

**Grand Ayatollah
Sayyid Sadiq Husayni Shirazi**

Islamic Law

Handbook of Islamic rulings on Muslim's duties and practices

Book of
Acts of Worship



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Bismillāh al-Raḥmān al-Raḥeem

In the Name of Allah the Compassionate the Merciful

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Foreword

Islam is a complete way of life, and as such it addresses every aspect of the human life ranging from personal and family matters to social, economic, political, and spiritual issues. The teachings of Islam are devised to enable mankind attain prosperity in this life and in the hereafter.

As part of the measures to attain that prosperity, an adult Muslim needs to conduct his or her affairs, behave and respond according to the teachings of Islam in all aspects of life. These issues range from matters concerning acts of worship to other matters such as family, culture, current affairs, financial transactions, etiquettes, and ethics.

An adult Muslim therefore has a duty to learn the teachings of Islam on those issues that he or she might come across in life. Some of those teachings may be readily available and if not, he or she must learn or seek the answers to one's queries.

Although every conduct that an adult Muslim does according to the teachings of Islam constitutes an act of worship, no matter what aspect of life it may concern, traditionally by 'acts of worship' it is meant issues such as ritual cleanliness, daily prayers, fasting, hajj, and *zakah*.

Acts of Worship or '*ibādāt*', as referred to in Arabic, regulate the individual's association with his Creator, while *mu'āmalāt*, which is the term used to refer to such issues as contracts, deals, or mutual agreements such as trade, lease, loan, marriage, regulate the individual's relationship with others in the human community.

Islam gives significant importance to these two categories of relationships, and in order that mankind is aware of his duties and responsibilities before his creator and with respect to his fellow human being, Islam lays down detailed laws to regulate those relationships. The significance that Islam attaches in these respects is such that those laws are not restricted only to the obligatory duties, but they also define and address the optional issues; which are the *mostahab*

(recommended/encouraged), *makrooh* (undesirable/discouraged), and *mubāḥ* (discretionary).

The experts in Islamic Law, the *mujtahids* amongst the Muslim scholars, use such sources as the holy Qur'an and the *sunnah* or teachings of Allah's messenger for deriving the Islamic rulings concerning various domains. In turn, the general public, those who are not expert in Islamic law, seek clarification about their Islamic duties and responsibilities by referring to the *mujtahids*. It is obligatory for every adult who is not a *mujtahid* to refer to a *mujtahid* who is fully qualified – i.e. *marje' taqleed* – for identifying and fulfilling his or her duty and responsibility. In a bid to make them more accessible, when a fully qualified *mujtahid* assumes the office of a *marje'* he collates his decrees and rulings concerning the Acts of Worship (*'ibādāt*) and Contracts (*mu'āmalāt*) in a book known as al-Risālah al-'Amaliyyah.

Normally the Risālah 'Amaliyyah book is detailed and they may contain more than 3500 queries and postulations, all of which may not be immediately required or necessary for most people. Furthermore, sometimes the material is traditionally in technical manner and they may not be as user-friendly as the layman or novice reader may wish them to be, in which case the reader may need to refer to an expert for explanation.

However, the compilation prepared in this presentation is designed to be more practical for a broad spectrum of readers particularly the layman or the novice user. This is realized through selecting only the queries and postulations of the Risālah 'Amaliyyah that are required or encountered more often by the average user, while explaining and clarifying the topics concerned if required. Furthermore, also included in this presentation are those queries that are not normally found in the Risālah 'Amaliyyah but are frequently asked by the general public, together with the corresponding answers given by the office of the Marje' Grand Ayatollah Sayyid Sadiq Husayni Shirazi.

The Risālah 'Amaliyyah of most scholars, past and present, are generally very similar in structure. However, the presentation of this

collection of Islamic law has somewhat different arrangement to the traditional works.

1. This compilation covers all topics that are normally covered in a traditional Risālah ‘Amaliyyah, but presents a selection of materials that are frequently needed by a broad spectrum of users, and in particular the non-professional and novice user.
2. In addition to the classical structure of such work, new topical chapters are also added that are not normally found in the traditional Risālah. These are topics such as culture and development, freedom, human rights, social and personal reform, peace and non-violence, medicine, immigration, morality and ethics. These topics are covered in Book Two of this series.
3. Furthermore, some of the questions that have been submitted by the faithful to the office of the *marje*‘ together with their corresponding answers are also presented in this work. Such Q&A are not normally given in the traditional Risālah.
4. On the issue of the presentation of this work, some restructuring have been made compared with the traditional Risālah, and thus relevant issues are grouped together in one chapter. For example, the rulings concerning women, hijab, marriage, divorce, and marital issues, will, inheritance are grouped under the title of the Family. The reason for this restructuring is the topical categorisation of the subject matter and the ease of use.

This work therefore combines the traditional Risālah together with contemporary additions.

Although the technical terms used in this work are normally defined on first occurrences, the final section of the work presents a glossary of technical and Arabic terms used in the work, which serves as a useful and informative table of the terminologies.

ZO
Ramaḍān 1429
September 2008

PART ONE

Acts of Worship

Bismillāh al-Raḥmān al-Raḥeem

Chapter One: Idjtihād & Taqleed

It is imperative that a Muslim's belief in the fundamentals of religion (*Oṣool al-Deen*) be based on reasoning and proof. One may not follow others on these issues; in the sense of accepting someone's words on these issues without reason, explanation, and rationale. *Oṣool al-Deen* or fundamentals of religion are five:

1. *Tawḥeed*, or oneness of Allah.
2. *'Adl*, or Divine Justice.
3. *Nobowwah*, or Prophethood.
4. *Imāmah*, or Leadership.¹
5. *Mi'ād*, or Resurrection.

The same applies to the essentials of "*Foroo' al-Deen*" or the practices and rulings of Islam such as the obligation of the daily prayers (ṣalāh) and fasting (ṣawm).

As far as the rulings of Islam and "*Foroo' al-Deen*" are concerned, it is obligatory upon the Mokallaf² to be a Mujtahid³, or a Moqallid⁴, or a Moḥtāt⁵. One who is not a Mujtahid and is not able to practice Iḥtiyāt, must follow (/perform taqleed of) a Mujtahid. Taqleed covers all rulings (aḥkām) on acts of worship and contracts, on obligatory, prohibited, recommended (mostaḥab), discouraged (makrooh), and optional (mubāḥ) acts.

This is the duty of the believers during the era of the Greater Occultation⁶ as far as obtaining the Islamic rulings are concerned, when there is no specific representative of the Awaited Imam – may Allah hasten his honourable reappearance – as reported in the honourable ḥadith from Imam al-Ḥujjah may our souls be his sacrifice:

“As for current events, refer them to the narrators of our ḥadiths⁷, for they are my ḥujjah (proof/authority) upon you, and I am Allah's ḥujjah upon them.”⁸

Thus it is absolutely forbidden to refer to anyone else.

Definitions

Idjtihād

Idjtihād is the deduction of shari‘ah rulings from its detailed evidences. He who is able to perform such deductions is called a Mujtahid. The permission or confirmation of other Fuqahā’ is not the only way to confirm the qualification of a Mujtahid, rather the *istidlālī fiqh* (*legal reasoning*) with its preconditions is sufficient to prove that, and that the confirmation of the qualification of Idjtihād is left to the competence of the individual concerned, the extent of his evidence for his Idjtihād, and his expertise in Fiqh.⁹

Iḥtiyāt

Iḥtiyāt is the fulfilling of one’s duties such that the Moḥtāt is sure that he has discharged his duties. For example, if a group of Mujtahids decree that a certain act is ḥarām, and others decree that it is not; he takes the side of precaution by not committing that act. On the other hand, if some decree that certain act is mandatory, while others prescribe it as mostaḥab (desirable/recommended) he would take the side of precaution and perform that deed.

He who is not a Mujtahid, and is not able to act according to Iḥtiyāt, it is obligatory for him to follow/or act on the taqleed of a Mujtahid.

Taqleed

Taqleed is to act according to the judgements/verdicts of a fully qualified Mujtahid. He who does so is referred to as Moqallid. The mokallaf accomplishes his *taqleed* by acting [according to the verdicts of the Mujtahid], and it is not mandatory to be in the *taqleed* of a specific Mujtahid only.

He who forgoes learning the shari‘ah rulings of those cases that he comes across, and [thus] deviates from the right path, is considered disobedient.

He who does not act according to the fatwa or verdict of a particular Mujtahid, but rather would suffice asking about those cases he comes

Ijtihād & Taqleed

across from *fiqh* students, his action [i.e. fulfilment of his duties] would be tantamount to he who acts without taqleed. This is due to the mandatory nature of taqleed for the shari‘ah rulings, and inferring them to a Mujtahid.

It is not permissible for a Muslim to practice ‘personal’ Idjtihād, on the grounds of his Islamic education and general knowledge and with the impetus of freedom of expression in Islam; for this matter requires expertise and experience in the deduction of Shari‘ah rulings.

Mujtahid

Criteria of a Mujtahid

A Mujtahid must be:

1. male,
2. adult,
3. sane,
4. free,
5. Twelve-Imam Shi‘a [who believes in the authority of the twelve divinely appointed Imams of the Ahl al-Bayt],
6. of legitimate birth,
7. alive, for it is not permissible for one to begin with the taqleed of a deceased,
8. Just. A ‘Just’ individual is one who adheres to and acts upon the obligatory duties and refrains from the prohibited acts, such that if his neighbours, or his colleagues were asked about him, they would report of his good nature, commitment, and piety.

He should be *a‘lam* or ‘most learned’, as per obligatory precaution. In other words, he should be more learned than all other Mujtahids of his time and he should be the most excellent in deduction. The authority and criteria in identifying him are those of expertise and deduction. If the identification of the ‘most learned’ proves difficult, it is mandatory,

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as a precaution, to do the taqleed of he whom one believes to be the most learned, and similarly one should do the taqleed of the mujtahid where there is a small probability that he is most learned, and he knows that there is no one else who is more learned, as per mostahab precaution. However, if there were a group [of Mujtahids] who, in his opinion, were equal in learning he should practice the taqleed of one of them, but if one of them was more pious (*awra'*) [than the rest] he should do the taqleed of this one rather than any of the others, as per mostahab precaution.

Superiority in Learning

Q1. Are the criteria of “superiority in learning” (or *a'lamdiyyah*) that some of the Fuqahā' require for the Marje' al-Taqleed,¹⁰ applicable only to aspects of “Acts of Worship”, and “Contracts” that are discussed in the “Risālah al-'Amaliyyah”¹¹? Or should this “superiority in learning” (*a'lamdiyyah*) also cover general affairs such as Politics, Economics, and suchlike amongst the various domains that affect people's life?

A1. Rather it must cover all (aspects of life).

Q2. Is one's fulfilment of his duties considered void, if one follows the taqleed of a mujtahid who is not most learned (*a'lam*), given that some of the required criteria for taqleed may not be available in the person who is “most learned” (*a'lam*)?

A2. He must investigate the matter now, and what has passed from his deeds and acts in fulfilling his duties are deemed to be valid.

Q3. Is it obligatory to follow (the taqleed of) the “most fitting” for the leadership of the nation, or the “most learned” about the book of Allah and the most able to endure this task, as Imam Ali, *peace be upon him*, commanded, “The one who has more priority to this affair is the one who is most learned about the book of Allah, and most competent of it.” And if the answer is in favour of following the most learned, would it still be mandatory to follow him while there is a more fitting and more competent one for the leadership of the nation? Especially if the most

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learned is not able to lead the nation, given his lack of knowledge about its affairs, so is it still obligatory to follow him despite that?

A3. As an obligatory precaution the most learned must be followed, and as for the leadership of the Ommah, it should be in the hands of The Council of Marāje‘ Jurists [*Shura al-Fuqaha’ al-Marāje‘*].

Q4. Is the criterion of “superiority in learning” (*a’lamiyyah*) determined by the scholar’s excellence in the deduction of Shari‘ah rulings, authoring Islamic books, and his name being renowned in circles of learning?

A4. Scholars have mentioned that the meaning of superiority in learning (*a’lamiyyah*) is that the scholar is the best in the deduction and understanding of the Shari‘ah rulings, and having greater insight in them, being more aware and better informed of similar jurisprudential cases and their equals, and having greater competence in referring particular cases to their roots and sources.

Q5. What is the legal evidence for the requirement of following the most learned (*a’lam*)? And assuming that this is obligatory, is it practically realistic? And if that proves difficult because of the lack of a comprehensive study for all the scholars of the Ommah, and realizing their status and their works, what should then be done?

A5. The requirement of following the *a’lam* is as per obligatory precaution, and the reason for it is based on the prudence and the judgement of the discerning, the judicious and such like. Identifying the *a’lam* may be achieved through the testimony of the reliable and trustworthy experts, and if that proves difficult or is excused, one may follow [the taqleed of] the one whom he believes is the *a’lam*.

Q6. If I was following one of the Marāje‘, who was not the *a’lam* amongst present ones, and I was not sure of this until the *a’lam* Marje‘ passed away, what is the validity of my taqleed?

A6. It is obligatory, as a precaution, to follow the *a’lam* from now on, and the passed deeds are deemed valid.

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Q7. If there are two *faqeeh* individuals and one of them is more learned than the other in Politics and Jihād, is it obligatory to refer to him?

A7. It is obligatory, as a precaution, to refer to the *faqih* who is more learned in rulings (*ahkām*), and as for political affairs and such general issues, the authority is the judgment of The Council of Marāje‘ Fuqahā’.

It is permissible to switch from one living Mujtahid to another living one, if it becomes evident that the other Mujtahid is more learned.

Identifying a Mujtahid

1. If one is convinced of the ijtihād of a candidate; this is achieved if one is himself a religious scholar and thus he can identify a Mujtahid,
2. If two just scholars, who are able to identify a Mujtahid, confirm this – provided that their testimony is not contradicted by two other just scholars.
3. If a group of learned and expert individuals who are competent to identify a Mujtahid and are reliable and trustworthy testify to the ijtihād of an individual.

Evidently, it is sufficient that one person testifies to the ijtihād of the individual, if he is reliable and trustworthy.

Shura al-Fuqahā’

Walāyat al-Faqih or the “Authority of the Jurist” is bound by the Islamic framework, and as far as general affairs such as peace, war, international treaties, and suchlike are concerned, they are decided upon according to the decision, judgment, and decree of Shura al-Fuqahā’, or the Council of Jurists.

The Faqih is *hujjah* or proof/authority upon his followers (*moqallids*) and not upon another Mujtahid¹² or his followers. There is no difference in authority between *fatwā* and *hukm*. It is not permissible for a Faqih to coerce the followers (*moqallids*) of another Mujtahid – who is fully qualified – to act according to his own *fatwā*.¹³

It is possible to implement the concept of *Shura al-Fuqahā'* despite the plurality of the *Marāje'*, and their geographical dispersion, and that may be through their respective representatives, and on every suitable occasion the *Marāje'* themselves may meet, the example of which are many in the world today.

Miscellaneous Queries

Q1. Do you consider it as necessary to raise the idea of *Shura al-Fuqahā'* which is in fact realistic and legal, while doing so might cause social tension given there are views that oppose it? Or rather one should abstain from bringing up the issue at the moment until when the level of awareness for such causes elevates further?

A1. It should be brought up, but with wisdom and beautiful exhortation.

Q2. Does the authority (*walāyah*) of the Faqih continue after his death?

A2. The authority of the Faqih is limited by the living state of the Faqih, for this is the extent of certainty [obtained] from the evidences of the *walāyah*.

Who is the Moqallid?

The *moqallid* is the sane, adolescent mokallaf whether man or woman.

For the male, adolescence is established through one of three signs:

1. The growing of rough hair under the armpits and the pubic hair. The soft hair is not applicable.
2. Ejaculation, in that the phenomenon of semen ejaculation begins to take place; whether during sleep or when awake, willingly or unwillingly.
3. The completion of fifteen lunar years.

As for the female, the establishment of adolescence is limited to the completion of nine lunar years.

Means of obtaining the Mujtahid's views

It is mandatory upon the *mokallaf moqallid* to learn the issues that he would often need to know them, and to obtain the fatwa of the Mujtahid and his judgements on those issues. The fatwa and judgement may be obtained through one of the following four:

1. Hearing the fatwa or judgement from the Mujtahid directly.
2. Hearing them from two just individuals.
3. Hearing them from one whose word is trusted and his conveying may be relied upon.
4. If the fatwa and judgements are available in his *Risālah al-‘Amaliyyah*, provided one is sure of the authenticity of the *Risālah* and accuracy of what is given in it.

Miscellaneous Queries

Q1. Can modern communication means such as telephone and email be relied upon to obtain the fatwa of the Marje‘?

A1. Yes, if one can be assured of them.

Q2. Can the *fatāwā* that are given on internet websites be relied upon, and are they a reliable source that can be acted upon just like the *Risālah al-‘Amaliyyah*?

A2. Yes.

Q3. Is it considered as a reliable source if the fatwa is obtained via fax or email where it does not carry the seal of the Marje‘?

A3. Yes, with the provision of assurance of its issue from the office [of the Marje‘].

Q4. Is it permissible to do *moṣālahah* (settling khums matters) with the Marje‘ or with his representative via the telephone, fax, or email?

A4. Yes.

Q5. Is it permissible to act on your *fatāwā* or verdicts and judgements in your Jurisprudent books instead of taking them from your *Risālah al-*

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‘*Amaliyyah*? And is it sufficient/permissible to take your fatwa from [your] commentaries on ‘Orwatol-Wothqā?

A5. It is permissible to take the fatwa from the jurisprudence books if there was nothing in *al-Risālah al-‘Amaliyyah* and in *al-Istiftā’āt* that counters it. As for what is in the commentaries of the ‘Orwatol-Wothqā, it is permissible to act upon.

Q6. What is the meaning of the Absolute Representative, (*al-Wakeel al-Muṭlaq*) and what are the limits of his authority?

A6. This depends on the authorities the authoriser gives to the appointee.

Q7. Is it permissible to act according to *al-Risālah al-‘Amaliyyah* of other than one’s own Marje’ – deceased or alive – when one is not able to obtain that of his Marje’, and it is difficult to get to him?

A7. If it is not possible to reach the judgement of the Marje’, and it is not possible to postpone the issue, nor to act on iḥtiyāṭ, it would be permissible to act according to the *al-Risālah al-‘Amaliyyah* of another Mujtahid, and if this is not possible he may act according to the *al-Risālah al-‘Amaliyyah* of those of the past, may Allah bless them.

Ignorance of the ruling while in Taqleed

If there were a case that one did not know its ruling, he should refrain from acting on that matter, if the matter can wait, until he finds the fatwa of his Marje’. Alternatively he should discharge his duty through practicing Iḥtiyāṭ if he can do so.

Not in Taqleed

If the mokallaf discharged his duties without practicing taqleed for a period of time, his duties would be valid if they were in accordance with the fatwa of a Mujtahid that he should have followed, or if they were in accordance with the fatwa of a Mujtahid that he is currently obliged to follow. It is a mostahab precaution that they are in accordance with the fatwa of the current Mujtahid.

Difference between Fatwa and Iḥtiyāṭ

The *fatwa* or decree of a mujtahid is also expressed in other technical terms such as:

<i>wājib</i>	mandatory
<i>ḥarām</i>	prohibited
<i>al-aqwā</i>	strongly
<i>al-aqrab</i>	closely
<i>lā-yab‘od</i>	not distant
<i>al-dāhir</i>	evidently

On the other hand, the rulings on the basis of *iḥtiyāṭ* [or precaution] is expressed in terms such as:

<i>al-aḥwaṭ</i>	on the basis of precaution
<i>al-aḥwaṭ wujouban</i>	obligatory precaution
<i>maḥal ta‘ammol</i>	a point for reflection/deliberation
<i>maḥal ishkal</i>	problematic/difficult

If the *a‘lam* Mujtahid gives a fatwa concerning an issue, then it is not permissible for his moqallid to follow another Mujtahid on that matter, as per obligatory precaution. However, if he gives his judgement or ruling on the basis of precaution, then it is permissible for the moqallid to act according to the fatwa of another Mujtahid.

Switching and Opting out

There is no objection to *tab‘eed* or ‘opting out’¹⁴ whatsoever, provided the relevant criteria are observed – one of which is: the two mujtahids being equal in knowledge ability or *a‘lamiyyah*, etc. However, ‘*udool* or ‘switching’ from one mujtahid to another runs contrary to precaution, except [when one switches] to the *a‘lam*, in which case it is mandatory as per precaution.

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The term ‘contrary to precaution’ means ‘not permissible’ on the basis of precaution. If one switches [to another Mujtahid] knowing that switching is not permissible, he must return to the first one, and his past deeds are deemed correct.

It is not permissible to opt out in cases of matters that are subject to fatwa, [i.e. a fatwa has been given by the marje‘ on the matter concerned] except if the opting out is from the outset of the taqleed – while the criteria [for mujtahid] are met by the two mujtahids between whom opting out is exercised.

Miscellaneous queries

Q1. If your moqallid acted according to your fatwa, then wanted to switch to another fully qualified Mujtahid for this particular case for the purpose of easiness, is he allowed to do that?

A1. If ours was based on precaution, it is permissible.

Q2. A certain individual used to follow a fully qualified Marje‘, but as a result of political and publicity influence on him at the time, he switched to another Marje‘. Then after those circumstances faded away, he returned back the first Marje‘. Is there any problem regarding this matter?

A2. There is no problem with that.

Q3. Is it permissible to switch from the deceased *a‘lam* to a living one purely on the grounds of common acceptance amongst the people?

A3. Yes it is permissible to switch to the living.

