes pregnant,	[4] or that the husband performs li'aan (i.e., accuses her of Zinaa) and the woman does not defend herself.

Allah said, "The fornicating man and the fornicating woman, flog each one of them with a hundred lashes."

It has also been narrated on the authority of 'Ubaadah bin al-Saamit in a marfoo' hadith that the Messenger of Allah said (in the meaning of which), "Take from me, take from me. Allah has made for them a way: a virgin with a virgin is one hundred lashes and banishment for a year. As for the one who is married, then it is one hundred lashes and stoning." Narrated by Imam Muslim.

Here, the two commandments are eventually confined to stoning the muhsan (married person) as was the case of Ma'iz and the Ghamidi woman.

Preventive measures to prevent zinaa from taking place with the permission of Allah:

<p>[1] Having taqwa of Allah, and making dua. Allah said (in the meaning of which), "Unless You turn away their plot from me, I will feel inclined towards them and be one (of those who commit sin and deserve blame or those who do deeds) of the ignorant." And the prophet peace and blessings be upon him said (in the meaning of which) "You will not leave off something for the sake of Allah, except that Allah will replace it for you with that which is better." narrated by Ahmed</p>	<p>[2] Hastening towards marriage, and if you are not able to get married then upon you is to fast.</p>	<p>[3] Commanding with lowering the gaze, and staying away from places where women are found such as the markets.</p>	<p>[4] Commanding the women with wearing hijab, avoiding soft speech with them, being segregated, or shaking hands with them</p>	<p>[5] Reading the surah and the story of prophet Yusuf peace be upon him</p> <p>[6] Having righteous companionship</p> <p>[7] The way you treat people's women is the way your women will be treated, and Zina is a debt you will have to pay for.</p>
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[The hadd for al-Qadhf (Accusation/Slander)]

[It is a major sin.] Whoever accuses a muhsan of performing zinaa or bears witness to it without the testimony being fully established, then the following applies:

[1] The slanderer is to be flogged eighty lashes,

[2] his testimony is not accepted anymore,

[3] and he is declared to be a faasiq (i.e., an evil and sinful person).

As for accusing someone who is not a muhsan, then this entails al-Ta'zeer. Here the muhsan is a free, sane, and chaste adult.

[Al-Ta'zeer]

Furthermore, al-Ta'zeer is obligatory for every sin for which there is no known hadd or kaffarah (expiation), [whoever does that which is haram and leaves off that which is obligatory, if the Muslim ruler sees him.]

[The hadd for al-Sariqah (Stealing)]

Whoever steals a quarter of a dinar of gold or some other form of wealth equal to it in value from a secure location (Hirz) [i.e., the place where wealth is usually stored], then:

[1] his right hand is amputated from the wrist and the bleeding is stopped.

[2] If he commits theft again, then his left foot is amputated from the ankle [not the heel] and the bleeding is stopped.

[3] If he steals yet again, then he is imprisoned, as only a single hand and foot can be amputated.

Allah says (in the meaning of which), "Cut off the hands of the thieves, male or female." On the authority of 'A'ishah who narrated in a marfoo' hadith that the Prophet said (in the meaning of which), "The hand of a thief is not amputated except for that which equals a quarter of a dinar or more." Agreed upon.

It has been narrated in another hadith that (in the meaning of which), "The hand is not to be amputated for fruit or the pith of a palm tree." [The pith is the pollen or heart (center) of the palm tree.] Narrated by the authors of al-Sunan.

[The hadd of consuming intoxicants]

Al-Muskir: is everything that clouds one's sanity by way of pleasure, rapture, ecstasy, and making him high, whether it is a fluid like alcohol or something solid like drugs.

Al-Khamr: is anything that intoxicates, whether it was from grapes, dates, barely, burr, or something else. The Prophet said (in the meaning of which), "Every intoxicant is khamr." He also said (in the meaning of which), "All drinks that intoxicated are prohibited." He said (in the meaning of which), "If a large amount of anything causes intoxication, (even) a small amount of it is prohibited."

Furthermore, there is no difference in it being prohibited whether someone was to drink it for the sake of pleasure, because of thirst (because it increases thirst), as medication, or for something else.

Additionally, Khamr is the mother of all filthy and evil things. Allah said (in the meaning of which), "O you who have believed, indeed, intoxicants, gambling, (sacrificing on) stone alters (to other than Allah), and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful." It is more dangerous than drugs etc. and was prohibited by Allah for many pieces of wisdom, which include the following:

[1] It is an atrocity from the works of Shaytan.	[2] It leads to enmity and hatred between people.	[3] It keeps one away from the remembrance of Allah and from Salaah.	[4] It makes a person lose their sanity so they don't have anything to stop them from doing evil.
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The ruling on drinking intoxicants: The Muslim ruler should do ta'zeer of him with nothing less than forty lashes, and he can decide to increase it if he believes that that will be beneficial. Additionally, 'Umar had ruled that it is eighty lashes.