When a Mujtahid Dies

If the Mujtahid that one follows dies, then one must either:

- Remain in the taqleed of the deceased Mujtahid for all his *fatāwā*, and that is with the permission of a living Mujtahid who allows remaining on the taqleed of the deceased. For new cases and developments, he must refer to this living Mujtahid,
- Or switch to a living Mujtahid.

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Miscellaneous queries

Q1. There are some followers (moqallids) of deceased Marāje‘ who have remained on the taqleed of the deceased without referring to a living Marje‘ to seek the permission for remaining on the taqleed of the deceased. This is of course until they investigate and identify a qualified living marje‘. What is the state of his acts and to whom should he pay his Khums?

A1. It is not permissible to remain on the taqleed of the deceased without following a living one on this case. So it is obligatory for one whose Mujtahid has died to follow a living Mujtahid on the permission of remaining on the taqleed of the deceased. Furthermore, it is obligatory for such individuals to pay the Khums to the living Mujtahid who is fully qualified.

Q2. There is an individual who used to follow one of the Marāje‘ – may Allah protect them – and then that Marje‘ passed away, and the individual remained on the taqleed of the deceased Marje‘ for a while, through the permission of a living Marje‘. Is it preferable for such an individual to switch to a living Marje‘, or one who is more knowledgeable?

A2. It is permissible to remain on the taqleed of the deceased, through the permission of a living one, and it is permissible to refer to a living one, and on the basis of an obligatory precaution he should be *a‘lam*, most knowledgeable. The *a‘lam* is identified with the aid of the expert.

Q3. You have mentioned in your Risālah al-‘Amaliyyah that it is not permissible to begin with the taqleed of the deceased. What is the reason for this?

A3. The reason for this is the evidence to this effect, that one should begin the taqleed of a living mujtahid not a deceased one.

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Chapter Two: Ṭahārah

Section One – The Unclean

Najāsāt or the inherently najis things are as follows:

1. Categories of Najāsāt

a) Urine & faeces

The urine and faeces from every human being is najis, and so too is that from every ḥarām-meat animal whose blood gushes out when slaughtered. However, the excreta from ḥarām-meat animal that does not have gushing blood when slaughtered, or that that has no meat such as insects, or from ḥalāl-meant animal is ṭāhir.

It is mostaḥab to keep away from droppings of ḥarām-meat birds, especially from bat's droppings and urine.

The excreta of *jallāl* animal¹⁵ are najis, and so too those of the animal that has been defiled by a human, or those of the lamb that was nursed or fed from pig milk until its body flesh took form.

b) Semen

Human semen is najis, and so too is that of the animal that has gushing blood when slaughtered.

c) Carcass

The carcass of an animal whose blood forcefully gushes out when slaughtered is najis regardless of whether the animal died a natural death or was slaughtered in a non-shari'ah way. However, the carcass of fish, which has no gushing blood, is ṭāhir even if it dies in water.

The parts of the animal that have no life such as wool, hair, bone, and teeth are all ṭāhir except those of land dog and pig.

If a piece of living tissue, flesh or limb is detached or cut by someone from the body of a living human being or from a living animal that has gushing blood [when slaughtered], that piece is najis.

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d) Blood

Human blood is najis, and so too is that of every animal that has gushing blood when slaughtered. However, an animal that has no gushing blood such as fish and mosquito, or the animal that is not certain whether it has gushing blood or not such snake, is ṭāhir.

If a ḥalāl-meat animal is slaughtered according to the shari‘ah and the usual amount of blood leaves the animal as per normal, then the remaining blood in carcass is deemed ṭāhir.

Miscellaneous queries

The blood in the egg

If the amount of blood in the egg is small, and the membrane that is on it is not pierced, then if the blood is removed such that it does not mix with the egg, then the egg is ṭāhir.

The clotted blood under the fingernail

The blood that is clotted under the fingernail or the skin as a result of blow, if it becomes such that it is not called blood then it is ṭāhir, and if it is said that it is blood then it is najis. And if it is not known whether it is the blood that became clotted under the skin or the fingernail, or it is the flesh came into that state as a result of that blow, then it is [considered] ṭāhir.

Blood falling into boiling water

If a drop of blood falls into food [that is being cooked] – while it is boiling – the entire food becomes najis, as well as the containing pan; for boiling, heat, and fire are not purifiers.

The yellow sweat around the wound

The yellow sweat that appears around a wound and above it, and occasionally forms a hard black layer on top of a wound when recovering, if it is not known that it mixed with blood, then it is ṭāhir. And so too if it were known to have mixed with blood, but has been transformed into skin.

e) Dog and Pig

Land dogs and pigs are najis, even their hair, bones, paws, and the moisture from them. However, sea dogs and pigs are ṭāhir.

f) The Unbeliever

The unbeliever (Kāfir) is najis. The unbeliever is he who denies the existence of God, or associates a partner for Him, or denies the prophethood of the Seal of the Prophets Muhammad peace be upon him and his pure family. Furthermore [an unbeliever is] anyone who denies any one of indispensable aspects of the religion such as the [obligatory] prayers and fasting, which the Muslims consider as part of the religion, provided that he knows these are indispensable aspects of the religion, and provided that his denial leads to the denial of the prophet. This is also applicable if one denies the resurrection and the great sins such as adultery and drinking of wine. All of the Kāfir's body is najis, including hair, fingernail, and moisture, on the basis of an obligatory precaution.

The child of Kāfir and Muslim

If the father of the non-adolescent child, and his grandfather, mother and grandmother were all unbelievers, then the child would follow them in being najis too. However, if one of them were Muslims, the child would follow that Muslim and is ṭāhir.

The opponent and the blasphemer against the Ahl al-Bayt

If any of the Muslims blasphemed against the Noble Prophet peace be upon him and his family, or Fatima al-Zahrā' peace be upon her, or one of the 12 Imams peace be upon them, or showed animosity towards them, he would be najis.

g) Wine

Wine and every intoxicant that is originally liquid is najis, and if it is originally non-liquid such as anaesthetic and hashish, then it is ḥarām but it is not najis, even if something is added to it to make it liquid.

Miscellany

Industrial Spirit

The spirit/thinner that is used in paint for painting the doors, tables, chairs, etc. is *ḥāhir* if it is not intoxicant.

Boiled Grape, Date, Raisins, Sultana

If grape or its juice came to boil on its own, then its consumption is *ḥarām* but it is *ḥāhir*. The same applies if it was boiled by cooking. If dates, raisins, apricot, or juice were boiled, their consumption is *ḥalāl*.

h) Beer

Fuqqā' or Beer, the drink that is made from fermenting barley, is *najis*. However, the barley drink that is prepared according to physicians' prescription and is used as a treatment, and is called under the name *Mā' al-Sha'eer* (Barley drink) is *ḥāhir*.

i) Jallāl Animal Sweat

On the basis of obligatory precaution, the sweat of the *jallāl* camel and any other such animal should be avoided. The *jallāl* animal is that which has got used to consuming human faeces.

2. Identification of Najāsah

The occurrence of *najāsah* is identified in one of three ways:

- a) That one is certain something is *najis*. However, if one suspects something is *najis*, one is not bound to refrain from it.
- b) That a person who is in possession of something *najis* or who is handling it notifies and asserts that it is *najis*. So if someone said the platter or the thing that is in his/her hand is *najis*, then one must refrain from it. This is called assertion by he who is in possession.
- c) That two just men notify that something is *najis*. So too if only one just person notifies that something is *najis*, and one is confident of his word, then one must refrain from that thing.

Miscellany queries

Doubt about ṭahārah

A najis object that is doubted whether it has become ṭāhir or not, is najis. The ṭāhir article that is doubted whether it has become najis or not, is ṭāhir. If it is possible to establish whether it is ṭāhir or najis, it is not binding for him to investigate.

One of two is known to be najis

If one realised that one of two platters or items of clothing became najis, both of which he was using, and he does not know which one of the two became najis, it is obligatory for him to refrain from both. However, if he does not know whether it was his garment that became najis or another that he never uses – for it belongs to another person – then it is not mandatory for him to refrain from his garment.

How ṭāhir things become najis

If the najis object came in contact with a ṭāhir object, and both, or one of them were moist such that the moisture of one could seep to the other, the ṭāhir thing would become najis. However if the moisture was too little such that it could not seep through to the other, the ṭāhir object would not become najis.

a) Earth and textile

If earth, textile and suchlike were wet and came in contact with a najis object, or if they were dry and a wet najis object came in contact with them, the place of contact becomes najis, and the rest remains ṭāhir.

b) Oil and Syrup

Oil, syrup, and suchlike – that if an amount of it were removed from it, the vacant place would fill in immediately – would become najis in its entirety as soon as najāsah comes in contact with it at any point. However, if it were such that the vacant place would not fill in immediately when an amount of it were removed from it, only the area of contact would become najis, as the vacant place would fill in sometime later. So for example, if a mouse dropping fell in such

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substance, the area of contact with the dropping would become najis and the rest would be ṭāhir.

c) Mucus

If the mucus emitted from nose and throat contained blood, the area containing the blood would be najis and the rest would ṭāhir.

d) Insertion into the body

If something inserted into the body contacted najāsah, if after retracting it from the body it was not polluted with najāsah it is considered ṭāhir. For example, if the tool of enema was inserted into the rectum, or if a needle, knife and suchlike were inserted into the body, and after retracting them from the body if they were not polluted with najāsah, then they would not be najis. The same is applicable with saliva and mucus if they came in contact with blood in the mouth or in the nose and on spitting out or emission they were not polluted by blood.

3. Some of the Rulings of Najāsah

A) On the Prohibition of Defiling the Qur'an

1. It is ḥarām to defile – to make najis – the script or any writing of the Noble Qur'an. It would be obligatory to immediately remove the najāsah from it if it were defiled. It is prohibited to give the Noble Qur'an to the kāfir if that constituted a slur to the Qur'an, and it is obligatory to take from him.
2. If a piece of a page of the Qur'an or anything else that warrants reverence, such as a piece of paper on which the name of Allah, or the Prophet, or the Imam is written falls in the toilet, it would be obligatory to recover it purify it, even at a cost. If it were not possible to recover it, on the basis of an obligatory precaution, one should abstain from going to that toilet until one is confident of the annihilation of that piece of paper.

The same is applicable if some of the Earth of the site of Imam Husayn (The Husayni torbah) fell in the toilet, and was impossible to recover it, it would be obligatory to refrain from using that toilet until the annihilation of the torbah.

B) Prohibition of Eating Najis Thing

It is prohibited to eat or drink something [inherently] najis, or [something that] has become najis, such as water that has become najis. Similarly it is prohibited to give such a thing to someone else [to eat or drink] even to children if it were the [inherently] najis thing only. But if the child ate something [that is not inherently najis] but has become najis on its own, and this does not constitute harm to the child, it would not be obligatory to stop him.

1. If the mokallaf saw a person eating something that is najis or is praying in najis clothing, it is not mandatory for him to notify the other person.
2. If during eating the food, the host realised the food is najis, it is obligatory for him to notify the guests. However, if one of the guests learns of this, it is not obligatory for him to notify others.

C) Accepting the word of a young person on ṭahārah

If a young person who is near the age of adolescence says he has made something ṭāhir, and his word was reassuring, his word is accepted. The same is applicable if he notified something to be najis, and his word was reassuring.

D) Using Parts of Najis Animal

It is not permissible to use parts of najis animals such as pig for eating and drinking, but for other applications such as treating the sick, etc. there is no objection, and one must make oneself ṭāhir from them for prayers.

E) If wine were not intoxicating

If it were speculated that wine does not intoxicate in outer space or on a particular planet, does it remain prohibited? As for it being najis, if it is said that [the najāsah] follows, or is because of, the intoxication, then it is not [najis] in the absence of intoxication. And if we said that it [being najis] is independent [of intoxication] then the prohibition is due to it being najis. . . which is the same as those who say wine is ṭāhir.

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However, the evidences point to the obligation of absolute abstention from liquor/wine (*khamr*), even if does not intoxicate, given the unqualified nature of the proofs and evidences. Also it is obligatory to abstain even if it does not intoxicate a particular person for whatever reason.

F) Space Intoxicants

If as a result of being in space or on some particular planets a non-intoxicant liquid develops intoxicating qualities, it would be ḥarām to drink, for “every intoxicant is ḥarām”. On the other hand, if the intoxicating quality of an intoxicant ceases to exist because of it being in space or on some planets, and we have considered it to be ḥarām to drink, evidently it would not be prohibited to use [say as sterilising disinfectant] for it is not intoxicant. The evidence points to the prohibition of the use of an intoxicant.

G) Injection an inherently-najis blood

If the blood of an inherently najis animal were injected into a ṭāhir animal, such as the injection of the blood of a dog into a sheep, if it [the injected blood] becomes part of the animal such that it would be said it is the sheep’s blood, then it is ṭāhir, after the normal amount of it has left [the body] through slaughtering. If the ṭāhir blood was injected into an animal that is inherently najis such as a dog, or into a najis-blood [being] such a human being, the blood would become najis as soon as contact is made in the case of the former, and as for the latter case, if we accept that the blood is ṭāhir when in the veins – since it is said that so long as blood does not leave the body is not najis – if [injected] blood becomes part of the human body it would be considered as ṭāhir so long as it is within the veins, otherwise it is najis.

H) Blood colour change and transformation

If blood was treated so that it turned white coloured, if [as a result] it departed from its actual characteristics, then it is, evidently, ṭāhir for this is an example of *istiḥālah* or transformation. And if it does not depart

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from its actual characteristics, it remains najis, for the changing of its colour alone is not one of the purifying factors.

If it were supposed possible to change blood into milk, then it would be ḥalāl and ṭāhir, and it is the same whether it is inside the body or outside, for it is an example of the transformation of wine into vinegar.

D) Urine alteration

If one had an illness or took such medication that made his urine pure water, in which there was no reality of urine at all, evidently that would be ṭāhir, for the criterion is not the secretion from a particular part but rather the fact that it is considered urine as commonly accepted. If it were presupposed that the water that is drunk is secreted from the urinating part without any change, and by common acceptance it is not recognised as urine, then there is no grounds to rule it as being najis.

Section Two – The Purifiers or Moṭahhirāt

1. Categories of Moṭahhirāt

The Purifiers or Moṭahhirāt, which purify or make ṭāhir the najis things are 12. [They are

1. Water
2. Earth
3. Sun
4. Transformation
5. Elimination / Evaporation of two-third of grape juice
6. Transferring
7. Islam
8. Ensuing
9. Eradication of the najāsah itself
10. The purification of the Jallāl animal
11. The absence of the Muslim
12. The emission of the normally accepted amount of blood from the animal (when slaughtered).]

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1. Water

Categories of Water

Water is classified as either *moṭṭlaq* (intrinsic, innate, pure or natural) or *muḍāf* (mixed or added to). The *muḍāf* is referred to [liquids such as] juice extracted from fruit or rosewater, or if it were mixed with something like the water that is mixed with earth/mud etc. such that it is not called water. The *moṭṭlaq* water is other than *muḍāf*.

[*Muḍāf* water does not render *ṭāhir* anything that is *najis* and it is not valid to take ritual bath (*ghusl*) or to perform ablutions (*wuḍu'*) with it.]

Classifications of *moṭṭlaq* water

[There are five kinds of it: (i) *kurr* water, (ii) 'little' water, (iii) running water, (iv) rain water, (v) well water.]

i) *Kurr* water

Kurr is a volume of 3 span long by 3 span wide by 3 span deep, and thus the *Kurr* water is the water volume of 27 cubic span.¹⁶

1. The *Kurr* water is not made *najis* when contact is made with blood, urine or with anything *najis*, or an object that has become *najis*, such a garment that has become *najis*, except if [the water] changes and acquires the colour, or smell, or taste of the *najāsah*, but it does not become *najis* if it does not change.
2. If something that has become *najis* is washed under tap water that is connected to the *Kurr*, the water falling from the *najis* article is *ṭāhir* if were connected to the *Kurr* and has not acquired the colour, or taste, or smell of the *najāsah*, and the *najāsah* itself is not in it.

Kurr Water Proofs

1. that one satisfies himself that water is *Kurr*,
2. that one or two just men confirm to that,

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3. that one who is in charge of the water confirms that water is Kurr, for example one manages a public bath asserts that the water in the 'pool' is Kurr.

ii) 'Little' Water

'Little' Water is the water that does not gush out from the ground and is not of Kurr volume. If the Little water is poured on something najis, [the poured water] becomes najis, and so too if something najis comes in contact with it.

iii) Running Water

Running water is the water that torrents out of the earth and follows like spring water, rivers, streams, and canals.

Rulings of Running Water

1. If it is less than Kurr, and a najāsah contacted it, it would be ṭāhir so long as its colour, or taste, or smell does not change due to the najāsah.
2. If the najāsah reaches the running water and changes some of it, the amount that had its colour, or taste, or smell changed due to the najāsah would be najis.
3. The ruling of the torrent water that is not following but gushes out when some of it is taken has the ruling of the running water.
4. The stagnant water close to rivers, which is connected to running water is governed by running water rulings.
5. If tap water and shower water in bathrooms and other parts of the buildings are connected to Kurr, for example the main pipe network, then it is governed by running water rulings.

iv) Rain Water

Rain Water Rulings

1. If rain water falls on something najis that does not contain an intrinsically najis thing, the part the rain reaches is ṭāhir. It is

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not conditional that the garment, sheets, and suchlike are wringed, whether they are washed by rain water or other than that. It is not sufficient that the rain is only a few drops, but it is imperative that the rain should be such that it constitutes rain [proper in order for the najis object to become ṭāhir].

2. If rain drops fall on an intrinsically najis thing and some of them spatter to another place, those droplets splashed around are ṭāhir as long as they do not contain anything from the najāsah itself, nor have they acquired the colour, or smell, or taste of the najāsah.
3. Rainfall on the najis earth purifies it – i.e. renders it ṭāhir.
4. The najis dust, which turns into mud by rainfall, is rendered ṭāhir.
5. If rain falls on a ṭāhir textile sheet covering a najis earth and water flows on the surface of the earth, the najis earth would turn ṭāhir and the sheet would not become najis.

v) Well Water

Well water that comes out of the earth is ṭāhir even if it is less than Kurr, so long as its colour, or smell, or taste do not change through najāsah. If najāsah is poured into the well, and its colour, or smell, or taste changes, then the amount of water that has undergone changes becomes najis. If those changes vanish, then the water would be ṭāhir. However, as a mostahab precaution, [it is better] that the [existing] water mixes with new water that gushes from the well.

Criteria for water to purify najis things

1. That water is moṭlaq (i.e. pure). Muḍāf water such as rosewater does not purify najis things [i.e. does not render them ṭāhir].
2. That the water itself is ṭāhir.

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3. That the water does not become muḍāf when washing the najis article, and that it does not acquire the colour of the najāsah, nor its taste, or its smell.
4. There remains no trace of the najāsah itself after the purification process.

The Rulings of purification with Water

1. Najis utensil

When using Little water to render a najis utensil ṭāhir, it is imperative to wash it three times – as a precaution – while it is sufficient to wash it once with Kurr water.

The utensil that a dog lapped in and drank water or any other liquid from, or licked by its tongue, should be scrubbed with ṭāhir soil first, and then rendered ṭāhir in the Kurr or running water once, or with Little water twice. As an obligatory precaution, the same should be done if dog's saliva falls in a utensil.

2. The utensil used by a pig

The utensil that a pig lapped in and drank a liquid from, or that in which a rat dies must be washed seven times if using Little water, and once would be sufficient if using Kurr. It is not imperative to scrub it with soil, although, as a mostahab precaution, it should also be scrubbed with soil.

3. Najis clay

Vessels and utensils made of najis clay, or those into which najis water has penetrated, if immersed in Kurr or running water such that water reaches all its parts would become ṭāhir, and if it was intended to render ṭāhir its inside, then it should be left or soaked in the Kurr or running water for a while so that water would penetrate into all of its body.

4. Ways of rendering utensils ṭāhir

Najis utensils may be rendered ṭāhir with Little water in two ways:

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1. To fill up the utensil with water and then empty it. This process should be repeated three times.
2. To pour some water in the utensil, and move the water around to all its parts with hand or something else, or shake the water such that water reaches all najis parts, and then poured out. This process should be repeated three times.

Using kurr water

The najis article, whether it is a utensil or anything else, and whether it became najis with urine or anything else, becomes ṭāhir as soon as it is immersed in Kurr water, or it is engulfed, once, by tap water that is connected to Kurr water, after the najāsah itself is removed from it, and water reaches all najis parts. It is not necessary to wring the garment or the sheet of clothing, etc. although it is as per mostahab precaution.

5. Rendering ṭāhir that made najis by urine or other things

If something is rendered najis by something other than urine, it becomes ṭāhir by first removing the najāsah itself and then pouring water on it once allowing the water to run off the item being washed. It also will be rendered ṭāhir if the najāsah itself is removed in the course of the first wash, and after the elimination of the najāsah water is poured on it for a second time. In the same way, something that has become najis by the urine of an infant who has not started taking solid food, it is sufficient to pour water on it once, twice as a precaution. As for the item that has been rendered najis by urine, it is mandatory for it to be washed twice.

6. Rendering ṭāhir Wheat, Rice, and Soap

If the surface of wheat, rice or soap and such like becomes najis, by immersing it in Kurr or running water it becomes ṭāhir. It is also rendered ṭāhir if Little water is poured on it once, and the water runs off it. If the interior of such items had become najis, they must be put in a piece of cloth and placed in Kurr or running water until water penetrates the interior, and so the interior would be rendered ṭāhir.

7. Remaining colour, taste, or smell of the najāsah

Anything that has become najis is not rendered ṭāhir except after the removal of the najāsah itself. However there is no objection if the colour, taste, or smell of the najāsah remains on the article. For example, if the blood is removed from [bloodstain on] a garment and it is rendered ṭāhir, but the colour of blood remained on the garment, the latter is ṭāhir. However, if from the colour or smell particles of the najāsah were identified on the object, or one doubts that they are still present, [the object] is najis.

8. Rendering meat/fat ṭāhir

Meat and fat that have become najis may be rendered ṭāhir like other things, and so too if the body or the clothing were slightly greasy such that it does not prevent water from reaching them.

9. Doubt about something being ṭāhir

If one washes something that has become najis, and is certain of rendering it ṭāhir, but later doubts as to whether or not the najāsah itself was removed, the object is ṭāhir, even if during the wash one was not attentive that the najāsah itself was removed.

10. Rendering a covered floor ṭāhir

If the floor that is covered with rocks or bricks, and the floor that is [of] hard [substance] such that water does not seep in become najis, they may be rendered ṭāhir with ‘little’ water. Water must be poured on them such that the water flows on them [the floors] and if the poured water seeped into the ground, the najis floors become ṭāhir. However, if the washing water does not drain away, the locality where the washing water gathers remains najis. To render it ṭāhir, a small hole in the ground must be dug for the washing water to collect, and then it should be removed [from there] and the whole fill up with ṭāhir soil. Alternatively, the [washing] water may be collected by a piece of cloth, and then [some more] water is poured on the floor and collected again by another piece of cloth.

2. Earth

a) Criteria for Purification by Earth

The earth renders ṭāhir the najis soles of feet and shoes with the provision of three conditions:

- i) that the earth is ṭāhir,
- ii) that the earth is dry,
- iii) that the intrinsic najāsah (such as blood or urine), or the article that has become najis (the najis mud stuck to the sole of the foot or shoe) is eradicated as a result of walking on earth or scraping on it. In purification by earth, it is imperative that the earth is soil, rock, and suchlike; for the najis sole of the foot or shoe will not render ṭāhir by walking on carpet, straw mat, grass, or other vegetation growths. As for brick, chalk, cement made from pebbles, they have the same ruling as the earth, i.e. they render najis things ṭāhir [if walked upon].

b) Rulings of Purification by Earth

i) Wooden Floor

It is unlikely that the najis sole of the foot or shoe becomes ṭāhir by walking on wooden floor. However, walking on asphalt covered floor renders ṭāhir a najis sole.

ii) The amount of walking that attains purification

To render the sole of the foot or shoe ṭāhir, it is recommended/preferred that one walks on earth for fifteen strides or more, even though the najāsah itself would be eradicated with less than that. In order to render it ṭāhir, it is not necessary for the najis sole of the foot or shoe be moist, for it becomes ṭāhir even if it is dry.

iii) Crawling

One who moves on the hands and knees, if the sole of his hands or knees became najis, they would render ṭāhir by crawling on them. As for the end of a [walking] stick, or the bottom of artificial legs, animals

shoe/hoof, wheels of vehicles, and the likes are evidently rendered ṭāhir by movement on earth.

iv) Remaining Smell or Colour

If after walking on earth, the smell of the najāsah or its colour, or particles that cannot be seen by the naked eye remain on the sole of the foot or shoe, there is no objection to that, although it is preferred that one walks [further] until these are eliminated too.

3. The Sun

Conditions of Purification by the Sun

The sun renders the earth, buildings, and such things as doors, windows, etc. that are used in the buildings ṭāhir if they become najis. Similarly for a nail that is fixed on the wall. This is with the provision of five conditions:

- i) that the najis object is moist or wet such that if something touches it, its moisture would seep to it. If it were dry, it should be made wet so that the sun would dry it up,
- ii) that the intrinsic najāsah vanishes from it [the najis object] before the sun shines on it, [for the sun does not render ṭāhir the najāsah itself, only the thing that has been rendered najis through contact with a najāsah is rendered ṭāhir with sunshine].
- iii) that nothing blocks the sunshine, for [the najis object] will not become ṭāhir if the sun shines through a covering or from behind the clouds, etc. and dries it up. However, if the clouds or the covering were thin such that they do not block the sunshine, then there is no objection to that, [i.e. the najis article is rendered ṭāhir.]
- iv) That the sun alone dries up the najis object, for it will not become ṭāhir if the wind helps it dry. However, there is no objection if the wind were too light such that it would not be said the wind together with the sun dried it up.

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- v) that the sun dries up the part of a building into which najāsah has seeped in one go (i.e. in one course of shining). If the sun shines on the najis earth or building and dries up the surface, and then shines a second time and dries up their inner parts, [then] the surfaces are rendered ṭāhir but their interiors remain najis.

4. Transformation

If a najis thing were transformed into another ṭāhir thing then it is considered ṭāhir. The process of undergoing such a transformation is referred to as Istihālah. For example the najis wood when it turns into ash [through burning]. Or when a [dead] dog submerges into a salt marsh and is transformed into salt. However, if the essence or nature of the najis article does not change it does not become ṭāhir. For example when wheat is ground into flour or baked as bread.

If wine turns into vinegar on its own accord or through a treatment, such as adding vinegar or salt into it, it becomes ṭāhir.

5. Reduction of grape juice by two thirds

Grape juice is not rendered najis if boiled by fire, but it would be ḥarām to consume. However, if it were boiled until two thirds of it was evaporated, it would then be ḥalāl to consume. If it came to boil on its own accord it would not be ḥalāl [to consume] unless it turns into vinegar.

Rulings of reduction of grape juice by two-thirds

1. the grape juice that is not known whether or not it has boiled is ḥalāl and ṭāhir, but if it were boiled by fire, it would not be permissible to consume so long as it is not certain that it has been reduced by two thirds. On the other hand if it came to boil on its own accord, it would not be permissible to consume so long as it is not certain that it has turned into vinegar.
2. if in a cluster of sour (unripe) grapes there were one or two grains of ripe grape, and if the juice of that cluster is referred to

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as sour grape juice and there is not trace of the sweetness of the grape juice in it, then if this were boiled it would be ṭāhir and its consumption permissible.

3. If a grain of grape fell into something being boiled by fire, and the grain boiled with it, and it [the grain] was transformed (istiḥālah), it would not be mandatory to refrain from it.
4. If it is not known whether it was sour grape or [normal] grape, it would not be najis by boiling.

6. Transferring

- i) the human blood, or that of an animal whose blood gushes out when slaughtered, when transferred to or transplanted into an animal that does not have gushing blood, is rendered ṭāhir provided that it is considered as the blood of the recipient animal. This is known as intiqāl or transfer (transplant). So the human blood sucked by an insect, which is not considered as the insect blood but rather as human blood, is najis.
- ii) if one kills a mosquito that sat on his body and does not know whether the blood that came out of it is that it sucked from him or its own, it would be ṭāhir. Similarly if one knows that the blood is that that it had sucked from him but it has become part of its body. However, if the period between the time the blood was sucked and the killing was very short such that it would be said, this is still human blood, or if one did not know whether it would be called human blood or insect blood, it would be najis, as per precaution.

7. Islam

1. If a kāfir – or an unbeliever – declares the two testimonies, i.e. says “I testify that there is not god but Allah and that Muhammad is the messenger of Allah”, he becomes a Muslim, and so after embracing Islam his body, saliva, mucus, and sweat becomes ṭāhir. However, if an intrinsically najis thing was on his body when became Muslim, it is mandatory for him to

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remove it and wash its location. If the najis article was removed before his Islam, as per mostaḥab precaution, he should render ṭāhir its location.

2. If an unbeliever utters the two testimonies of faith, but one does not know if Islam has entered his heart or not, he is ṭāhir. However if one knows that he did not embrace by heart in that he did not submit to [the teachings of] Islam, but rather declared Islam on his tongue, he is najis. However, the hypocrite who has not embraced Islam by heart, but submits to Islam is ṭāhir.

8. Consequence

‘Consequence’ is [in reference to a process] when a najis object becomes ṭāhir as a result of, or in consequence to another najis article becoming ṭāhir. As an example, a non-adolescent child of the unbelievers is rendered ṭāhir when one of his parents or grandparents embraces Islam. [i.e. the child is rendered ṭāhir ‘as a result of’ or ‘in consequence to’ one of his parents or grandparents embracing Islam.]

i) Wine turns vinegar

If wine turns into vinegar, container is rendered ṭāhir, as a consequence to it, up to the level the wine reached while boiling. The lid or textile cover that is normally placed on the container is also rendered ṭāhir, if wetted by the same moisture.

ii) The plank and the washer’s hand

The wooden plank or the slab of stone upon which the dead is placed for the ritual washing (*ghusl*), the cloth that covers the deceased’s private parts, and the hands of the person performing the wash are rendered ṭāhir when the *ghusl* is complete.

iii) Separation of washing water

The small amount of water that remains in a container that was najis and is rendered ṭāhir with Little water – after the washing water is allowed to run off the container – is ṭāhir.

9. The disappearance of the intrinsic najāsah itself

i) Body of the animal

The body of the animal is rendered ṭāhir through the disappearance of the najis thing from it. So if it were rendered najis by an intrinsically najis thing such as blood, or by something that had become najis, such as najis water, and the intrinsically najis thing, or that that had become najis vanishes from it, it would become ṭāhir. In the same way the interior of the human body, such as the inside of the nose or mouth, is rendered ṭāhir through the disappearance of the intrinsic najāsah from them. If bleeding occurs between the teeth and the blood disappears or fades away in the mouth's saliva, it would not be binding to wash the inside of the mouth – and the same is applicable for artificial teeth – although it is preferred (*mostahab*) to do so.

ii) Blood inside the mouth

If bleeding takes place inside the mouth, and there were remnants of food between one's teeth, these remnants are ṭāhir.

iii) Najis dust or soil

If najis dust or soil settles on garment, clothing, sheets, etc. it does not render the object najis, for by shaking or jerking the item the najis dust will be removed from it and it would be ṭāhir.

10. Istibrā'

Istibrā' is purification of an animal that feeds on faeces. The urine, dung, and any sweat of a Jallāl animal – that is an animal that is habituated on feeding human faeces – are najis, and if it were to be rendered ṭāhir, it must be put through the Istibrā' process, in that the animal is confined and prevented from feeding on faeces and made to

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feed on ṭāhir food for a period of time such that it is no longer considered to be a Jallāl animal.

On the basis of mostahab precaution, a camel should be confined for forty days, a cow for thirty days, a sheep for ten days, a duck for seven days, and a domestic chicken for three. They should be prevented from feeding on najāsah, and given ṭāhir food during this period. If after this period, the animal was still considered to be a Jallāl animal, it should be confined for another period so that it would not be considered to be Jallāl.

11. Absence of a Muslim

a) Criteria for a Muslim's belongings being ṭāhir in his absence

If the body of a Muslim was rendered najis, or his clothes, or anything else of his belongings such as utensils, beddings, and suchlike that are at his disposal, and then that Muslim leaves [the scene], those items are deemed ṭāhir if six criteria are met:

1. That the Muslim considers as najis the thing that rendered najis his body, clothes, etc. Hence for example, if some wine poured on his clothes, or his body, and he does not consider wine as najis, then his departure does not render it ṭāhir.
2. That the Muslim knows that the najāsah has reached his body or clothes, etc.
3. That the Muslim is seen using those things in matters that require them to be ṭāhir, for example, seeing him praying in that najis garment.
4. That the Muslim is aware of the requirement of it being ṭāhir for that function, for example if one does not know that it is mandatory for the clothes of the one performing the prayers to be ṭāhir, and he performs prayers in the najis garment, it is not permissible to consider that garment ṭāhir through his absence.
5. That one gives the probability that that Muslim has rendered the najis item ṭāhir. Furthermore, if in the opinion of that Muslim

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there is no difference between ṭāhir and najis, then to consider that item to be ṭāhir through his absence is not valid, [i.e. that item is not ṭāhir as per obligatory precaution].

6. That the Muslim has reached the adolescence age, as per an obligatory precaution.

b) Rendering ṭāhir by proxy

If one assigns someone else to render ṭāhir his garment, and the latter says, “I have rendered the garment ṭāhir”, then the garment is ṭāhir.

c) For the Fastidious

If one is “over-particular” and “excessively fastidious” about rendering something ṭāhir, and is never satisfied that he has done so, for such a person it is sufficient if he suspects that something has been rendered ṭāhir.

12. Emission of normal amount of blood from animal

If the ḥalāl-meat animal is slaughtered according the shari‘ah method and the normal amount of blood leaves the body, the remaining blood in the body of the animal is ṭāhir.

Miscellaneous Queries

a) On the rulings of najāsah

1. Conduction of najāsah from bottom up

Q: If there were moisture on the wall, and najis moisture met the wall at a lower place of the wall, would the wall become najis?

A: The upper [part] is not rendered najis by the lower.

2. Sweat of jonob from ḥarām

Q: Is the sweat of a jonob [person who is in a state of janābah] of a ḥarām act ṭāhir or not?

A: The sweat of a jonob from ḥarām is not najis, although practicing iḥtiyāṭ (i.e. treating it as najis) is preferable, regardless of whether the

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sweat was perspired during intercourse or after it, the person was man or woman, if this were through *zina*, or anal intercourse, or that with an animal, or through masturbation.

3. Vapour from an intrinsically najis thing

Q: The vapour or steam from an intrinsically najis thing such as urine or the garment that has become najis, which may form into drops on the wall or glass, is it najis?

A: [It is] ṭāhir.

4. Public washing machines

Q: There are public washing machines, where everyone uses them to wash their clothes. Are these washing machines ṭāhir? i.e. is it binding to render ṭāhir clothes washed in those washing machines?

A: Everything is ṭāhir until you are certain of it being najis.

5. Public dryers

Q: Do the clothes that are dried in public dryers that various people use render najis?

A: Everything is ṭāhir until you definitively know it is najis.

6. Surgery tools

Q: When a surgeon inserts a surgery tool in the human body, where it meets the najāsah inside the body, but when withdrawn there is not evidence of najāsah on it, is the tool considered ṭāhir?

A: The tool is considered ṭāhir.

b) Blood

1. Blood of Insects (mosquito & flea)

Q: What is the ruling concerning the blood that a mosquito/flea sucks from the body?

A: If it enters its body and is considered to have become part of its blood, it is ṭāhir.

2. Separated blood constituents

Q: In laboratories blood constituents are separated from each other. When are the constituents said to be ṭāhir?

A: When transformation (istiḥālah) has occurred.

3. Caesarean blood

Q: Is the blood of a caesarean operation, where the abdomen is cut open to facilitate childbirth, considered nifās?

A: Vaginal bleeding is considered nifās, other [bleeding] is not.

c) Dead skin

1. Dried lips skin

Q: What is the ruling of the thin skin of the lips and of other body parts that fall off?

A: They are ṭāhir, even if they were peeled off, although as a mostahab precaution they should be avoided if they were peeled off before they were due to fall off.

2. Imported leather

Q: What is the ruling on the leather imported from non-Muslim countries of animals whose meat is not normally eaten such as fox, lion, and suchlike?

A: It is najis, if the animal is of gushing blood.

d) Wine

1. Perfume alcohol

Q: Is the alcohol used in perfumes najis?

A: In principle it is ṭāhir.

2. Distilled industrial alcohol

Q: It is said that industrial alcohol is derived from intoxicating alcohol in that it is steamed and distilled and in this way it turns into deadly poison not suitable for drinking. Is this considered najis?

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A: It is considered ṭāhir.

e) Menstruation

1. Entering holy places

Q: Is it permissible for a woman who is going through her menstruation period to enter the arcades of the holy shrines of the Ma‘ṣoomeen?

A: Yes, but without entering the shrines themselves.

2. Manipulation of occurrence of menstruation

Q: Is it permissible for a woman to use such pills to cause menstruation so that she is not required to perform the daily prayers, fasting, etc.? Also is it permissible to use such medications to prevent the occurrence of menstruation so that she is able to perform the prayers, fasting, and suchlike?

A: Yes.

f) Non-believer

1. Foreigners in Muslim countries and Muslims in foreign countries

Q: Is it permissible to treat workers, who come from countries such as India to Muslim countries, as ṭāhir and marry from them when it is not known whether they are Muslim or kāfir? What about the workers from western countries (when in doubt as to whether or not one is Muslim)?

A: Given the above assumption, they should be treated as non-Muslim [from the ṭahārah point of view, i.e. observing the ṭahārah issues and avoiding the najāsah in every aspect]. On the other hand, people from Muslim countries who live in non-Muslim countries are treated as Muslims, by association.

2. Muslim and non-Muslim integration in foreign countries

Q: In Muslim and non-Muslim mixing in their countries, it becomes difficult to avoid contact – in terms of observing the ṭāhir and najis aspects – to the extent it sometimes proves awkward, or this may even

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lead to misunderstanding and discomfort. What is the ruling of observing these concepts in this light?

A: the need for abstention is excused, and in order to [be able to] perform the prayers; the najis parts must be washed.

3. Non-Muslims entering the mosques

Q: Is it imperative to prevent non-Muslims – people of the book or others – from entering the mosques? And what is the ruling if this is for the purpose of learning about Islam and perhaps accepting Islam?

A: Yes it is obligatory, but if it is for a more important matter, then there is no objection [to it].

4. Moisture

Q: What is the ruling of the moisture that is transferred from a non-Muslim to the items they handle such as milk cartons and suchlike, considering the awkwardness that this causes if they were to be prevented from touching the items?

A: the moisture is najis, and awkwardness and difficulty is evaluated on its own merit.

5. Christian or Buddhist servants

Q: Is it permissible for the servant to be Christian or Buddhist?

A: there is no objection to this provided the ṭāhir and najis aspects are observed.

6. Certainty about religion and adherence

Q: if one wishes to deal with foreign or non-Muslim people in matters that require one to be ṭāhir or Muslim, is it mandatory for one to ask about their religion?

A: if it is in a Muslim country there would be no need to ask, unless if one knows the individual to be from a non-Muslim country.

g) Purifiers (moṭahhirāt)

1. Street puddles

Q: Are the small puddles formed by rainwater in the roads ṭāhir or najis? This is specially when dogs and their faeces are often seen in them before and during the rainfall, and sometime they are not seen in them but it is known with certainty of being there previously.

A: if one does not know for certain, or if they [the puddles] were of Kurr quantity, or if contact is during the rainfall not after, then they are ṭāhir.

2. Rendering ṭāhir by walking on asphalt and wood

Q: is the sole of the foot or shoe rendered ṭāhir by walking on asphalt or on wooden floor? What is the limit for the sole of the foot or shoe being rendered ṭāhir?

A: it is not unlikely that the asphalt renders ṭāhir [a najis object], but it is unlikely that wood does so. It is recommended that one walks fifteen strides or more, even if the najāsah itself would with less than that. It is not necessary that the najis sole of the foot or shoe be wet, for it would be rendered ṭāhir if it were dry too.

3. Rendering large carpets ṭāhir

Q: how is a large carpet rendered ṭāhir?

A: using tap water. The najāsah itself must be eliminated, the locality that has become najis encircled or barricaded and then water that is connected to the tap poured on it once [such that water overcomes that area]. The [washing] water should then be collected, absorbed and removed with sponge, cloth or suchlike.

4. Seats in public transport

Q: In non-Muslim countries sometimes one finds wetness on the seats of a bus, train, and suchlike and it is not known whether this wetness is from dogs, or spilt liquor, or rain. Furthermore, the seats are not rendered ṭāhir but cleansed with detergents or with Little water, which is

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normally not unpolluted with najāsah. What is the ruling of such wetness?

A: it is considered ṭāhir, so long as it is not certain it is najis.

5. Furniture in rented accommodation

Q: is it mandatory to treat the furniture and utensils of rented accommodations in non-Muslim countries as najis or not?

A: by default [should be treated as] ṭāhir unless certain about the najāsah.

6. Mats being rendered ṭāhir by the sun

Q: Does the sun render ṭāhir only the type of mats that were available at the time of the narration of the ḥadith, or is this applicable to every type that is used today to lie on the ground, such as those made from nylon material, and other carpets?

A: [it is applicable to] all types of carpets.

h) Transformation (Istiḥālah)

1. Transformation of fat used in soap

Q: the ingredients of some of the detergents and soaps include fat of pig or *meetaḥ* [i.e. animal not killed according the shari‘ah] but this is after transformation to something else. Would this transformation render the intrinsically najis thing ṭāhir?

A: if it constitutes transformation (istiḥālah) as commonly accepted, then it is rendered ṭāhir.

2. Cattle bone material in the ingredients

Q: What is the ruling concerning products from Muslim and non-Muslim countries such as biscuit, chocolate, chewing gum, etc. when one of their ingredients is extracted from the bones of cattle and suchlike? Does this constitute istiḥālah or a transformation that renders a najis thing ṭāhir?

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A: If that is considered as istiḥālah, according to commonly accepted definition, then it would be ṭāhir, and if there is a doubt it would be najis.

i) The Sacrosanct

1. Touching the Names of Allah

Q: Is it permissible for one who is not ṭāhir [i.e. does not have wuḍu'] to touch the word "God" in English or its equivalent in other languages that signify the word Allah in Arabic?

A: It is not permissible to touch a word has the meaning of His Name exalted be He.

2. Computer disc in lavatory

Q: A computer disc that has the holy Qur'an stored on it, if it fell in the lavatory, is it mandatory to salvage it?