[The hadd of al-Hiraabah (Banditry)]

Concerning bandits, Allah said (in the meaning of which), "The recompense for those who wage war against Allah and His Messenger, and endeavor to spread corruption in

the land is that they should be killed, crucified, amputation of alternate hands and feet, or be exiled from the land."

Bandits are those who attack people and attack them on roads, stealing their money or killing them.

[1] Whoever kills and steals wealth: is executed and crucified.	[2] Whoever kills [without stealing wealth]: is only executed [without being crucified].	[3] Whoever steals wealth [without killing]: his right hand and left foot are amputated.	[4] Whoever frightens the people [without killing or stealing wealth]: is exiled from the land.
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[The hadd for those who rebel]

Al-Bughaah (The Kharijites): They are people that have strength and ability, and commit khurooj (rebellion) against the Muslim ruler due to an interpretation (that they believe to be valid).

Whoever revolts against the ruler, intending to remove him from his position, is considered a rebel and the Muslim ruler must do the following:

[1] Communicate with the rebels,	[2] eliminate their grudges for that which is not permissible, and	[3] uncovering their doubts.
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Then,

[1] if they stop, the ruler should refrain from (fighting) them,	[2] and if not, then he should fight them [i.e., as an obligation] if they fight.
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Furthermore, the citizens should aid the ruler in fighting against the rebels. If it comes to the point that one is forced to kill the rebels or damage their property, then there is no sin on him, and if he is killed, he shall be considered a shaheed (martyr). The fleeing rebel is not to be pursued, the wounded is not to be killed, their wealth is not taken as war booty, and their families are not taken as captives. However, no guarantee is due on either of the fighting parties for any lives or wealth that are destroyed during the war.

Chapter: Ruling of the Murtadd (Apostate)

An apostate is someone who abandons Islam for disbelief, which can occur through action, speech, beliefs, or doubts.

The scholars - may Allah have mercy on them - have mentioned the details of that which causes a person to leave Islam, all of which go back to denying that which the Messenger came with, either all of it or some of it without interpreting some of it. Therefore, whoever apostatizes: [is to be killed immediately, except if the Muslim ruler sees a benefit in delaying it,] he should be asked to repent over a span of three days, after which he either returns (to Islam) or is killed by the sword.

Things through which Riddah (Apostasy) can take place:

[1] Speech: like insulting Allah or his messenger peace and blessings be upon him, or the religion of Islam	[2] Action: like prostrating to an idol	[3] Belief: like believing that Allah has a partner	[4] Doubt: like doubting that the Jews and Christians are kuffar
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How to repent from Apostasy:

[1] Uttering the shadatain (the two testimonies).	[2] Affirming that which he denied and disapproved of.	[3] To take back his disbelief.
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At the top of the nullifiers of Islam are 10:

[1] Committing shirk with Allah. Allah said, "And it was already revealed to you and to those before you that if you should associate [anything] with Allah, your work would surely become worthless, and you would	[2] Placing intermediaries between oneself and Allah, calling onto them, asking them for intercession, and relying upon them.	[3] Not declaring the mushrikeen (polytheists) as disbelievers, doubting their kufr (disbelief), or validating their religion and way of life.	[4] Believing that the guidance of someone other than the Prophet is more complete.	[5] Whoever hates anything that the Prophet Muhammad came with even if he acts upon it, has disbelieved.
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surely be among the losers." This also includes slaughtering for other than Allah.				
[6] Mocking something from the religion of the Prophet, the reward of Allah, or his punishment.	[7] Performing magic, or being pleased with it being performed. This also includes al-Sarf and al-'Atf (Separating people or bringing them together).	[8] Backing and supporting the mushrikeen against the Muslims.	[9] Believing that some people are exempt from following the Religion and Legislation of Muhammad.	[10] Turning away from the Religion of Allah by neither learning it nor acting upon it.

**Book of Judicial Rulings, Legal Proceedings, Evidence,
and Type of Testimonies**

A Rule: every mandate and work must have two things: [1] Ability and [2] Honesty.

Judicial rulings are a must for people, so it is a fard kifaayah (collective obligation). [If a group of people gets this done then it is lifted from the rest, and if all the righteous people don't do it, then they are sinful].

[1] **Therefore, the Muslim ruler must assign someone through whom this is fulfilled; someone who is knowledgeable about Islamic rulings and how they are applied to the**

[2] **Therefore, the Muslim ruler should assign the one who is most fit for the job in terms of the attributes needed in a judge, [a Muslim male who is mukallaf and knowledgeable].**

[3] **Furthermore, this is especially obligatory upon someone who is suitable to assume such a role if no one else is found, and assuming such a position does not keep him from doing**

current affairs of the people.		something else that is more important.
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The Prophet said (in the meaning of which), "The proof is upon the one making the claim, and taking an oath is upon the defendant." [Reported by al-Daraqutni]
He also said (in the meaning of which), "I only judge based on what I hear." [Agreed upon.]
Therefore, whoever claims the right to a property etc, must present as proof:

[1] Two just male witnesses,	[2] one male and two females, or	[3] one male accompanied by an oath from the one making the claim.
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This is due to the Words of Allah (in the meaning of which), "Call in two of your men as witnesses, but if two men are not available, then a man and two women, whom you agree as witnesses."