A: if by falling the content is deleted, then it is not mandatory to salvage it, otherwise it is.

j) Food & Drink

1. Bone material in sugar

Q: What is the ruling of the sugar that has been processed – for whitening purposes – with animal bone imported from Muslim or non-Muslim countries? Does this come under the purifiers after the change that has taken place?

A: There is no objection to this.

2. Consuming non-intoxicant barley drink

Q: Is it permissible to drink the non-intoxicant barley drink that is free from alcohol, which is sold in Muslim countries?

A: There is no objection to the medical barley drink that is not intoxicant, and is free from alcohol.

k) Miscellaneous

1. Imported shoes and leather

Q: The shoes, and leather belts, and wrist-watch straps that are imported from non-Islamic countries and sold in Muslim countries, are they permissible to wear during prayers?

A: if one does not know whether they are made from natural or man-made leather, or on the other hand, if one knows they are in fact made from man-made leather, they would be permissible to wear during prayers.

2. Place of separation of part of the body

Q: if part of the human body is separated from it, whether it was skin, flesh or bone, would the place of separation on the body be considered najis if no bleeding takes place or would it be ṭāhir?

A: Ṭāhir.

3. Food remnants mixing with sewage

Q: These days household washing up water ends up mixing with the sewage. Would it be ḥarām to throw food remnants in those water outlets? And if ḥarām, what would be the ruling about those remnants sticking to the hands?

A: [in this case] should not throw. As for those pieces sticking to the hands and suchlike, there is no objection, for they will be annihilated.

4. Treatment and reuse of water

Some countries resort to treating the water used by people in their home for all their needs.

The question is that after treatment of the sewage water could that be considered ṭāhir, and can it be treated as moṭlaq water, given that chemical materials are used for the water treatment?

A: there is no objection so long as it does not carry the previous label, and it is not less than Kurr.

5. Rendering milk ṭāhir

Q: is [najis] milk rendered ṭāhir when it turns into cheese, or do we have to soak it in water so that it seeps into it and renders it ṭāhir?

A: must be soaked in Kurr water.

6. Ruling of ṭahārah of those who do not know it

Q: Many Muslim people do not know the rulings of ṭahārah or do not make the effort to apply them [in the various aspects of their daily lives]. Would it be mandatory upon us to avoid their food, or render our clothes ṭāhir if we came in wet contact with them?

A: no, except with the knowledge [of a particular thing being] najis.

7. Touching the internal organs of a deceased

Q: What is the ruling concerning touching with bare hands the internal organs of a deceased that are not attached to the bone – such as the heart, liver, etc.?

A: if this is after the body having gone cold, and before it is washed the ghusl wash, it would be mandatory to perform a ghusl for touching them/it.

Section Three – Lavatory and Toiletry

1. The rulings of the use of lavatory

It is obligatory for the individual to cover one's private parts from every one who is adolescent and mokallaf, whether while using the toilet or at other times, even if they were his blood relatives such mother or sister. Similarly, it is obligatory conceal one's private parts from the insane and the child who can discern between good and bad. However, husband and wife are exempted from this requirement.

- a) It is mandatory not to face the Qiblah, or have one's back to it, while evacuating one's bowels or bladder. That is the frontages of the person – i.e. his chest, abdomen, and knees

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– should not be in the direction of the Qiblah or directly opposite to it.

- b) If one is facing the direction of the Qiblah or its opposite direction while evacuating one's bowels or bladder, it is not sufficient to divert one's private parts away from those directions. If one is not facing the direction of the Qiblah or its opposite direction, as per obligatory precaution one should not direct his private parts in the direction of the Qiblah or its opposite direction.

It is not required to observe precaution by not allowing a child to sit in the direction of the Qiblah or its opposite direction, and for evacuating his bowels or bladder if the child himself sat in the direction Qiblah or its opposite direction, it is not required to prevent him from that.

Miscellany

a) Places where relieving oneself is prohibited

Relieving oneself is prohibited in the following five places:

- i) Dead-end narrow streets, if the people who live there do not allow. Similarly for free passage paths (with no dead-ends) if this constitutes nuisance for the passers-by.
- ii) In the property of a person who does not give his permission for this purpose.
- iii) In places that are dedicated to a particular group of people, such as some of the religious schools.
- iv) By the graveside of a believer, if that constitutes indignity to him.
- v) In respected places, whose sanctity will thus be violated.

b) Rendering the anus ṭāhir using water

In three circumstances the anus will not be rendered ṭāhir except with water only, as per precaution in some of them:

- i) if some external najāsah reaches the anus,

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- ii) if another najāsah such as blood appears with the faeces,
- iii) if the faeces spreads around the anus more than usual.

In other than the above cases, it is permissible to render ṭāhir the anus either with water or with tissues, cloths, stones, etc. although washing with water would be preferred.

c) Washing the urine outlet

The urine outlet is not rendered ṭāhir with other than water. If it is washed once with Kurr or running water – such as tap water – it would be sufficient (this is after the elimination of the urine itself). If using little water, it should be washed twice, preferably three times.

d) Cleansing clods

It is permissible to render the anus ṭāhir using stones, clods, toilet paper, and such like if they were dry. There is no objection if there is some moisture such that it would not be transferred to the anus. It is mandatory that the wiping is done no less than three times, even if the anus was cleansed after the first or the second.

2. Istibrā'

Istibrā' is a mostahab practice that men do after urinating in order to ensure that no urine has remained in the urethra.

The procedure of Istibrā'

There are different ways, the preferred is:

First to render ṭāhir the anus (if one had evacuated the bowels too),

After urination has ended, with the middle finger of the left hand one is to firmly press and move his finger from anus to the foot of the penis. This should be done three times. Then placing his thumb on and his forefinger below the penis he should firmly press and move along the penis to its tip. This should also be done three times. The last stage is to squeeze the tip of the penis, three times.

Miscellany

a) Male liquid discharge

1. the liquid discharged from a man after foreplay, is called Madhiy and is ṭāhir,
2. the liquid discharged after semen [discharge], is called Wadhiy and is ṭāhir,
3. the liquid discharged after urination, is called Wadiy and is ṭāhir as long as it is not contaminated by urine.

If one performs Istibrā' after urination, and then a liquid is discharged from him and he is in doubt whether this is urine or one of these liquids, it is considered ṭāhir.

b) Constraining excretion

It is makrooh to constrain one's urge to excretion, and it would be ḥarām if this constraining constitutes significant harm to the body.

It is mostahab to urinate before performing the prayers, then perform Wuḍu' or ghusl and then pray. Similarly it is mostahab to urinate before retiring to sleep, before sexual intercourse, and after ejaculation.

3. The Rulings of household utensils

a) Utensils made from animal hide

A household utensil made from land dog or pig hide is najis, and it is ḥarām to eat or drink from. It may not be used for wuḍu', ghusl, or for any other use where being ṭāhir is conditional. As per a mostahab precaution, the hide of dog, pig, or *meetah*¹⁷ should not be used at all, even for other than utensils.

b) Gold and silver utensils

It is ḥarām to eat or drink from a gold or silver utensils, and as per mostahab precaution, any use of them should be avoided even if for decoration. It is ḥarām to manufacture gold or silver utensils, and also is ḥarām to accept the wage for that. There is no objection to using

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gold- or silver-plated utensils. As for utensils made from an alloy of gold mixed with another metal or an alloy of silver, if the quantity of the other metal is more than gold or silver such it could not be said the utensil if made from gold or silver, then there is no objection in using them, otherwise [the permissibility] is questionable.

There is no objection in using gold or silver utensils when forced [by necessity or otherwise].

There is no objection in using utensils when it is not known whether they are made from gold or silver, or from another material.

Section Four – Categories of Ṭahārah

A) Wuḍu'

Procedure of Wuḍu'

In Wuḍu', it is mandatory to wash the face and hands (forearms), and wipe the front part of the head and the upper parts of the feet.

1. Washing of face

It is mandatory to wash the face, lengthwise from the uppermost of the forehead, where hair grow, to the end of the chin, and in breadth [the extent] reached by the span of the hand between the thumb and the middle finger. If any part of this extent is not washed, the wuḍu' will be void.

If the face or the palm of the hand of a person is larger or smaller than normal, one must note the amount people of average face or hand size wash and thus wash like them. Similarly, the same criterion applies if the hair of the front part of the head exceeded its normal limit and covered part of the forehead, or vice versa.

If one suspects that there may be dirt or anything else in his eye-brows or around his eyes or lips that could prevent the wuḍu' water reaching the skin, and if that suspicion is reasonable, then as a precaution he is required to examine and remove it if it were there before wuḍu'.

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If the skin of the face is visible from under the hair, it is mandatory to make the water reach skin, but if it is not visible, it is sufficient to wash the hair and it is not required to make the water reach under the hair.

It is not mandatory to wash inside the nose, nor what is hidden of the lips or eyelids when closed.

It is obligatory to wash the face and hands from top to bottom, and if one washed from the bottom to the top his wuḍu' is rendered void.

If one wets his hand palm and wipes it over his face and hands, and the amount of wetness is such that a small amount of water would run down his face or hands when he wipes his hand, that would be sufficient.

2. Washing the forearms

After washing the face, it is mandatory to wash the right forearm and then the left forearm, from the elbow to the tips of the fingers.

In wuḍu', the first wash of the face – and the hands – is mandatory, and the second is mostaḥab, and any more than that is ḥarām. As to which wash constitutes the first or the second depends on the intention of the person performing the wuḍu'. If one pours water on one's face, say, ten times with the intention of it being the first wash, there is no problem with that and that constitutes as the first wash.

3. Wiping the head

After washing the hands, it is mandatory to wipe the front part of the head with the wetness of the wuḍu' remaining on the palm of the hand, and as per obligatory precaution, one should wipe with the right hand palm from the upper part downwards.

The wiping should be done on the forward-quarter of the head adjacent to the forehead. It is sufficient that any section of this part is wiped and by any amount, though, as an obligatory precaution, the width of the wiping should be that of one finger. As per mostaḥab precaution, the wiping should be the length of one finger and the width of three joined fingers.

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It is not mandatory to wipe on the skin of the head, and it is valid to wipe on the hair of the head. However, if the hair of front part of the head were so long that they cover the face or fall on another side, then it is mandatory to wipe on the root of the hair, or to part the hair and wipe on the skin of the head.

4. Wiping the feet

After wiping the head, it is mandatory to wipe the feet with the remaining moisture of the wuḍu' on the hand palms. The wiping of the feet should be from the tiptoes to the talus or ankle-bone, and as mostahab precaution, the wipe should be up to the joint.

The width of the wipe on the feet can be anything that can be called a wipe, but as mostahab precaution it should be that of three joined fingers. It is preferred to wipe the entire upper side of the feet.

When wiping the head and the feet it is mandatory to move or wipe the hand on those locations, for in one places his hand on the head or the foot and moves his head or foot instead of moving his hand, the validity of his wuḍu' would be questionable. However, there is no objection if there are slight movements of the head or the feet when wiping them.

It is mandatory that the location of the wipe is dry, and if it were moist such that its moisture would affect the moisture of the hand palm that would be against obligatory precaution. However, there is no objection if the moisture [of the location] is so insignificant that if the moisture on it is seen after the wiping it could be said, "it is from the hand palm".

If the moisture of the hand palm dries up and there remains no wetness to wipe with, it is not permitted to take wetness from outside [the wuḍu'], but must take [the moisture] from the locations of wuḍu' and wipe with them.

If the upper side of the feet was najis, and it was not possible for one to render it ṭāhir to wipe on it, it would be mandatory for him to perform tayammum.

Criteria of Wuḍu'

In order for the wuḍu' to be valid, fourteen conditions must be satisfied:

1. that the water used for wuḍu' is ṭāhir,
2. that the water used for wuḍu' is moṭlaq (innate, pure) and not muḍāf (mixed or added to). Wuḍu' with muḍāf or najis water is bāṭil (invalid), and if one performing the wuḍu' is not aware of it being muḍāf or najis or forgets that it is so, and if he performs the prayers (ṣalāh) with that wuḍu', it is obligatory for him to repeat those prayers with a valid wuḍu'.
3. that the water used for wuḍu' and the space in which the wuḍu' is performed is mubāḥ or permissible for him to use. Wuḍu' with usurped water is invalid – and ḥarām too – and so too if the wuḍu' water falls from the face and hands on usurped ground. If one forgets that the water is usurped and uses it to perform wuḍu' with, his wuḍu' would be valid.
4. that the container of the water used for wuḍu' is mubāḥ or permissible for him to use.
5. that the container of the water used for wuḍu' is not made from gold or silver. If the wuḍu' water is in a gold or silver vessel or in a vessel that is usurped, and one has no other water save this, it is obligatory for him to perform tayammum (instead). It is not permissible for him to perform the wuḍu' with the water of those vessels. If he were to perform wuḍu' with that water – by immersion (irtimāsi) or by pouring from those vessels on his face and hands – his wuḍu' would be invalid. However, if one takes some water from those [vessels] with his hand palm or with another receptacle and poured it on his face and hands, his wuḍu' would be valid.
6. that the parts of the body on which wuḍu' is performed is ṭāhir at the time washing and wiping. If one of the parts of washing or wiping becomes najis after it being washed or wiped and before the completion of the wuḍu', the wuḍu' is valid. If one

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performs the wuḍu' and a location on his body is [already] najis – that is other than one of the wuḍu' parts of the body – the wuḍu' is valid.

7. that there should be enough time to perform the wuḍu' and the prayers. If time is so short that if one performs the wuḍu', all or some of the prayers would be outside the allotted time, one should perform tayammum. However, if the time for wuḍu' is the same as that for tayammum, then one must perform the wuḍu'.
8. that one performs the wuḍu' with the intention of *qurbah* [i.e. seeking nearness to and abiding by the orders of Almighty Allah]. So if one performs the wuḍu' in order to cool down or for any other intention, his wuḍu' would be void. It is not necessary to utter the intention of wuḍu', nor to make a mental note of it, but it is sufficient to be attentive during the entire wuḍu', such that if one is asked what he is doing, he would say, I am performing wuḍu'.
9. that one should be sincere in his intention, for it is accompanied with *riyā'* (an element of show or boast), the wuḍu' would be rendered void.
10. that one observes the sequence of the wuḍu' procedure mentioned above. That is to begin with washing the face, then the right forearm, the left forearm, wiping the head, followed by the two feet. If one does not perform the wuḍu' in this sequence, the wuḍu' would be invalid.
11. that the sequence of the wuḍu' procedure is done one after the other [without a gap in between]. If there is a significant gap between the events of the wuḍu' such that if one were to wash or wipe the following part, those previously washed or wipe had dried up one's wuḍu' would be void. There is no objection to taking a few steps during wuḍu', e.g. if one washed his face and two hands then took a few steps and then wiped his head and two feet, one's wuḍu' would be valid.

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12. that one performs the wuḍu' himself, i.e. one should wash his face and hands, and wipe the head and feet without the help of others. If someone else performs the wuḍu' for him, or helps him take the water to his face or hands, or wipe his head or feet, his wuḍu' would be void¹⁸. He who cannot perform the wuḍu' on his own must appoint someone to help him perform the wuḍu', even if by paying him [if necessary], when it would be mandatory to pay the wage, if it is possible for him. But it is upon him to make the *niyyah* – intention – of the wuḍu' himself, and that he should wipe his hands on the places to be wiped. If he could not perform the wiping himself, he must appoint someone to hold his hand and with it wipe the areas to be wiped. And if this is not possible, then his appointee should take some moisture from his hand and wipe over the areas to be wiped.
13. that there is no constrain for one to use water. If there were a fear of catching a disease if one performed wuḍu', or feared thirst if he did not drink the water but used it to perform wuḍu', it is mandatory for him not to perform wuḍu'. However, if one does not know whether or not water harms him and he performs wuḍu', his wuḍu' is valid, even if one later learns that water is harmful to him.
14. that there is no obstacle on the parts wuḍu' is performed that prevent water from reaching the skin.
 - There is no objection to the dirt residing under the fingernails. However, if the nails were cut, it is necessary to remove the dirt. Also if the fingernails were unusually long, it is mandatory to remove the dirt under them.
 - If one doubts whether there is an obstacle on the parts wuḍu' is performed, if his doubt is plausible, for example if he doubts after working with mud whether or not some mud has stuck to his hand, it is necessary to investigate, and if there is any, he must scrub it until he is sure none

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remains, alternatively he must ensure that water reaches underneath it.

- There is no objection to the part that is required to be washed or wiped in the wuḍu' process to be dirty so long as the dirt does not prevent the water from reaching the body.
- If after performing the wuḍu' one doubts whether or not there is any obstacle on the parts the wuḍu' is performed, his wuḍu' is valid.

Rulings of Wuḍu'

1. Doubt about the Acts of Wuḍu'

- a) a person who doubts too much about the acts of wuḍu' or its criteria; such as the water being ḡāhir, permissible to use, whether or not it is usurped, etc. must not pay attention to his doubts.
- b) If one doubts whether or not his wuḍu' has been rendered void, he should treat it as valid. However, if he has not performed istibrā' after urination, and after that performs wuḍu', and then noticed a fluid is discharged from him, and he does not know whether it is urine or something else, his wuḍu' is rendered void.
- c) One who doubts whether or not he has performed wuḍu', must perform wuḍu'.
- d) One who is sure that he has performed wuḍu', and has committed an act that invalidates wuḍu', such as urinating, but is not sure which was first:
 - i. if [this doubt arises] before [starting] the ṣalāh, he must perform the wuḍu',
 - ii. if [this doubt arises] during the prayers, he should break the ṣalāh and perform the wuḍu',

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- iii. if [this doubt arises] after [finishing] the ṣalāh, the ṣalāh would be valid but must perform wuḍu' to perform any subsequent ṣalāh.
- e) If after performing a ṣalāh one doubts whether or not he had performed wuḍu' beforehand, his ṣalāh is valid, but must perform the wuḍu' for any subsequent ṣalāh.
- f) If while performing a ṣalāh one doubts whether or not he has performed wuḍu', his ṣalāh would be void, and must perform the wuḍu' and the ṣalāh.

2. Incontinence disease and wuḍu'

- a) In the case of the one suffers from Incontinence, which is the inability to control one's bowels or bladder, if one knows that his condition allows him enough time to perform the wuḍu' and ṣalāh the during prescribed time of the ṣalāh, it is obligatory for him to perform the ṣalāh during that time. However, if the said time was not long enough other than to perform the mandatory acts of the ṣalāh, it is obligatory for him to perform the mandatory acts only during the said time, and leave out the mostahab acts such the Quonoot, Adhān and Iqāmah.
- b) An individual who suffers from Incontinence and cannot control himself, if it is not difficult for him to perform wuḍu' every time, should have a vessel of water next to him so that every time urine or stool is discharged from him, he immediately performs wuḍu' and continue with his ṣalāh. If it was too difficult for him to perform wuḍu' every time, then should perform one wuḍu' for every ṣalāh.
- c) An individual who suffers from a disease that renders him unable to control passing wind, should act according to the duties of he who suffers from Incontinence.
- d) An individual who suffers from Incontinence must perform wuḍu' for every ṣalāh, and engage in the ṣalāh immediately. However, it is not mandatory for him to perform wuḍu' in order

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to perform a forgotten sajdah, or a forgotten tashahhud, or the Iḥtiyāt ṣalāh that must be performed immediately after the ṣalāh – if performed immediately after the ṣalāh and without delay.

- e) An individual who suffers from incontinence such that urine is discharged from him continually must [take the necessary measures to] prevent the urine from reaching other parts of his body while performing the ṣalāh by, say, using a cotton-filled bag. As per obligatory precaution, the bag and the urine outlet should be rendered ṭāhir before every ṣalāh, if this does not constitute [undue] hardship. Similarly, he who cannot control his bowels must [take the necessary measure to] prevent his faeces from reaching other parts during ṣalāh, if it were possible, and as per obligatory precaution, he should render his anus ṭāhir for every ṣalāh if this does not constitute hardship for him.
- f) It is not obligatory for the individual who has recovered from his incontinence disease to offer the qaḍā' prayers for those ṣalāh he had performed during his illness, if he had performed those prayers according to his duties outlined.

3. Mixing of wuḍu' water

- Q1 if when wiping the head, the fingertips touch the forehead, or the face water mixes with the hand water, is it satisfactory to wipe the upper side of the foot with the palm of the hand with which the face water has not mixed?
- A1 yes it is satisfactory.
- Q2 if one finishes washing his face, and then without adding further water over his face wipes his hand over the entire face, does this constitute a second wash? In other words, does adding new water constitute an additional wash?
- A2 yes, pouring new water [over the face] constitutes an additional wash.

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Q3 what is the ruling regarding the hands touching the water remnant on the water tap during wuḍu'?

A3 there is no objection, if that water is overcome by the hands' water.

4. The Niyyah or intention of wuḍu'

Q1 if one normally performs all his wuḍu' with the intention of being ṭāhir or in the state of wuḍu', and he goes about his business and at the onset of the ṣalāh time, he forgets the intention of his wuḍu', is his wuḍu' valid or not?

A1 if the intention of being ṭāhir or in the state of wuḍu' was specific [to the wuḍu'], his wuḍu' is correct, and similarly if it was close to the time of adhān such that it can be said this is in readiness [for ṣalāh].

Q2 Is the same ruling applicable to every action one intends to do and then negligently one intends an intention counter to that?

A2 same as before.

Q3 is the wuḍu' valid if it is performed with the intention of "in readiness for ṣalāh" an hour before the onset of the ṣalāh time?

A3 if that constitutes one of the criteria of "being ready" then there is no objection to that, like for example if the distance to the mosque is far and there is no water available in its vicinity, and suchlike.

Q4 what is the exact period that is considered for "being ready"?

A4 it is that that is commonly accepted as the norm, like if one's house is two hours away from the mosque, and no water is available nearby.

Q5 is it different from person to person?

A5 yes.

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Q6 what is the ruling concerning the mixing of water involving that of other than the palm? For example when water of the forearm mixes with that of the face, and suchlike?

A6 evidently there is no objection to that.

Q7 when performing wuḍu', if one wipes his head twice; once with the right hand and once with the left hand – in ignorance to the ruling concerned – and this had gone on for a period of time, as much as ten years, what is the ruling concerning his past wuḍu' and ṣalāh?

A7 both are valid, but from now on should perform it in the standard manner.

Q8 if one washes one of the parts on which wuḍu' is performed, and after finishing with it, the moisture of another part touches it, would the wuḍu' be rendered void?

A8 evidently, his wuḍu' would not be rendered void.

Q9 if one wants to perform wuḍu', is it mandatory for the parts to be washed to be dry?

A9 it is not mandatory.

Q10 if the person performing the wuḍu' wipes his head, but doubts whether or not his hand touched the moisture of his forehead, does he treat his wuḍu' valid or void?

A10 should treat as valid.

5. Obstacles in wuḍu'

Q1 when a hand is stained with ink, is it considered an obstacle to washing and wiping in wuḍu'?

A1 colour is not an obstacle, unless it is of such mass that constitutes an obstacle between water and skin.

Q2 do contact lenses worn on the eye render wuḍu' void?

A2 No.

- Q3 do hair crème and oil used for hair care constitute an obstacle to wuḍu'?
- A3 they are not an obstacle if thinly worn, but if they were such that they would hinder water from reaching the skin or the hair, then the wuḍu' would be void.
- Q4. If one performs wuḍu' for prayers and after that he remembers that before wuḍu' there was small blood remnant on one of the wuḍu' parts, due to a wound, would he be required to repeat the wuḍu', or is it valid?
- A4 if there were no blood when he remembers, and considers it likely that the blood was eradicated when during the wuḍu', his wuḍu' is valid, otherwise it is not.

6. Wiping and wuḍu' water

- Q1 when wiping the head as part of the wuḍu', is it sufficient to do so with three fingers?
- A1 it is sufficient to wipe any part of the forward quarter of the head adjacent to the forehead by any amount, although as per obligatory precaution the wiping should be by the width of one finger. As per mostaḥab precaution the length of the wiping should be that of one finger and the breadth that of three joined fingers.
- Q2 when performing wuḍu', some drops of water fall on the feet before they are wiped, whether from the face or the hands. Is it permissible to wipe the feet without drying them?
- A2 precaution dictates that they should be dried, unless the quantity of the moisture does not undermine that of the wiping hand, in which case there is no objection.
- Q3 is it sufficient to wipe the hair, or is it necessary to reach the scalp?
- A3 it is sufficient to wipe the hair of the forward quarter of the head adjacent to the forehead within the designated area.

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- Q4 when performing wuḍu', is it permissible to lift up the foot when wiping it?
- A4 yes it is permissible.
- Q5 if a person is standing next to one who is performing the wuḍu', and he informs the latter that water has not reached part of his hand, is it necessary take his word, even if one had finished with that part or from the wuḍu' entirely?
- A5 it is not necessary to take his words if he doubts the matter after finishing the wuḍu', except if he is certain of the person's word or if he is a just person.
- Q6 when performing wuḍu', does moving the hand backwards spoils the wuḍu'?
- A6 it must not go beyond the norm.
- Q7 if one used to wipe his head front to back, and this went on for a long period of time, what would be the ruling concerning his past wuḍu' and ṣalāh, and is one required to repeat the ṣalāh?
- A7 there is no objection to that.
- Q8 is the wuḍu' valid if the hair of the head is wet?
- A8 the wiping location should be dry, and if the moisture is little such it does not obscure the moisture of wiping hand, then there is no objection.
- Q9 if the person performing the wuḍu' thought that wiping of the feet was not complete, can he repeat the wiping?
- A9 yes.
- Q10 when performing wuḍu', is it permissible to wipe the feet simultaneously, or is it mandatory to start with the right one first?
- A10 it is permissible, although it is preferable and recommended to wipe the right foot first.

7. The material of Wuḍu'

- Q1 is it permissible to perform wuḍu' with ice, if it produced moisture or drops when touched by hand?
- A1 if the water moves from one part [of the body] to another, the wuḍu' is valid.
- Q2 is the wuḍu' or ghusl performed with water that is extracted (pumped) with usurped fuel or electrical [power] valid?
- A2 yes it is valid.
- Q3 what if the device itself was usurped?
- A3 if the wuḍu' itself is not performed with that device, then the wuḍu' is valid.
- Q4 is it permissible to perform wuḍu' with Zamzam water?
- A4 yes it is permissible.

8. The Ruling of ḥadath

- Q1 During ṣalāh, I felt a twitch in the rectum but I do not know if this was passing of wind or not. Do I need to perform the wuḍu' anew and repeat the ṣalāh? It should be said that the event occurred without the feeling of passing of wind or anything else.
- A1 you are not obliged to do anything.

When wuḍu' is mandatory

Wuḍu' is mandatory in five cases:

1. for the obligatory ṣalāh, other than the prayer for the deceased,
2. for the forgotten sajdah or tashahhud, if a ḥadath occurred for him such as wind or urine between them and the ṣalāh. Wuḍu' is not mandatory for the sajdah of *sahw* (prostration for inadvertent act or lapse), although performing it with wuḍu' is a good practice.

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3. for the obligatory ṭawāf around the sacred Ka‘bah,
4. if one pledges (a *nadhr*), or swore, or made a covenant with Allah to perform wuḍu’,
5. if one wants to touch the script of the holy Qur’an with his hand or a part of his body, and so too if one wants to render ṭāhir a copy of the Qur’an that has become najis, or wants to salvage a Qur’an from the lavatory or suchlike. However, if the delay in performing the wuḍu’ would constitute further desecration for the holy Qur’an, it would be mandatory to salvage it without performing wuḍu’.

Miscellany

A) The Prohibition of touching the Qur’an without Wuḍu’

- It is ḥarām to touch the script of the Qur’an with any part of the body without having wuḍu’. As per obligatory precaution, one should not even touch the Qur’an with one’s hair, unless the hair is long. However, there is no objection to touching the translation of the Qur’an in English or other languages.
- It is ḥarām to touch the name of Almighty Allah without having wuḍu’ in any language. As per mostaḥab precaution, one who does not have wuḍu’ should not touch the name of the Noble Prophet, the Ma‘ṣoom Imam, and the name of Fatimah al-Zahrā’ peace be upon them all.
- It is not obligatory to prevent the child or the insane from touching the script of the Qur’an, but if this constitutes as desecration to the Qur’an, they must be stopped.

B) Performing Wuḍu’ before Ṣalāh Time

If one performs wuḍu’ or ghusl before ṣalāh time, but with the intention of being ṭāhir (i.e. being in a state of wuḍu’) then one’s wuḍu’ or ghusl is valid, and it is permissible to perform ṣalāh with it. [The ruling is] Similar if one performs wuḍu’ just before ṣalāh time, if one does so with the intention of ‘being ready’ [for ṣalāh].

C) Wuḍu' for the Prayer of the deceased

It is mostahab to perform wuḍu' in order to perform the prayer-of-the-deceased, visit the cemetery, entering the mosques and the shrines of the Ma'soom Imams, and also to carry the holy Qur'an, or write it, or touching its margins, and before retiring to sleep. [One who has performed wuḍu' is said to be in a state of tuhr.]

If one performs wuḍu' for one of these issues, it is permissible to do all the require wuḍu' such as Ṣalāh.

D) Woman Performing Wuḍu' in Public

Q When travelling by car or train between cities, there are sometimes no facilities to wash other than a water taps in public. In such circumstances should a woman perform wuḍu' in public in front of other men?

A If it were possible to perform wuḍu' without any men seeing that part of her that is ḥarām, she should do so, otherwise must perform tayammum.

E) Harmful and prohibited wuḍu'

Q What is the ruling concerning a mokallaf who deliberately performs wuḍu' despite it being harmful to the person? Also what is the ruling concerning one who performs wuḍu' when it is ḥarām, such as performing wuḍu' when time is very short?

A If it is severely harmful, the bearing of which is prohibited, [the wuḍu'] would be void. As for performing wuḍu' when time is short, if his intention was to discharge the duty associated with the it [wuḍu'] with respect to this ṣalāh in particular, then the wuḍu' is void too. However, if he performs the wuḍu' for other purpose, or with the intention of *qurbah* [seeking nearness to the Almighty] or his intention was for the business of ṣalāh – but in general, as a mostahab act, not in particular [for performing this ṣalāh] – then his wuḍu' is valid, even though in this way he has committed a sin by abandoning his duty, which is tayammum.

Things that invalidate wuḍu'

There are seven things that invalidate wuḍu':

1. Discharge of urine.
2. Discharge of faeces.
3. Discharge of wind from the anus.
4. Falling asleep, if sight and hearing are overcome, such that the ear does not hear and the eye does not see. However, if the ear can hear and eye can see, the wuḍu' is not rendered void.
5. Anything that eradicates [ability of] the mind, such as intoxication, insanity, or unconsciousness.
6. Istihāḍah.
7. Anything that necessitates ghusl, such as Janānah.

Jabirah Wuḍu'

Jabirah is the dressing of a wound, or the splint (i.e. the strip of wood etc.) bound to a broken limb for support.

[The procedure of the *jabirah* wuḍu' is that one performs the wuḍu' as normal, and in the case of the wuḍu' limbs/parts that have the *jabirah* (wound dressing) on and they may not be removed, one should wash the washing-parts over the *jabirah* or pass his wet hand over the entire dressing of that wuḍu' limb/part, as if there is no dressing on that limb/part. In the case of the wiping-parts, one should wipe his hands over of the *jabirah* covering that part.]

Rulings of Jabirah Wuḍu'

1. Passing wet hand over open wound

- If there is a wound, a sore, or a fractured bone on one of the parts on which wuḍu' is performed, and if there is no dressing on it, and it is harmful if water is poured on it but not if a wet hand is passed on it, then as per obligatory precaution, one must pass his wet hand on it [as part of the wuḍu' procedure]. If this

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too is harmful to the wound, or if the wound is najis and it is not possible to render it ṭāhir, it is necessary to wash the surrounding of the wound from top to bottom, and as per obligatory precaution place a ṭāhir piece of cloth on the wound and wipe over it with a wet hand. If placing a piece of cloth is not possible, it is necessary to wash around the wound, and then perform tayammum too, as per mostaḥab precaution.

- If the wound, sore, or broken bone is on the front of the head or on the feet, with no dressing on it, and if it is not possible to wipe on it, it mandatory to place a ṭāhir piece of cloth on it and wipe on the cloth with the wetness of the wuḍu' remaining on the palm, and if placing a cloth on the wound is not possible, it is not necessary to wipe but it is obligatory to perform tayammum after the wuḍu', as a precaution.
- If the Jabirah covered the entire face, or an entire hand, or both hands, it is mandatory to perform the Jabirah wuḍu', and then to perform tayammum as well, as per obligatory precaution.

2. The *Jabirah* that goes beyond the wound

If the *Jabirah* or the wound dressing goes beyond the actual wound and covers an area around the wound greater than usual, and if removing the extra dressing proves difficult, it should be treated in accordance with *Jabirah wuḍu'*.

3. Harm to the parts on which wuḍu' is performed

If there is no wound, sore, or broken bone on the parts on which wuḍu' is performed, but they are harmed by water in some way, it is mandatory to perform tayammum, and as per mostaḥab precaution should perform *Jabirah wuḍu'*.

4. Difficulty in removing obstacle from wuḍu' part

If there is something stuck to the parts on which wuḍu' is performed, and if removing it is excused, or constitutes a normally unbearable hardship, it is mandatory to act according to the *Jabirah wuḍu'*, and to perform tayammum as a precaution.

5. Tayammum or Jabirah wuḍu’

If one does not know whether his duty is to perform tayammum or Jabirah wuḍu’, must perform both, as per obligatory precaution.

B) Ghusl

Obligatory Ghusls

The obligatory ghusls are seven:

1. Ghusl of Janābah [the state of being ritually unclean that is acquired after sexual intercourse, etc.]
2. Ghusl of Ḥayḍ (menstruation)
3. Ghusl of Childbirth
4. Ghusl of Istihāḍah
5. Ghusl of touching a corpse
6. Ghusl of the corpse
7. Ghusl that becomes obligatory on account of a Nadhr, pledge, covenant, etc.

1. Ghusl of Janābah

The state of Janābah is acquired as a result of two issues:

- a) Sexual intercourse – whether or not using condoms and suchlike.
- b) Discharge of semen – regardless of when asleep or awake, a small or large amount, with lust or without, voluntarily or involuntarily.

Issues prohibited for Jonob

One who is in a state of Janābah is referred to as Jonob. Five acts are forbidden for a Jonob:

- i. Touching any part of the body to the script of the Noble Qur’an, or the name of Almighty Allah. Furthermore, as per obligatory

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precaution, the names of the Prophets, the Ma‘ṣoom Imams, and Fatima al-Zahra’ peace be upon them, must also not be touched.

- ii. Entering Masjid al-Ḥarām and Masjid al-Nabiy – peace be upon him and his pure family – or even passing through them.
- iii. Stopping and staying in other mosques, and the shrines of the Ma‘ṣoom Imams peace be upon them. There is no objection to passing through them, i.e. entering through one door and leaving from another, entering them to take something from them.
- iv. Entering a mosque with the intention of placing something in it, or even – as per obligatory precaution – placing something in it without entering it.
- v. Reading the Sajdah āyah from the ‘Azā’im Surahs, (The ‘Azā’im Surahs (chapters) are those that contain verses (āyāt) for the reading or listening of which sujood or prostration is obligatory). These are four surahs:
 - Surah al-Sajdah (Prostration), #32,
 - Surah Fuṣṣilat (Explained), #41,
 - Surah al-Najm (Star), #53,
 - Surah al-‘Alaq (Clot), #96.

As per mostaḥab precaution, one must not read even one letter of these four Surahs, and as for āyah of Sajdah it is ḥarām to read it, but it is permissible for the jonob to listen to the ‘Azā’im Surahs, and if he hears the Sajdah āyāt prostrate.

Ghisl of Janābah

The Janābah ghisl is mostaḥab in itself¹⁹, obligatory for the mandatory ṣalāh and suchlike, but it is not binding to perform the ghisl in order to perform the Ṣalāh for the Deceased, Prostration for Thanksgiving (Sajdat al-Shukr), and the obligatory prostrations of the Qur’an,

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although it is recommended as per mostahab precaution to perform ghusl for the Ṣalāh for the Deceased.

At the time of ghusl, it is not binding to have the intention – *niyyah* – of obligatory or desirable (mostahab), but is sufficient for the *niyyah* to be seeking closeness, i.e. by performing the ghusl one is seeking nearness to Almighty Allah and abiding to the divine orders.

Methods of Performing the Ghusl

The ghusl – whether mostahab or obligatory – may be done in two ways:

- a) *Tartibi* or Sequential
- b) *Irtimāsi* or Immersion

A) *Tartibi* or Sequential Ghusl

Procedure

1. In the *Tartibi* or Sequential ghusl, after making the *niyyah* of the ghusl, it is required to wash the head and neck first, then the right half of the body, and then the left half of the body. If the said order was altered deliberately, or by forgetting it or on account of ignorance of the ruling concerned, as per obligatory precaution, the ghusl is void. This is in the case that in performing the ghusl one pours the water on himself by his hand or using a vessel. However, if one performs the ghusl under the rain or under a ‘shower’ and suchlike, where water engulfs the entire body, it is not unlikely that the order is not binding, although, as a precaution, the order of the ghusl should be observed.
2. It is necessary half of the belly button and half of the private parts are washed when washing the right side, and the other half when washing the left side. Although it is not unlikely that it is sufficient to wash the entire belly button and private parts when washing either side of the body. However, it is recommended to wash them entirely when washing each side of the body.

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3. if after the ghusl one learns that a part of the body is not washed, if this part is in the left side of the body it would be sufficient to wash that part [only], but if the unwashed part is in the right side of the body, after washing that part, as per mostaḥab precaution, should also wash the left side too. If the unwashed part is in the head or neck, that part should be washed and then the right and left sides of the body should in turn be washed again. If the ghusl is performed under the rain or ‘shower’ and suchlike and the entire body is engulfed by water, the requirement of washing the subsequent parts of the body is not binding.

B) *Irtimāsi* or Immersion Ghusl

Procedure

1. In the Immersion ghusl, it is obligatory to have total bodily immersion such that water surrounds the entire body at one time. In the immersion ghusl if one standing on the floor, one must move or lift his feet slightly to ensure that water reaches the sole of the feet.
2. If after performing the Immersion ghusl one learns that water had not reached some parts of his body, regardless of whether or not one knows which part it is, one must perform the ghusl again, as a precaution.

Rulings about Ghusl

a) Obligatory rulings of the Ghusl

1. In the Immersion ghusl it is obligatory that the entire body is ṭāhir, but in the Sequential ghusl it is not necessary for the entire body to be ṭāhir; for if the entire body is najis, but one renders ṭāhir each part of it before performing the ghusl, it suffices.
2. In the Janābah ghusl, if there remains a small area of the body, even by the size of the end of a hair strand, that is not washed, the ghusl will be void. However it is not required to wash the

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immediately non-visible parts of the body such as the interiors of the ears and nose.

3. It is mandatory to remove any obstacle that might prevent water from reaching the body.
4. It is mandatory to wash the small hairs that are considered as part of the body, but it is not necessary to wash the long hair such that if it were possible to reach the water to the skin without wetting the hair, the ghusl is valid. However, if it is not possible to reach the water to the skin without washing the hair, then it is mandatory to wash in order to get the water to the skin.
5. All the criteria cited for the validity of the wuḍu', such as the water being ṭāhir, and permissible for use, etc. are required for ghusl too. However, in ghusl it is not required to wash [in the specific direction] from top to bottom, and also in the sequential ghusl it is not required to wash the following [part] immediately after the previous one, but rather, it is permissible for one to wash, say, the head and neck and then wait a while and then wash the right side, and after a while wash the left side.
6. if one notices semen on his clothes, and is certain it is his, and he had not performed the ghusl for this, it is obligatory for him to perform the ghusl and perform the qaḍā' for all the ṣalāh that he is sure he has offered after the discharge of the semen.

b) Doubts in Ghusl

1. If one doubts whether or not he has performed the ghusl, it is obligatory for him to perform the ghusl. However, if after performing the ghusl, if one doubts whether or not his ghusl was valid, he is not required to repeat the ghusl.
2. If a Jonob person doubts whether or not he has performed the ghusl, the ṣalāh that he has [already] performed is valid, but must perform the ghusl for the forthcoming ṣalāh.
3. If a fluid is discharged from an individual, and he does not know whether this it is semen, urine, or something else, it is

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semen if it is associated with three characteristics. If this is discharged with lust, ejaculation, and results in the body becoming slack. If it is not associated with all of these three characteristics or some of them, it is not deemed to be semen. However, in the case of one who suffers from an ailment, it is not necessary for the discharge of that fluid to be associated with ejaculation, but if it is discharged with lust and resulted in the slacking of the body, it is deemed to be semen, even if it is not ejaculated.

4. if one had sexual intercourse and penetrated by the amount of the glans or more, regardless of whether this was with woman or man, vaginal or anal, bāligh (pubescent) or prepubescent, semen was discharged or not, it is obligatory for one to perform the [Janābah] ghusl.
5. If it is doubted whether or not penetration occurred by the amount of the glans, it is not necessary to perform ghusl.
6. It is recommended (mostaḥab) to urinate after the discharge of semen, and if one does not urinate and after performing the ghusl notices a moisture/fluid discharged from him – not knowing whether it is semen or another fluid – it is deemed to be semen.
7. If semen is excited from its place but is not discharged, or if one doubts whether semen is discharged or not, it is not mandatory for him to perform ghusl.

c) Legality of water

If one uses a public bath [to perform ghusl] and pays the hire cost from ḥarām or un-Khumsed money, his ghusl is void – unless the owner of the bath agrees not accept payment, partly or fully, for the ghusl.

d) Janābah ghusl replaces wuḍu'

1. He who performs Janābah ghusl, [this suffices as a wuḍu' and thus] he does not need to perform a separate wuḍu' in order to

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perform ṣalāh. However, for other ghusls – whether obligatory or optional (mostaḥab) – it is mandatory to perform wuḍu' [in order to perform ṣalāh].

2. It is permissible for one who is required to perform a number of ghusls to perform one ghusl with the intention of all of them. He may also perform each one of them separately.

Q For a period of time a person used to perform Janābah ghusl instead of wuḍu', while he had not been Jonob. What is the ruling about his ṣalāh?

A Must repeat all the ṣalāh he knows he had performed without wuḍu'.

Q Is it permissible for one who has performed a mostaḥab ghusl to do things that are permissible to do for one who has done Janābah ghusl or wuḍu', other than ṣalāh, such as touching the script of the Qur'an, or the name of Allah?

A No.

e) Repeat of ghusl

if while performing the ghusl one does an act that invalidates a wuḍu', such as urinating or passing wind, one may [either] continue with the ghusl and then perform wuḍu', or alternatively abandon the ghusl and restart it again with the intention of what is mandatory for him, e.g. Janābah, and he does not need to perform wuḍu'.

f) Ghusl and Tayammum

If one is not able to perform ghusl, but is able to perform tayammum, it is permissible for him to have sexual intercourse with his wife, even if the prescribed time of a particular ṣalāh has begun.