"The Prophet passed judgment on the basis of a testimony of a witness with an oath."
This is an authentic hadith [reported by the authors of al-Sunan.]

However, if the one making the claim has no supporting evidence:

[1] The defendant takes an oath, in which case he will be declared innocent.	[2] If the defendant refrains from taking an oath, however, then:	
	[a] he is judged as having denied taking an oath,	[b] or the request for an oath is presented to the one making the claim. So, if he swears an oath after the defendant's refusal, he is entitled to that which he claimed.

A person can attribute things in three ways:

[1] Da'waa (Claiming): which is to attribute something to himself over someone else.	[2] Iqraar (Admitting): which is to attribute something to someone else over himself.	[3] Shahaadah (Testifying): which is to attribute something to someone else over someone else.
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Al-Bayyinah (Proofs and evidence) also include the external pieces of evidence that would indicate the truthfulness of either of the two persons, like:

[1] If the claimed object is in the possession of either of the two, in which case it belongs to the one in	[2] If two engage in legal proceedings for the possession of a property that can only belong to one of them, such as a carpenter or someone similar to him claiming a woodworking tool, or a blacksmith
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whose possession it is after he takes an oath.	and someone similar claiming a blacksmithing tool, and so forth.		
Shahadah (Testimony) is of two types:			
[1] Tahammul (Bearing Witness)	[2] Adaa' (Giving testimony)		
The ruling of bearing witness and giving testimony:			
[1] Bearing witness to a person's right is a collective obligation.	[2] Giving testimony is an individual obligation.		
<p>It is a condition for the witness to be just on both a private and public level, knowing that the just person is the one whose testimony is acknowledged by the people. Allah says, "Whom you agree as witnesses." Also, it is not permissible for a person to bear witness for something other than that which he has knowledge of through either of the following ways:</p>			
[1] Physical observation,	[2] hearing from the one against whom he is giving witness, or	[3] by being common which establishes knowledge for the things that are sought, such as in cases of lineage and the like.	
<p>The Prophet said to a man (in the meaning of which), "Do you see the sun?" He said, "Yes, so the Prophet said, "Then testify in a case just as clear as you see the sun; otherwise, [if you are uncertain] then do not testify." And Allah ﷻ says (in the meaning of which) "and avoid false speech" As for the things which prevent testimony, they include suspicion of untruthfulness due to a plausible reason, [and when they are negated the testimony is accepted] such as:</p>			
[1] The case of a parent giving testimony in favor of a child,	[2] and vice versa.	[3] The case of a spouse giving testimony in favor of the other.	[4] The case of a person giving testimony against his enemy.
<p>It is reported in a hadith that (in the meaning of which): "The testimony of a faithless man and a faithless woman, the carrier of enmity (ghamar) against his brother, and the servant (qāni') in favor of a household [which he serves] is not allowed." narrated by Ahmed and AbuDawood It is also reported in another hadith that (in the meaning of which): "He who takes an oath in order to entitle himself [to the possession] of a property, whereas he is a liar, would meet Allah in a state that He would be very angry with him." agreed upon.</p>			

CHAPTER-DIVISION (QISMAH)

Division is of two types:

[1] **Forcible division, which refers to that which can be divided with no harm or compensatory restitution [to either party], as is the case with similar objects, spacious dwellings, and large properties.**

[2] **Mutual division, which refers to distribution of that which involves harm, as one of the partners does not benefit from his share, or that in which [shares] cannot be amended except through handing back the money from one of them as a compensation, and therefore must involve the consent of all the partners.**

[a] **If one of the partners demands that the object be sold, then it is obligatory that his demand be fulfilled.**

[b] **However, if the partners rent out [the property], then the rent is distributed among the partners according to his share, and Allah knows best.**

CHAPTER ACKNOWLEDGEMENT (IQRĀR)

Iqrar means that a person acknowledges all the rights that are due upon him, through any utterance that indicates acknowledgement, on the condition that the one acknowledging is a mukallaf i.e., sane adult.

It is thus one of the most substantial proofs. It covers all the fields of knowledge, such as worship, transactions, marriage contracts, crimes, etc. It is related in a hadith (in the meaning of which), "There is no excuse for the one who acknowledges [a right on himself]." [Ibn Hajr and others have mentioned that this hadith is baseless, however the author - may Allah ﷻ have mercy on him- mentioned it as a jurisprudence rule in his book Al-Usool Al-Jame'a]

It is obligatory on an individual to acknowledge all the rights that are due from him to other people so that he is absolved either through settlement or the owners forgoing it. It is only Allah who knows best.

May the peace and blessings of Allah be upon our noble Prophet Muhammad, and upon his family and Companions.

Written by the one who is in need of his Lord's forgiveness, who implores his Lord to grant him wellbeing in both his religious and worldly affairs, Abd ar-Rahmān b. Nāsir b. Sa'di, may Allah have mercy upon him and forgive him, his parents, and all the Muslims.