Q1 is it permissible for the Jonob, to perform his ṣalāh with tayammum and with his body and clothing being najis, when time is very short? Or should he wash and perform ghusl and then perform the ṣalāh as qaḍā'?

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A1 should offer the ṣalāh after washing the najis part [of his body] if that is possible. And if that is not possible, [performing the ṣalāh in] time has priority overall other criteria.

Q2 If one would not be able to perform ghusl, but would be able to perform tayammum, is it permissible for him to have sexual intercourse with his wife, even if the prescribed time of a particular ṣalāh has begun?

A2 Yes.

g) Friday ghusl and Janābah

Q If one is required to perform the Janābah ghusl, but forgot this and instead performed the Friday ghusl or some other mostaḥab ghusl, would that satisfy the requirements for the Janābah ghusl?

A it satisfies, although as per mostaḥab precaution he should repeat [the ghusl].

h) Washing the long hair

Q is it mandatory for a woman to wash her long hair during the ghusl, and if water does not reach to some of the full length of the hair, does this constitute the invalidity of the ghusl?

A that is not required, but what is mandatory is to wash the scalp.

i) Investigating the water and the body

Q For the obligatory ghusl, is it required to investigate the water [level] in the reservoir to see whether or not it is less than Kurr?

A No, for it is permissible to perform ghusl with little [i.e. less-than-Kurr] water.

Q is a hole in the ear pierced for earrings considered as a feature of the body and thus must be washed specifically in the ghusl?

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A if the hole is wide enough such that its interior can be seen, it is mandatory to include it in the washing of the ghusl, otherwise it is not.

Q When performing the ghusl is it necessary to bring together some of the loose parts of the body so that water can reach them, or is it sufficient to just pour water on them?

A it is sufficient that water reaches all the skin.

Q is it necessary to take off the contact lenses worn on the eye for wuḍu' or ghusl?

A it is not necessary to take them off.

j) *Niyyah* and award of Ghusl

Q when performing a wash, if one says, "I perform this ghusl seeking closeness to Almighty Allah", will one be awarded for it, or it has no value, given that this ghusl has no particular significance or requirement – neither obligatory nor mostaḥab – but it is only a ghusl?

A any action whose intention is seeking closeness to Almighty Allah is awarded InSha'Allah.

k) *Janābah* of the patient and woman

If there is doubt as to whether or not the discharged fluid is seminal, it should be examined in the light of ejaculation, slacking [of body], and lust. If these three features are established, then it is deemed as being semen. With the absence of one of them it cannot be deemed semen, unless one definitively learns it to be semen. In the case of a patient and a woman, the association of lust and slacking of the body is sufficient to deem it to be semen.

l) Friday ghusl for the menstruating

Q is it permissible for a woman who is going through ḥayḍ (menstruation period), or istiḥāḍah to perform Friday ghusl?

A yes.

m) Sufficiency of the Ziyārah Ghusl?

- Q I have read in some publication that you have decreed that the ghusl for the Ziyārah of Imam Husayn – peace be upon him – replaces the need for wuḍu'. Is this a true quote of your verdict? What about the Friday ghusl about which there are many ḥadith?
- A No, this is not true. The only ghusl with which you need no wuḍu' is the Janābah ghusl – and Allah is the Knower.

2. Ghusl of the Three Bloods

The 'three bloods' are the bloods that are discharged from a woman's womb. These bloods are:

Ḥayḍ (menstruation)

Istiḥāḍah

Nifās (childbirth)

At the end of her ḥayḍ cycle, it is mandatory for her to perform the ghusl for the ṣalāh and her other acts of worship that necessitates wuḍu', ghusl or tayammum. The procedure for the ḥayḍ ghusl is similar to that of the janābah ghusl, but if she wishes to perform ṣalāh it is mandatory for her to perform wuḍu' too – before or after the ghusl.

More details on the rulings of the three bloods presented towards the end of this section.

3. Ghusl of touching the corpse

If one touches a dead person's corpse that has gone cold and has not been washed [the ghusl of the corpse] with any part of one's body, it is obligatory for him to perform the ghusl of "touching the corpse". This is mandatory regardless of whether one touches the corpse when awake or asleep, voluntarily or involuntarily, even if one touches the corpse's fingernail or bone with his fingernail or bone. The same is applicable if one's hair comes in contact the corpse's hair, provided that the hair of neither is not unusually long. However, the ghusl is not mandatory if one touches the corpse of a dead animal.

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1. It is not mandatory to perform the ghusl if one touches a corpse that has not gone cold entirely, even if the point of contact was cold itself.
2. It is mandatory to perform the ghusl if one touches the corpse of a child/baby even if it was a miscarried foetus that had completed its fourth months.
3. If one touches a corpse that had its three ghusl completed, it is not mandatory for one to perform the ghusl. However, if one touches the a part of the corpse before the three ghusl are complete, it is mandatory for him to perform the ghusl, even if he had touched a part [of the corpse] that had the third ghusl completed for that particular part.
4. If an insane or a prepubescent individual touches a corpse, it is mandatory for insane to perform the ghusl after he regains his sanity, and for the youngster when he reaches adolescence, as a precaution.
5. If a part/limb that contains bone is amputated from a living person, or from a corpse that has not been given its ghusl, and one touches the amputated part/limb before it being given its ghusl, it is obligatory for the person who touched it to perform the ghusl of “touching a corpse”. However, if the amputated part/limb does not contain bone, it is not mandatory for the person who touched it to perform the ghusl.
6. If one touched a corpse but did not perform the required ghusl for the touching, there is no objection to him stopping in a mosque, engaging in sexual intercourse, and reading the ‘Azāim surahs, but is mandatory for him to perform the ghusl and wuḍu’ if he wants to perform the ṣalāh and suchlike.

Procedure for “touching the corpse” ghusl

The procedure for “touching the corpse” ghusl is like the Janābah ghusl, except that if one performs ghusl of “touching the corpse”; if he wants to perform ṣalāh he is required to perform wuḍu’ too.

C) Tayammum

Tayammum is obligatory to be performed instead of wuḍu' or ghusl in seven circumstances:

1. Unavailability of water
2. Excused for not reaching the water
3. Use of water constitutes harm
4. Fear of thirst
5. Scarcity of water for washing
6. non-permissibility of use of water
7. Time being too short

1. Unavailability of water

If obtaining sufficient water for wuḍu' or ghusl is not possible.

- a) If one makes reasonable effort to search for water but does not find it, and therefore performs tayammum and ṣalāh, but after finishing his ṣalāh learns of the availability of water in the locality where he had sought it, his ṣalāh is valid. However, if there is enough time, as per mostaḥab precaution, he should [perform wuḍu' and] repeat the ṣalāh.
- b) If one has a small quantity of water, enough to perform wuḍu' or ghusl, and knows that if he throws it away he will not find any more water, thus if the time of ṣalāh had began it would be ḥarām for him to throw away the water, and as a precaution he should not do so even before the onset of ṣalāh time.
- c) If one knows that he would not be able to find water and invalidates his wuḍu', after the onset of the time of ṣalāh, or spills the water he has with him, he has committed disobedience and sin, but his ṣalāh with tayammum is valid, although – as per mostaḥab precaution – he should repeat that ṣalāh [when he has access to water].

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2. Excused for not reaching the water

If it is not possible for one to reach water because of old age, fear of assault or wild animal, etc. or for non-availability of the means to draw water from a well, it is obligatory for him to perform tayammum. The same applies if procuring water is intolerably difficult.

3. Use of water constitutes harm

If [because of a particular condition] one fears harm if he uses water, or would develop a physical defect or an ailment, or his condition would be prolonged or its treatment complicated, it is obligatory for him to perform tayammum. However, if he can avoid the harm by using warm water, it is mandatory for him to use warm water to perform wuḍu' or ghusl, and not resort to tayammum.

- it is not necessary to be absolutely certain that using water constitutes harm to him, but if one believes there is a probability of harm, and that probability is reasonable in common perception, giving him cause for concern, he should resort to tayammum.

4. Fear of thirst

If one fears that if one uses the water for wuḍu' or ghusl, he or his dependents, or companions will die of thirst or fall ill, or face intolerable hardship due to thirst, it is mandatory for him to perform tayammum instead of wuḍu' or ghusl. Also, if one fears his animal would die of thirst, it is mandatory for him to perform tayammum and give the water to the animal. The same applies to anyone whose life must be protected; if someone were to get thirsty and may die if not given the water. Similarly if one fears that one would face thirst later on.

5. Scarcity of water for washing

If the clothes or body of a person is najis, and he has a small quantity of water such that if he uses it to perform wuḍu' or ghusl, there will be none left to render his clothes or body ḫāhir, it is mandatory for him to use that water to render his clothes or body ḫāhir, and performs tayammum for ṣalāh. And if there is nothing for him to perform

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tayammum with, it is mandatory for him to perform wuḍu' or ghusl with that water and perform ṣalāh with najis body or clothes.

6. non-permissibility of use of water

If one has nothing but the water or the vessel the use of which is prohibited, such as usurped water or vessel and suchlike, it is mandatory for him to perform tayammum instead of ghusl or wuḍu'.

7. Time is too short

If time is too short such that if one performs wuḍu' or ghusl part or all of the ṣalāh would be outside the designated time, it is mandatory to perform tayammum.

If one deliberately delays [performing] the ṣalāh until there is little time for him to perform wuḍu' or ghusl, he has committed disobedience and sin, but his ṣalāh with tayammum is valid.

Things on which Tayammum is valid

1. Tayammum is valid on earth, sand, clod; which is lump of earth or clay, pebbles and rocks, but it is recommended not to perform tayammum on other than earth so long as it is possible. If earth is not available, then sand, and in the absence of sand, clods, and in their absence it may be done on pebbles or rocks.
2. Tayammum is valid if performed on gypsum and limestone, and it is also valid on baked limestone, but on mineral stones such as agate ('aqeeq) it is not valid.
3. If none of the above are available, it is mandatory to perform tayammum on the dust that gathers on the clothing, carpets, and suchlike. And if there is no dust on these things, one should perform tayammum on mud, and if there is no mud available, should perform the ṣalāh without tayammum, and as per mostaḥab precaution should perform the qaḍā' of the ṣalāh afterwards.

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4. the thing on which tayammum is performed should be ṭāhir, and if one has nothing ṭāhir that he may perform the tayammum on, it is obligatory for him to perform the ṣalāh, and, as per mostahab precaution, perform the qaḍā' of the ṣalāh afterwards.
5. It is essential that the thing which tayammum is performed on, and the place it is in is not usurped. [For example] if one performs tayammum on a usurped item like earth, or if the earth was his own property but places it in an area belonging to another person – without his leave or permission – and performs tayammum, his tayammum would be void.
6. It is mostahab that the object on which tayammum is performed has dust particles that would stick to the palms. It is also mostahab to shake off his hands – after striking them on that object – so that the dust particles fall off.
7. In the case of manufactured/artificial water or earth, if they were water or earth in reality, they would carry the ruling of water and earth, and if they were water or earth in appearance they would not have the rulings of water and earth for rendering things ṭāhir and suchlike.

Procedure of Tayammum instead of wuḍu'

In performing tayammum instead of wuḍu', four issues are mandatory:

1. the *niyyah*,
2. to strike both palms of the hands simultaneously on the object that tayammum is valid on,
3. to wipe the entire forehead and its sides with the palms beginning from the hair growth [on the head] up to the eyebrows and the top of the nose, and as a precaution to wipe over the eyebrows as well.
4. to wipe the back of the right-hand with the left palm, and wipe the back of the left-hand with the right palm.

Procedure of Tayammum instead of ghusl

In tayammum instead of ghusl, after stating the *niyyah*, one must strike his palms on the earth and wipe them over his forehead and the back of his palms, as given in the previous case, and as a precaution, it is mandatory to strike his palms on the earth a second time and wipe over the back of his hands. It is recommended to perform the tayammum, whether it is instead of wuḍu' or instead of ghusl as follows:

To strike his palms once on the earth and wipe them over his forehead and then the back of his hands, and then to strike them on the earth a second time and wipe them over the back of his hands.

Rulings of Tayammum

1. Ensure wiping all parts of tayammum

- a) if one leaves out wiping even small part of his forehead or back of his hands in tayammum, his tayammum is void, regardless of whether this was deliberately, or on account of being ignorant of the ruling or forgetting it. However, it is not necessary to excessive in ensuring this, rather it is sufficient if it is said one has wiped the entire of his forehead and the back of his hands.
- b) In order to ensure that one has wiped the entire of the back of his hand, it is mandatory to wipe from slightly above the wrist, but it is not necessary to wipe between the fingers.

2. Obligations of Tayammum

- a) It is mandatory to wipe the forehead and the back of the hands from above downwards. It is also mandatory to perform the acts of the tayammum in sequence and one after the other, and if there is a gap between them such that it could not be considered as tayammum, the tayammum would be *bāṭil* (void).
- b) When stating the *niyyah*, it is mandatory to specify whether the tayammum is instead of wuḍu' or ghusl, and if ghusl the kind of ghusl must be specified.

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- c) In tayammum, it is mandatory that the forehead and the palms of the hands and their backs to be ṭāhir, and if the palms of the hands were najis and it is not possible to render them ṭāhir, it is sufficient to perform the tayammum with the najis palms – unless the najāsah is such that it would seep/transfer into the object on which the tayammum is performed, and it is not possible to dry it, in which case it is mandatory to perform the tayammum with the back of the hands.
- d) For tayammum, it is mandatory to remove a ring if one is wearing one, and must also remove any obstacle that might be stuck on his forehead or back of his hand.
- e) If there is any wound on the forehead or the back of the hands with dressing on, and it is not possible to take the dressing off, it is mandatory to wipe on the dressing. Similarly, if there is any wound on the palm of the hand with dressing on and it is possible to remove the dressing, it is mandatory to strike the hands with the dressing on that which is valid to perform tayammum and wipe them on the face and the back of the hands.
- f) If a person is required to perform tayammum but is not able to do so, it is mandatory for him to appoint someone [to help him with that]. The appointee must help him perform the tayammum with his [the appointing person's] hands. If this is not possible, neither by striking the earth nor by wiping, then the appointee must strike whatever is valid to perform the tayammum on and wipe them on the face and the back of the hands of the appointing person.

3. Doubt in Tayammum

- a) If one doubts – after wiping the back of the left hand – whether his tayammum is valid or not, it is deemed valid.
- b) If a person who is required to perform tayammum, but knows that his condition will continue, it is permissible for him to

perform the ṣalāh with tayammum when there is plenty of time ahead of him. However, if he knew that his condition will be eliminated towards the end of the particular [ṣalāh] time, it is mandatory for him to wait until he can perform wuḍu' or ghusl and perform the ṣalāh. Also if one has reasonable cause to believe that his condition will be eliminated, he must, as a precaution, wait and perform the ṣalāh with wuḍu' or ghusl, or to perform the ṣalāh with tayammum towards the end of the particular [ṣalāh] time.

4. Invalidating the tayammum

One who is required to perform tayammum instead of ghusl, if after performing the tayammum he commits an act that invalidates the tayammum, such as urinating, it would be sufficient to perform wuḍu', and as per mostaḥab precaution, to repeat the tayammum that was performed instead of the ghusl.

5. Elimination of Condition

- a) If one performs tayammum due to a condition, or because of unavailability of water, and then that condition is eliminated, his tayammum would be rendered void.
 - b) The acts that invalidate the wuḍu' also invalidate the tayammum-instead-of-wuḍu', and those that render the ghusl void, render the tayammum-instead-of-ghusl void too.
 - c) He who is required to perform tayammum, if he does so for a particular purpose, he is thus allowed to do those things that require wuḍu' or ghusl, as long as his tayammum and his condition are intact. However. If his condition was lack-of-time, or he performs tayammum to perform prayer-of-the-deceased, or for being in a state of ṭuhr before retiring to sleep, while water being available, it is permissible for him to do the thing he performed the tayammum for only, and not other acts.
- Q if one believes time is too short to perform wuḍu' or ghusl, and instead performs tayammum and prays his ṣalāh, and then

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afterwards it became clear that there is enough time, would he have to repeat his ṣalāh with wuḍu' or is it valid?

- A if there was enough time to perform the wuḍu', should do so and repeat the ṣalāh, otherwise no.

6. Sufficiency of Tayammum Instead of Ghusls

- a) If one is unable to perform ghusl and is required to do a number of ghusls, one tayammum is sufficient.
- b) If one performs tayammum instead of the Janābah ghusl, he is not required to perform wuḍu' in order to perform ṣalāh. However, if one performs tayammum instead of other ghusls, he is required to perform wuḍu', and if it is not possible for him to perform wuḍu', he must perform another tayammum instead of wuḍu'.
- Q if one does not perform the Janābah ghusl out of shyness or embarrassment, or for non-availability of hot water, is it permissible for him to perform tayammum instead of ghusl?
- A if use of water constitutes hardship, awkwardness, embarrassment or harm then there is no objection to tayammum.
- Q I serve in the army, and in the winter we are not allowed to go to the showers except once a week, and on occasions I have ejaculations while asleep during the week. Is it imperative for me to perform a tayammum for every ṣalāh, or is it sufficient to perform tayammum once?
- A must perform one tayammum instead of ghusl, and perform wuḍu' for every ṣalāh.

The Three Bloods

The bloods that an adolescent woman sees may be classified into three categories; they are ḥayḍ (the monthly menstruation), istiḥāḍah, and nifās (the postpartum blood seen after childbirth). Each of these bloods has its particular characteristics/conditions, and each has its specific rulings as far as the woman's acts of worship are concerned.

Ḥayḍ or Menses

The ḥayḍ or menstrual discharge is the blood that is discharged from the woman's uterus every month, often for a number of days, and during the menstrual period the woman is referred to as Ḥā'id. The menstrual discharge or ḥayḍ blood is often warm and thick – black or red coloured – and it is discharged with thrust and a burning sensation.

Duration and occurrence of Ḥayḍ

1. the ḥayḍ or menstrual cycle is not less than three days, and it does not last more than ten days; so if the woman experiences menses for less than three days – even by a small amount of time – it is not considered as ḥayḍ.
2. as a precaution, the three days of ḥayḍ menstruation should be consecutive; so if menstruation takes place for two days, then stops for one day, and then starts again for another day, then it is imperative for the woman to observe precaution by acting on the abstentions of the Ḥā'id and the obligations of the mustahāḍah. That is she must abstain from intercourse, entering the mosques, touching the script of the Qur'an and of the name of Allah, and the recitation of the Azā'im²⁰ surahs of the holy book. At the same time she must act upon the duties of the mustahāḍah such as wuḍu', ghusl etc. for every ṣalāh. The duties of the mustahāḍah are mentioned elsewhere in this work.
3. it is not necessary for the blood to discharge [externally] during the three days in order for it to be considered as ḥayḍ, but it is sufficient for the presence of blood in the vagina. Furthermore, if a woman is clean for a very short period during the three days, but it can be said that, during the three days, blood was present in her vagina, then that is considered as ḥayḍ.
4. it is not necessary, for the confirmation of ḥayḍ to have taken place, that a woman sees blood on the eve of the first night and fourth night for the three days, but it is essential that bleeding does stop on the eve of the second and third nights. Thus, if

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blood is seen from the time of the Fajr adhān on the first day and continues without interruption to the sunset of the third day, it would be considered as ḥayḍ. Similarly, if bleeding commences from the middle of the first day and stops at the same time on the fourth day, without interruption on the eve of the second, third, and fourth nights, it too would be considered as ḥayḍ.

5. if a woman sees blood for three days continuously and then becomes ṭāhir, if she sees blood again after that, and if the total number of days in which she see blood together with the intervening ṭāhir days is not more than ten days, then all the blood seen is considered as ḥayḍ.
6. if a woman sees blood and doubts as to whether it is of ḥayḍ or istiḥāḍah, it is imperative that she treats it as ḥayḍ if it bears the characteristics of ḥayḍ.
7. If a woman sees blood for less than three days and becomes ṭāhir, and after that sees blood for three days; the second blood is ḥayḍ, and the first blood is not considered as ḥayḍ even if it occurred during days of her monthly period.

The girl and the Qurayshi female

1. The Qurayshi female reaches menopause at the age of sixty, and thus they do not see ḥayḍ blood after that age, but non-Qurayshi female reach menopause at the age of fifty.
2. The blood that a girl sees before the completion of nine years, or that seen by a woman after menopause, is not considered ḥayḍ.
3. If a woman doubts as to whether or not she has reached menopause, if she sees blood and she is not sure if it is ḥayḍ, she must assume that she has not yet reached menopause.

Rulings of Ḥayḍ

Prohibitions of the Ḥā'id

A number of matters are prohibited for the Ḥā'id :

1. the acts of worship that require wuḍu', ghusl, or tayammum are prohibited. However the acts of worship that do not require wuḍu', ghusl, or tayammum such as prayer for the deceased may be performed while in the state of ḥayḍ.
2. All the issues that are prohibited for the one in the state of janābah, which are mentioned in the section of the Rulings of Janābah.
3. Vaginal intercourse, which is ḥarām - prohibited - for both the man and the woman, even if penetration is to the extent of penis glans only, and even if ejaculation does not take place. As a precaution even penetration of less than the glans (the point of circumcision) should not take place. Anal intercourse is also prohibited with the Ḥā'id. However, other forms of courting, kissing, fondling, and suchlike are permissible.

Kaffārah for intercourse with Ḥā'id

1. As a mustahab precaution, the husband should give the stated kaffārah (given below) if he has sexual intercourse with his wife knowing that she is Ḥā'id. However, if he has sexual intercourse with her not knowing she is Ḥā'id then he is not liable to kaffārah.
2. If he cannot afford to pay the stated kaffārah, it is mustahab for him to seek divine forgiveness, but if he can afford it but he could not pay it then, it is mustahab for him to pay it whenever he can.

Kaffārah of the various days

If the woman's menstrual period is divided into three [chronological] stages then:

If he has sexual intercourse with her, while she is Ḥā'id, during the first stage of her period, as a mustaḥab precaution, he should give one Dinār to the poor. One Dinār is equivalent to 18 carats (3.6 grams) of gold.

If he has sexual intercourse with her during the second stage, he should give one half of a Dinār. For the third stage he should give one quarter of one Dinār.

So if the woman's menstrual cycle is six days for example, and her husband has sexual intercourse with her on the first night, or the first day or the second day, as a mustaḥab precaution he should give one Dinār kaffārah. If he has sexual intercourse with her on the third night or the third or the fourth day, as a mustaḥab precaution he should give one half of one Dinār kaffārah. If he has sexual intercourse with her on the fourth night or the fifth or sixth day, as a mustaḥab precaution he should give one quarter of one Dinār kaffārah.

Discouraged acts for the Ḥā'id

It is discouraged (makrooh) for the Ḥā'id to recite the holy Qur'an, keep it with her, carry it, or touch the space between its lines. Similarly it is makrooh for her to dye her hair with henna and suchlike.

Ḥā'id and ṣalāh

If a woman's ḥayḍ cycle begins during the performance of the ṣalāh, her ṣalāh is void.

Ḥyaḍ Ghusl

At the end of her ḥayḍ cycle, it is mandatory for her to perform the ghusl for the ṣalāh and her other acts of worship that necessitates wuḍu', ghusl or tayammum. The procedure for the ḥayḍ ghusl is similar to that of the janābah ghusl, but if she wishes to perform ṣalāh it is mandatory for her to perform wuḍu' too – before or after the ghusl.

Insufficient water for ghusl

If the water available to her is not sufficient for both ghusl and wuḍu', but it is for one of them, then it is mandatory for her to perform the ghusl and then perform tayammum instead of wuḍu' as a mandatory precaution. However, if she had enough to perform wuḍu' only and not ghusl, then it is mandatory for her to perform the wuḍu' and then perform tayammum in place of ghusl. If she did not have access to water at all, then it is mandatory for her to perform tayammum twice, one for ghusl and another for wuḍu'.

Missed prayer and fasting of the Ḥā'id

The Ḥā'id is not obliged to perform the qaḍā' of the ṣalāh she misses during the ḥayḍ period. However, it is mandatory for her to perform the qaḍā' of fasting for the days she missed during the ḥayḍ cycle.

1. If the time of the ṣalāh begins and she knows that if she delays the ṣalāh the ḥayḍ cycle will begin, then it is mandatory for her to perform her ṣalāh immediately.
2. if a woman who is not in state of ḥayḍ delays the ṣalāh after the start of the ṣalāh time by a period enough to perform the ṣalāh, and then her ḥayḍ cycle begins, she is liable to perform the qaḍā' of that ṣalāh.
3. if the Ḥā'id woman becomes ṭāhir towards the end of the timeslot for a particular ṣalāh, and there is enough time to perform the ghusl, wuḍu', and other preparatory measures such as clothing etc. and to perform one or more rak'ah of the ṣalāh, then it is mandatory for her to perform the ṣalāh, and if she does not she remains liable to perform its qaḍā'.
4. if there is not enough time to perform the ghusl and wuḍu', but it is possible to perform the ṣalāh with tayammum in time, it is obligatory for her to perform that ṣalāh, and if her duty is to perform tayammum – regardless of the shortness of time – like if using waters constitutes harm to her, then it obligatory for her to perform the tayammum and the ṣalāh.

Types of Ḥā'id

Ḥā'id women are of six types:

1. those of known timing and duration cycle.
2. those of known timing cycle.
3. those of known duration cycle.
4. those of unknown or disturbed cycles (*muḍṭaribah*).
5. the first-timer (*mubtadi'ah*).
6. the *nāsiyah* or the one who has forgotten the timing and/or duration of her cycle.

Those of known timing and duration cycle

A woman who sees the ḥayḍ blood in two consecutive months at a particular time, and for a particular duration. For example, she sees the ḥayḍ blood in consecutive months from the first day of the month to the seventh.

Those of known cycle timing and duration are further categorised into three groups:

- a) A woman who sees the ḥayḍ blood in two consecutive months at a particular time, and she becomes ḥāhir (i.e. her ḥayḍ cycle ends) at a particular time too. For example, she sees the ḥayḍ blood in consecutive months from the first day of the month to the seventh, thus her period is from the first day of the month to the seventh.
- b) A woman who does not become ḥāhir from blood, but in two consecutive months – during particular days – she sees blood that is characterised by the properties of the ḥayḍ blood, i.e. it is thick, black, warm, and exits with pressure and burning sensation. However, the blood she sees in other than those particular days is characterised by properties of the istiḥāḍah blood. For example, she sees blood characterised by the ḥayḍ blood properties from the first day of the month to the eighth in two consecutive months, and thus her period is from the first day of the month to the eight.

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- c) A woman who sees ḥayḍ blood at a particular time in two consecutive months and after three days or more of bleeding, it ceases and she becomes ṭāhir for one day or more, and then she sees blood again. The total number of days in which she sees blood together with the number of days that she is ṭāhir between the two bleeding periods does not exceed ten days, and in each month the number of bleeding days and the number of intervening ṭāhir days are equal. Therefore in this case her monthly period is the total number of days she sees blood, together with the intervening ṭāhir days. It is not necessary for the intervening ṭāhir days to be the same in each month. For example, if she sees blood in the first month from the first day to the third, and then she becomes ṭāhir for three days, then she sees blood again for three days, and in the second month she sees blood from the first day to the third, becomes ṭāhir for three days or more, or less, and then sees blood again, and the total number of bleeding days and the intervening ṭāhir days does not exceed nine days in each of the two months, then monthly period of this woman is nine days.

Changes in the timing of ḥayḍ

1. in the case of the woman of known timing and duration cycle, if she sees blood before the period or after by two or three days, such it can be said that her ḥayḍ is delayed or advanced, it is mandatory for her to act according to the rulings of ḥayḍ, even if that blood does not bear the ḥayḍ properties. However, if she learns afterwards that that blood was not ḥayḍ, for example she becomes ṭāhir before three days, she is obliged to perform the qaḍā' of the acts of worship she missed.
2. If she sees blood before her period by a few days, and the blood continues during her period and after it by a few days, and the total does not exceed ten days, all is considered ḥayḍ.
3. If it exceeds ten days, the blood seen during the days of her period only is ḥayḍ and that seen before and after the period is

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istiḥāḍah. It is therefore mandatory for her to perform the qaḍā' of the missed acts of worship during the days before and after the period.

4. If she does not see blood during the time of her period, but sees it at another time for the same duration as her period, then it is mandatory for her to treat the blood she sees in those days as ḥayḍ, regardless of whether this is before the period or after.

Those of known timing cycle

A woman who sees the ḥayḍ blood in two consecutive months at a particular time, but the duration of her cycle in one month is different from the second. For example, she sees the ḥayḍ blood in the first month on the first day of the month and becomes ṭāhir on the seventh, but in the second month she sees blood on the first day of the month and becomes ṭāhir on the eighth.

Those of known timing cycle are divided into three groups:

- a) A woman who sees the ḥayḍ blood at a particular time in two consecutive months, and she becomes ṭāhir after a number of days, but the number of days in each of the months is not the same. For example, she sees blood in two consecutive months on the first day of the month, but in the first month her bleeding period continues for seven days and in the second month it continues for eight. This makes the beginning of her period to be the first day of the month.
- b) A woman who does not become ṭāhir from blood, but in two consecutive months, and at a particular time, she sees blood that is characterised by the properties of the ḥayḍ blood, i.e. it is thick, black, warm, and exits with pressure and burning sensation. As for other days, [she sees] blood that is characterised the properties of the istiḥāḍah blood. The number of days in which she sees the blood characterised by the properties of the ḥayḍ blood is not the same in the two months. For example, in the first month she sees the blood characterised

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by the properties of the ḥayḍ blood from the first day of the month to the seventh, and in the second month from the first day of the month to the eighth. As for the other bloods, they are characterised by the properties of the istiḥāḍah blood. This makes the beginning of each month the start of her monthly period.

- c) A woman who sees the ḥayḍ blood at a particular time in two consecutive months for three days or more, then becomes ṭāhir, and then sees blood again, but the total number of the two bleeding periods and the intervening ṭāhir period does not exceed ten days. However, in the second month these days increase or decrease in number compared to the first month. For example, the number of these days in the first month is eight days, and in the second nine. The woman in this case makes the start of her monthly period on the first day of the month [if blood is seen on the first day of the month].

Those of known duration cycle

In this case the woman's menstruation cycle duration in the two consecutive months is the same but the menstruation timings in the two months are not the same. For example, in the first month she sees blood from the fifth to the tenth day, and in the second from the twelfth to the seventeenth.

A) Those of known duration cycle are categorised into three groups:

- i. A woman whose ḥayḍ cycle duration in the two consecutive months is the same but the timings of menstruation are different in the two months. In this case she should treat as ḥayḍ the blood she sees in all those days. For example, if she sees blood from first day to the fifth in the first month, and from the eleventh to the fifteenth in the second, her monthly menstrual cycle is five days.
- ii. A woman who does not become ṭāhir from blood, but in two consecutive months she sees blood during particular days that is

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characterised by ḥayḍ properties, and another blood in other days that is characterised by istiḥāḍah. The number of days in which the ḥayḍ-characterised blood is seen is the same in the two months, but the timings of each period in the two months differ. In this case the days in which the ḥayḍ-characterised blood is seen constitute her ḥayḍ period. For example, if she sees blood in the first month from the first day to the fifth, and in the following month from the eleventh to the fifteenth, and the blood seen in these periods bears ḥayḍ properties, but the other blood is characterised by istiḥāḍah, her period would be five days.

- iii. a woman who sees the ḥayḍ blood – in two consecutive months – for three days or more, becomes ṭāhir for one day or more, then sees blood again, and the timing of seeing blood differs in the two months, if the total number of days of the bleeding periods and the intervening ṭāhir period does not exceed ten days, and the number of days is the same in the two months, then the total number of days she sees blood and the intervening ṭāhir period constitute her period. It is not necessary for the intervening ṭāhir days to be the same in the two months. For example, if in the first month she sees blood from the first day of the month to the third, becomes ṭāhir for two days, sees blood for another three days, and in the second month she sees blood from the eleventh day of the month to the thirteenth, becomes ṭāhir for two day, or more or less than that, sees blood again; but the total number of days does not exceed eight days, her monthly period is considered as eight days.

B) If blood is seen beyond the monthly period, and exceeds ten days:

- i. If all the blood has the same property, she must treat it as ḥayḍ from the day it is seen for the duration of her period, and treat the rest as istiḥāḍah.
- ii. If the blood property does not remain constant but changes such that on some days it is has the ḥayḍ characteristics and on

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others the istiḥāḍah; if the number of the days in which the blood has ḥayḍ properties is the same as the number of the days of her period, she must treat it as ḥayḍ and the rest istiḥāḍah.

- iii. If the number of the days in which the blood has ḥayḍ properties is more than the number of her period days, she must treat it as ḥayḍ for the duration of her period and treat the rest as istiḥāḍah.
- iv. If the number of the days in which the blood has ḥayḍ properties is less than the number of her period days, she must treat it as ḥayḍ during those days and any extra days to make the total equal her period days, and the rest as istiḥāḍah.

Those of unknown or irregular cycles

This is for the case when a woman sees blood in a number of months, but her period has no regularity in terms of timing or duration. Or it can also be said of a woman who used to have a regular period, but that period is disturbed, and she has not acquired a new regular period. She is referred to as *muḍṭaribah*.

- a) If the *muḍṭaribah* sees blood for more than ten days and all the blood has the same property, if her relatives have seven day periods, she should treat the blood as ḥayḍ for seven days and the rest as istiḥāḍah. If they have a period of less than that, for example five days, she must assume hers to be five days too. If the period of her relatives is more than seven days, say nine days, she must treat seven days as ḥayḍ, and during the difference between seven and their period, which is two days, she should abandon the prohibitions of the Ḥā'iq and act on the duties of the mustahāḍah, as a mustahab precaution.
- b) If the *muḍṭaribah* sees blood for more than ten days; on some ḥayḍ-characterised and on others istiḥāḍah-characterised, if the ḥayḍ-characterised days are less than three days or more than ten days, she must act according to the aforementioned case (a), but if the ḥayḍ-characterised blood is not less than three days

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nor more than ten, then it is considered ḥayḍ throughout [these days]. Furthermore, if she sees ḥayḍ-characterised blood – and before the passage of ten days – she sees ḥayḍ-characterised blood again; for example she sees black blood for five days, yellow blood for nine, and then black blood for another five days – she must act according to the aforementioned case.

The first-timer (*mubtadi'ah*)

The *mubtadi'ah* is the woman who sees blood for the first time; if she sees blood for more than ten days and all the blood carries the same characteristics, it is mandatory to make her period the same as the prevailing period amongst her relatives, as mentioned in the case of the *muḍṭaribah* and treat the rest as *istiḥāḍah*.

The *nāsiyah* - one who has forgotten order of her cycle

The *nāsiyah* is the woman who has forgotten [the time and duration of] her period; so if she sees blood for more than ten days, she must treat the days in which the blood is ḥayḍ-characterised as ḥayḍ days. If it is not possible for her to distinguish the ḥayḍ through the signs and characteristics, she must treat seven days as ḥayḍ and the rest as *istiḥāḍah*.

Miscellaneous

Certainty or otherwise

The *mubtadi'ah*, *muḍṭaribah*, *nāsiyah*, and those of known duration cycle if they see blood that has ḥayḍ properties, or if they are certain that it would continue for three days, they are obliged to refrain from acts of worship. If later on it becomes evident that it was not ḥayḍ they must perform as *qaḍā'* the acts of worship they missed. If they are not certain that it would continue for three days, or if the blood does not have ḥayḍ properties they must as an obligatory precaution act according to the duties of the *mustaḥāḍah* for three days, during which she must abandon the prohibitions of the *Ḥā'id*. However if she does not become *ḫāhir* before three days she must treat it as ḥayḍ.

Changes in timing and duration of period

A woman of known duration, known timing, or known timing and duration, if in two consecutive months she sees blood contrary to her normal period in terms of timing, duration or both timing and duration; that in both months she notices the same change(s) in timing, duration or both, her period is considered to have changed to that seen in these two months. For example if she used to see blood from the first day of the month to the seventh and then becomes ṭāhir, but in two consecutive months she see blood from the tenth day to the seventeenth and then becomes ṭāhir, her period would be from the tenth to the seventeenth.

If blood is seen twice in a month

A woman who normally sees blood once in a month, if she sees blood twice in a month, and both bloods have the ḥayḍ properties; then if the intervening ṭāhir days are not less than ten days, she must treat the bloods as ḥayḍ.

Ṣalāh and fasting qaḍā'

If she deems a specific number of days as ḥayḍ period and therefore does not perform her acts of worship, but afterwards she learns that it was not ḥayḍ, she is obliged to perform the qaḍā' of the ṣalāh and fasting she missed on those days.

If she performs acts of worship in the belief she is not Ḥā'id but afterwards she learns she was Ḥā'id, it is mandatory for her to perform the qaḍā' of the fasting she did on those days.

Istiḥāḍah

The istiḥāḍah blood is one of the bloods that is seen by women, and the woman in the state of istiḥāḍah is called mustaḥāḍah. The blood of istiḥāḍah is often yellow, cold, and is emitted without pressure or burning sensation, and it is not thick. However, it is possible that at times the colour may be black or red, warm and thick, and is discharged with pressure or burning sensation.

Categories of istiḥāḍah

The istiḥāḍah may be classified into three categories:

1. The *qalilah* or little (minor) blood, which is the case when blood remains only on the surface of the cotton wool or pad and does not penetrate into it when a woman places the pad on her vagina.
2. The *mutawasīṭah* or medium blood, which is the case when blood penetrates the pad or cotton wool but the blood does not soak it to reach across it to the band or cloth supporting the pad.
3. The *kathirah* or extensive (major) blood, which is the case when blood soaks the cotton wool or pad staining the band or cloth supporting the pad or cotton wool.

Rulings of istiḥāḍah

1. In the case of the *qalilah* or slight istiḥāḍah, it is mandatory that for every ṣalāh a woman performs wuḍu', changes the pad or cotton wool, and renders ṭāhir her vagina if blood has reached the outer surface.
2. in the case of the medium istiḥāḍah, it is mandatory for a woman to perform the istiḥāḍah ghusl prior to the morning prayer (ṣalāt al-ṣobḥ), and until the dawn of the following day she should act according to the duties of the *qalilah* mustaḥāḍah mentioned in the previous case, namely wuḍu' for every ṣalāh, the changing of the pad, and the rinsing.
3. in the case of the extensive or major istiḥāḍah, it is mandatory for a woman, in addition to acting according to the duties of the medium mustaḥāḍah (which are namely the ghusl for the morning prayer, wuḍu', changing of the pad, and rinsing of the vagina for every ṣalāh) she is obliged to change the pad that supports the cotton wool or render it ṭāhir, and also to perform another ghusl for the Duhr and 'Aṣr ṣalāh, and a third ghusl for the Maghrib and 'Eshā' ṣalāh. She should not separate between

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the Duhr and ‘Aṣr ṣalāh, nor between the Maghrib and ‘Eshā’ ṣalāh; for if she separates between the two ṣalāh she must perform another ghusl for the ‘Aṣr ṣalāh if she separates between the Duhr and ‘Aṣr, and a fifth ghusl for the ‘Eshā’ ṣalāh if she separates the Maghrib and ‘Eshā’.

4. for the medium and extensive mustahāḍah who are obliged to perform ghusl and wuḍu’, it is valid if they are performed in any order.
5. if after the morning prayer, the *qalilah* or slight mustahāḍah becomes medium mustahāḍah, she is obliged to perform a ghusl for the Duhr and ‘Aṣr ṣalāh, and if after the Duhr and ‘Aṣr ṣalāh she becomes extensive (major) she is obliged to perform a ghusl for the Maghrib and ‘Eshā’ ṣalāh.
6. if after the Ṣobḥ ṣalāh the slight or medium mustahāḍah becomes extensive, she is obliged to perform a ghusl for the Duhr and ‘Aṣr ṣalāh, and another for the Maghrib and ‘Eshā’ ṣalāh.
7. if the slight or medium mustahāḍah performs the ghusl for the Ṣobḥ ṣalāh before the onset of the time [of adhān] her ghusl is bāṭil. However, there is no problem if she performs the ghusl to perform the Night ṣalāh (ṣalāt al-Layl) just before the Fajr adhān, and then performs ṣalāt al-Layl and at the onset of the time of the Ṣobḥ ṣalāh she performs the Ṣobḥ ṣalāh.
8. it is mandatory for a mustahāḍah to perform a wuḍu’ for every ṣalāh, whether the ṣalāh is optional (mustahab) or obligatory (wājib). The same goes if she wishes to perform a ṣalāh as a precaution (iḥtiyāt). If she wishes to perform a ṣalāh that she performed furādā (solo) as jamā’ah (congregation) she must perform all acts that have been mentioned for the mustahāḍah. However, it is not necessary to perform the duties of the mustahāḍah that have been mentioned for ṣalāt al-iḥtiyāt, the

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forgotten sujdah, the forgotten tashahhud, or *sujdat-as-sahw*, if she performs them immediately after ṣalāh and without delay.

9. it is mandatory for the mustahāḍah whose bleeding has ceased to act according the duties of the mustahāḍah for the first ṣalāh she wishes to perform, but it is no necessary to do that for subsequent ṣalāh.
10. if the mustahāḍah cannot examine herself, she must act according her duty with certainty. For example, if she does not know if her istiḥāḍah is minor or medium, she must act according to the duties of the minor mustahāḍah, and if she does not know if she is medium or major mustahāḍah, she must act according to the duties of the medium. However, if she knows that she used to be one of the three categories, then it is mandatory for her act according to the duties of that category.
11. if the istiḥāḍah blood remains inside the vagina and does not emit outside, this would not render the ghusl or wuḍu' bāṭil, but it emits outside then her wuḍu' and ghusl is rendered bāṭil.
12. if the mustahāḍah examines herself after the ṣalāh and does not notice blood, it would be permissible for her to perform ṣalāh with the same wuḍu' she has.
13. when the medium and major mustahāḍah becomes ṭāhir completely from the blood it is mandatory for her to perform the ghusl. However, if she knows that blood has not been emitted since before performing the ghusl for the previous ṣalāh, it is not necessary to repeat the ghusl.
14. it is mandatory for the minor mustahāḍah - after wuḍu' - and for the medium and major mustahāḍah - after wuḍu' and ghusl - to engage in ṣalāh immediately and without delay. However, there is no problem in performing the adhān and iqāmah and uttering supplications (du'ā') before the ṣalāh, and similarly, it is permissible for her to perform the mustahab acts such as quonoot during the ṣalāh.

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15. if the mustahāḍah separates between the ghusl and ṣalāh and blood emits from her, she is obliged to perform the ghusl again and performs the ṣalāh without separation and delay.
16. If blood does not cease during the ghusl, the ghusl is valid, but if during the course of the ghusl the medium istiḥāḍah becomes major, she must start the ghusl a new.
17. the fasting of the mustahāḍah who is liable to perform a fast is valid if she performs the ghusl for the Maghrib and ‘Eshā’ ṣalāh for the night the day of which she intends to fast, as well as performing the obligatory ghusls required for the ṣalāh of that day. However, if she does not perform the ghusl for the Maghrib and ‘Eshā’ ṣalāh, but performs the ghusl for the Night prayer (ṣalāt al-Layl) before the Fajr adhān, as well as performing the various day-time ghusls for her ṣalāh, her fasting would be valid.
18. If she becomes mustahāḍah after the ‘Aṣr ṣalāh and she does not perform ghusl until sunset (*ghuroob*), her fast remains valid.
19. if the medium istiḥāḍah develops into a major one during the ṣalāh, as a precaution she should abort the ṣalāh, perform ghusl and wuḍu’ and all other duties that are obligatory for the major mustahāḍah and then perform the ṣalāh. If time is too short to perform the wuḍu’ or the ghusl, she must perform two tayammums; one for the ghusl and the other for the wuḍu’. If time is too short for one of those rites (ghusl and wuḍu’), it is mandatory for her perform tayammum for one and also perform the other rite itself. However, if time is not enough even for tayammum, it is not permissible for her to abort the ṣalāh, but rather she should continue with and finish the ṣalāh, then as a mustahab precaution she should perform the qaḍā’ of the ṣalāh. The same ruling applies if the minor becomes medium or major mustahāḍah during ṣalāh.

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20. if the mustahāḍāh forgoes one of her obligatory duties – even if it were, say, the changing of the pad/cotton-wool, her ṣalāh is rendered bāṭil.
21. if the mustahāḍāh performs the ghusls that are obligatory for her, it is permissible for her enter mosques, stop in them, recite the ‘Azā’im surahs (which necessitate obligatory sujood/prostrations), and copulate with her husband even if she does not perform the other acts that is liable to for ṣalāh such changing the pad or the cotton wool.
22. if before the time of ṣalāh the major or medium mustahāḍāh wanted to recite one of the ‘Azā’im surahs, or wanted to enter a mosque, she must perform ghusl as an obligatory precaution. The same applies if her husbands wished to have intercourse with her. However, if she wanted to touch the Qur’an with part of her body, it is obligatory for her to perform wuḍu’ too.
23. Ṣalāt al-Āyāt is mandatory upon the mustahāḍāh and it is obligatory for her to perform for Ṣalāt al-Āyāt all those acts that she is obliged to do for the daily obligatory prayers.
24. if the mustahāḍāh wishes to perform qaḍā’ ṣalāh for those she has missed, it is mandatory for her to do for every one of the qaḍā’ ṣalāh all those acts she is obliged to do for the ṣalāh that she performs on time (*ada’*).
25. if she learns that the blood coming from her is not of a wound or a sore, and it is not characterised by ḥayḍ or nifās properties, as defined by the shari‘ah, she is obliged to act according to the duty of the mustahāḍāh. Furthermore, if she doubts as to whether or not it is istiḥāḍāh blood or that of other types, if it does not bear the signs and properties of the other bloods, it is imperative for her to act according to the duties of the mustahāḍāh as an obligatory precaution.
26. the clothing/garment a mustahāḍāh wears if stained by blood become najis otherwise they are ṭāhir.

Nifās

Every blood a woman sees from the moment a part of the foetus exits from uterus, and which ceases before or on the tenth day is *nifās* blood and in that state a woman is called *nufasā*. The blood that a woman sees before the appearance of a part of the foetus is not *nifās*. It is not necessary for the foetus to be complete for *nifās* to be considered to have occurred, even if it emerges in the shape of a ‘clot’ or if she learns or four other women/midwives confirm that the delivered is a human, the blood the woman sees from that moment is *nifās*. It is possible that the *nifās* blood is not more than an instance, but it is not possible to exceed more than ten days.

Rulings of Nufasā

1. It is prohibited for the *nufasā* to stop in a mosque, touch the script of the Qur’an by the body, and everything else that is prohibited for a Ḥā’iḍ. Similarly everything that is *mustaḥab* and *makrooh* for a Ḥā’iḍ is *mustaḥab* and *makrooh* for her too.
2. The divorce of a woman during her *nifās* is not valid except with the given conditions – mentioned in the book of divorce. Furthermore, sexual intercourse with her (a *nufasā* woman) is prohibited too.
3. It is mandatory for a woman to perform *ghusl* after she becomes *ṭāhir* from the *nifās* blood, and to perform her acts of worship. If she sees blood a second time, and if the periods of the two bloods and the intervening *ṭāhir* days are ten days or less, all is considered as *nifās*, and if she had fasted during the intervening *ṭāhir* days it would be mandatory for her to perform the *qaḍā* for those days.
4. in the case when the *nifās* blood exceeds the [maximum] ten days, if she is of a known *ḥayḍ* period, she should deem the blood she sees as *nifās* for the duration of her period and the rest [of the days] as *istiḥāḍah*. If on the other hand she is not of a known *ḥayḍ* period, she should treat the blood she sees as *nifās*

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for the duration of tens days and the rest [of the days] as istiḥāḍah.

5. in the case of a woman – of a known ḥayḍ period – who sees blood continuously for a month or more after childbirth, she must treat the blood as that of nifās for the days equal to the duration of her period, and treat the subsequent ten days of bleeding - after the period of nifās - as istiḥāḍah, even if this coincides with her monthly menstruation period. For example, a woman whose ḥayḍ menstruation period is from the 20th to the 27th of every month, if she give birth on the tenth day of the month and her bleeding continues for a month or more without cessation, it is mandatory for her to treat the blood from the 10th to 17th as nifās, and from the 17th for the duration of ten days as istiḥāḍah; that is even the blood she sees during her monthly period from the 20th to the 27th. However, after the lapse of the aforementioned ten days, if the blood she sees coincides with the days of her monthly period, this is considered as ḥayḍ regardless of whether or not the blood bears the properties of ḥayḍ. On the other hand, if the blood she sees (after the passage of the ten days) does not coincide with the days of her menstruation period, and it does not have the properties of the ḥayḍ blood, then it is istiḥāḍah.
6. A woman who does not have a particular ḥayḍ period, if she sees blood after childbirth for a month or more, then the first days of this bleeding is ḥayḍ, the second ten days is istiḥāḍah, and afterwards if what she sees is characterised by ḥayḍ properties then it is ḥayḍ, otherwise it is istiḥāḍah.

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Chapter Three: Ṣalāh

Ṣalāh or the daily prayers is amongst the greatest of religious acts and the most important of them, rather it is the pillar of the religion; if accepted [all] other deeds are accepted, and if rejected [all] other deeds are rejected, as stated by Allah’s messenger peace be upon him and his pure progeny.²¹ It is for purifying the soul and cleansing the self, just as the river cleans the body and renders it ṭāhir when one washes in it every day and night five times. It is imperative that one performs the ṣalāh at the onset of its prescribed time, for he who treats his ṣalāh without due considerations and takes it lightly is like he who does not perform the ṣalāh. The Messenger of Allah has said: “He is not of me he who treats his ṣalāh without due consideration”, and would live in hardship and misery.

So it is emphatically imperative for one to pay the strictest attention to his ṣalāh; that one does not perform it in haste and hurry, but during the ṣalāh one should be humble before his Lord – in fear and in dignity – and to realise with whom he is talking and understand whom is he addressing. He should see himself little and insignificant before Allah’s Greatness and His Majesty. Thus if the person performing the ṣalāh realises this, he is bound to forget himself before the Majestic Being, just as the occasion when the arrow was pulled out of the leg of Amir al-Mo’mineen peace be upon him while he was praying without him even noticing it.

It is essential that the person who upholds the ṣalāh seeks forgiveness from Allah Almighty, entirely devotes himself to Him, and avoids the sins and disobediences that prevent the ṣalāh from being accepted such as jealousy, arrogance, backbiting, as well as eating, earning, obtaining ḥarām things, drinking intoxicants, abandoning the khums and zakāh, or absolutely any disobedience for that matter.

1. The Daily Obligatory Ṣalāh

The daily obligatory ṣalāh are five:

1. the Duhr (noon) ṣalāh; which is four rak‘ah,
2. the ‘Aṣr (afternoon) ṣalāh; four rak‘ah,
3. the Maghrib (after sunset) ṣalāh; three rak‘ah,
4. the ‘Eshā’ (evening) ṣalāh; four rak‘ah,
5. the Ṣobḥ (morning) ṣalāh; two rak‘ah.

Preliminaries of Daily Ṣalāh

1. Times of the Ṣalāh

Times of the Duhr and ‘Aṣr Ṣalāh

a) Determining Noontime

If a rod or a stick is positioned vertically on a flat ground surface, when the sun rises, the shadow of the rod on the surface points westwards, and as the sun continues to rise in the sky, the rod shadow shrinks, and at noontime [when the sun is at its highest point from the horizon] the shadow on the surface is at its shortest length [in other than polar regions]. After passing the noontime, the shadow begins to point in the eastern direction, and it continues to stretch as the sun sets towards sunset.

Therefore, when the rod shadow is at its shortest length, and afterwards it begins to stretch and increase in length, it can be said that the Shar‘ei noontime has taken place. However in some regions, such as the holy city of Mecca, where sometimes the rod shadow ceases to be visible at noontime, noontime is pronounced when the rod shadow becomes visible again. The Shar‘ei noontime varies throughout the year from being a few minutes before 12:00 hours to a few minutes after that depending on the time of the year.

b) The Specific Time

The specific time of the Duhr ṣalāh is from the onset of noontime until such time that is required to perform the Duhr ṣalāh, such that if due to negligence one performs the ‘Aṣr ṣalāh during this time, his ṣalāh would be *bāṭil* (void).

As for the specific time for the ‘Aṣr ṣalāh, it is the required time to perform the ‘Aṣr ṣalāh before the sun sets. So if one does not perform the Duhr ṣalāh until that time, the Duhr ṣalāh becomes *qaḍā’* (i.e. time-expired), and one must perform the ‘Aṣr ṣalāh ‘in its specific time’ first, and then perform the *qaḍā’* (in lieu) of the Duhr ṣalāh.

c) The Common Time

The common time for the Duhr and ‘Aṣr ṣalāh is that between the specific time of the Duhr ṣalāh and the specific time for the ‘Aṣr ṣalāh, such that if one were to perform the ‘Aṣr ṣalāh in its entirety before the Duhr in negligence during this time, his ṣalāh would be valid and considered as ‘Aṣr, and he must perform the Duhr ṣalāh after that, and as per *mostaḥab* precaution he should perform it with the intention of *mā fil-dhimmah*, meaning discharging what one is liable to.

d) Performing the ‘Aṣr Ṣalāh before the Duhr Ṣalāh in negligence

if one begins performing the ‘Aṣr ṣalāh before the Duhr one in negligence, and then in the course of it realises his mistake, if this was during the Duhr and ‘Aṣr common time, one must change the *niyyah* [of the ṣalāh] to that of the Duhr ṣalāh, that is to declare his *niyyah*, while he is in the course of the ṣalāh, that whatever he has performed and will perform shall be for the Duhr ṣalāh. He should complete this ṣalāh [the Duhr ṣalāh] and then perform the ‘Aṣr ṣalāh.

However, if this is during the specific time of the Duhr ṣalāh, whatever he has performed of the ṣalāh is *bāṭil*, regardless of whether he recognises his mistake during the ṣalāh or afterwards.

Times of the Maghrib and ‘Eshā’ Ṣalāh

a) Determining the Maghrib time

The Maghrib time is defined as the time when the redness of the eastern sky – that persists in the east for some time after sunset – disappears from the eastern half of the sky, and thus from above one’s head when one looks vertically upwards in the sky.

b) The Specific Time

The specific time of the Maghrib ṣalāh is from the onset of Maghrib time until such time that is required to perform the Maghrib ṣalāh, such as if a traveller performs the ‘Eshā’ ṣalāh [which is 2 rak‘ah] in its entirety during this time deliberately, his ṣalāh would be void.

As for the specific time of the ‘Eshā’ ṣalāh, it is the time required to perform three rak‘ah of the ‘Eshā’ ṣalāh before midnight, such that if one does not perform the Maghrib ṣalāh until this time, one must perform the ‘Eshā’ ṣalāh first and then perform the Maghrib ṣalāh.

c) The Common Time

The common time for the Maghrib and ‘Eshā’ ṣalāh is the period of time between the specific time of the Maghrib ṣalāh and the specific time for the ‘Eshā’ ṣalāh, such that if one performs the ‘Eshā’ ṣalāh before the Maghrib ṣalāh during this time in negligence, his ṣalāh would be valid, and he must perform the Maghrib ṣalāh after that.

d) Performing the ‘Eshā’ Ṣalāh before the Maghrib Ṣalāh out of negligence

If, out of negligence, one begins with the ‘Eshā’ ṣalāh before the Maghrib ṣalāh – during the common time – and he recognizes his mistake during the ṣalāh; if he has not arrived at the rukoo‘ of the fourth rak‘ah, he is obliged to change his *niyyah* to the Maghrib ṣalāh, and thus whatever he has performed is deemed as the Maghrib ṣalāh, and he should finish the ṣalāh, (i.e. sit down if he was standing without performing the rukoo‘ of the fourth rak‘ah), and then perform the ‘Eshā’ ṣalāh after that. If, however, he engages in the rukoo‘ of the fourth

Ṣalāh

rak‘ah, it is mandatory to finish the ṣalāh, and then perform the Maghrib ṣalāh after that. Furthermore, if he recognises his mistake after having performed the entire ṣalāh, he should perform the Maghrib ṣalāh after that.

However, if one performs the entire ‘Eshā’ ṣalāh within the specific time of the Maghrib ṣalāh – for example if one is travelling and performs the shortened form of the ṣalāh [which is two rak‘ah] – his ṣalāh would be bāṭil (void) if done knowingly, and it is mandatory for him to perform the Maghrib ṣalāh and then the ‘Eshā’ ṣalāh in the [normal] order.

e) Maghrib and ‘Eshā’ Ṣalāh after midnight

The end of the Maghrib and ‘Eshā’ ṣalāh time is midnight, and the [boundaries] of night is from sunset until the Fajr – and not sunrise. Thus the end of their time is after approximately eleven-and-a-quarter hours have passed from the Shar‘ei (legal) noontime. This is for when one is under normal circumstances. However, in the case of one who was asleep, or forgot [to perform the ṣalāh] or was coerced [by extraordinary circumstances or factors beyond his control], or in the case of a woman whose ṣalāh was delayed due to menstruation, the end of the Maghrib and ‘Eshā’ ṣalāh time is the Fajr.

If one delays the ‘Eshā’ ṣalāh beyond midnight without any justification and in disobedience, one must perform it by the Fajr adhān without specifying adā’ or qaḍā’ *niyyah*, as per obligatory precaution.

Time of the Ṣobḥ Ṣalāh

When brightness begins to appear in the horizon from the eastern direction that moves vertically, this is referred to as the First Fajr or the False Fajr, and the Ṣobḥ ṣalāh is not valid at this time. However, when the brightness begins to spread horizontally across the horizon, this is referred to as the Second Fajr or the True Fajr, and this is the onset of the time of the Ṣobḥ ṣalāh [and thus Fajr adhān]. As for the end of the time of the Ṣobḥ ṣalāh, it is the moment of sunrise.

Rulings of Ṣalāh's Time and Sequence

a) The Sequence of Ṣalāh

It is obligatory to perform the 'Aṣr ṣalāh after the Duhr ṣalāh, and he 'Eshā' ṣalāh after the Maghrib one, and if one deliberately performs the 'Aṣr before the Duhr or the 'Eshā' before the Maghrib, his ṣalāh is bāṭil (void).

It is not permissible to change the *niyyah* [of a ṣalāh] from qaḍā' to adā' or from a mostahab ṣalāh to an obligatory ṣalāh.

If there is ample time ahead to perform the ṣalāh during their prescribed time period, it is permissible to change one's *niyyah* of an adā' ṣalāh to a qaḍā' one during the ṣalāh; for example if one is performing the Duhr ṣalāh and remembers he is liable to perform a qaḍā' Ṣobḥ ṣalāh, it is permissible for him to change his *niyyah* to that of a Ṣobḥ qaḍā' ṣalāh provided he has not begun the third rak'ah.

1. If the remaining time is very short

If the remaining time of the prescribed time period of a ṣalāh is very short such that if one were to perform some of the mostahab acts of the ṣalāh, the ṣalāh would end up outside the prescribed time, one must not perform those mostahab acts. For example if performing the Quonoot would push some of the ṣalāh outside its prescribed time period, one must not perform the Quonoot.

2. Time for one rak'ah

If the time left [of the prescribed period] is sufficient for performing only one rak'ah of the ṣalāh, it is obligatory to perform the ṣalāh with the adā' *niyyah*, however, it is not permitted for one to delay his ṣalāh to this extent.

3. Waiting of the excused

If one has an excuse, such that if performs the ṣalāh at the outset of the prescribed period he would have to perform the ṣalāh with tayammum [rather than wuḍu'], or perform the ṣalāh [wearing] najis clothing, and if

Ṣalāh

one knows that his excuse would remain intact until the end of the prescribed time, it would be permissible for him to perform the ṣalāh at onset of the prescribed time. However, if one believes there is a probability that the excuse would be eliminated [before the end of the prescribed time in time for the ṣalāh], it is mandatory for him to wait until the excuse is eradicated, and if [it happens that] it is not eliminated [by then] one should perform the ṣalāh towards the end of the prescribed time.

4. Paying the debt

If there is ample time to perform the ṣalāh, and a claimant demands his debt payment from the person, then the latter is obligated to pay his debt first – if it is possible – and then engage in ṣalāh.

b) Determining the times of Ṣalāh

It is not permitted to begin performing ṣalāh unless one is certain of the commencement of the prescribed time period of ṣalāh, or that two just men inform of that, or one reliable and dependable individual gives notification to this effect.

If two just men informed the commencement of the prescribed time period, or one became certain of the commencement of the time and began the ṣalāh, but in the course of the ṣalāh it becomes clear that the time has not actually commenced, his ṣalāh is *bāṭil*. Similarly it will be void if one learns after the completion of his ṣalāh that his ṣalāh took place entirely before the prescribed time. However, if one learns of the commencement of the prescribed time while he is performing the ṣalāh, or learns after he completes his ṣalāh that the prescribed time commenced during his ṣalāh, his ṣalāh is valid.

If it is not possible for one to be certain of the commencement of the prescribed time of ṣalāh at its onset, on account of blindness, or cloud, sandstorm, or for being in prison, it is mandatory for one to delay his ṣalāh until one is certain that the time has commenced.

Miscellany

Ṣalāh and Work

Q1 In some of the European countries, the day shortens to the extent that the time of ṣalāh coincides with office hours, and it is often that the individual faces hardship when performing the ṣalāh; either for non-availability of a suitable and ṭāhir place, or for his body or clothes being non-ṭāhir, or for being looked at and ridiculed. Is he required to perform the ṣalāh in such circumstances and as best as he can, or is it permissible for him to perform the ṣalāh as qaḍā' later on?

A1 he should perform the ṣalāh as best as he can.

Q2 the employer prevents me from performing the ṣalāh during office hours, and I do not finish work until after expiry of the prescribed time of the ṣalāh. What should I do under such circumstances?

A2 if it is not possible for you to perform the ṣalāh during office hours, it is obligatory for you to leave that job.

Q3 is it permissible to neglect the Ṣobḥ ṣalāh on account of sleep or tiredness? Is it essential to use an alarm clock to wake up?

A3 it is absolutely not permissible to disregard or neglect any of the ṣalāh, and the use of alarm clock is obligatory if it is the only means to wake up.

Ṣalāh time in some western countries

Q1 is the commencement of the prescribed time of the Maghrib ṣalāh conditional on the disappearance of the eastern redness from the middle of the sky towards the west? In northern Europe in the winter this redness does not disappear as quickly as normal.

A1 No, but whatever is accordingly appropriate.

Ṣalāh

- Q2 In the region where the Muslims are settled in Norway, the sun does not set for two consecutive months in a year. They face difficulty in determining the prescribed times for their daily ṣalāh such as the Fajr, Maghrib, and ‘Eshā’. The prescribed times of the ṣalāh are not known in this area, and it is not possible to determine them. How should they pray during these two months?
- A2 they should perform their ṣalāh according to the average times of countries of average/normal horizons, as a precaution. It is not unlikely that one has the choice between that and the option of making the time gap between the three prescribed times for the five ṣalāh proportional to those of countries of average/normal horizons. The same is applicable for fasting.

Queries about Ṣalāh times

- Q1 what is the ruling for one who performs the ‘Aṣr before the Duhr and he does not realise this until after finishing the ṣalāh?
- A1 his ṣalāh is valid, and it is mandatory to perform the Duhr ṣalāh after that. It is necessary to practice precaution and perform a four rak‘ah ṣalāh after the Duhr ṣalāh with the intention of *mā fil-dhimmah* [or discharging that one is liable to].
- Q2 is it permissible to stay up late if one knows that one would not wake up for the Ṣobḥ ṣalāh?
- A2 it is not compulsory to stay up late if one knows that one would not wake up for the Ṣobḥ ṣalāh.
- Q3 is it permissible to be lax in waking up the newly adolescent youngsters for ṣalāh or other obligations that they may be slow to do to begin with, in order to avoid their negative reaction to them?
- A3 the obligation is to wake them up, and command them to do them, unless there is a valid legal (religious) reason for not doing so.

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Q4 is it permissible to wake up someone who is sleeping for ṣalāh without his [prior] permission?

A4 Yes, it were on account of “promoting virtue” (*Amr bil-Ma‘ruf*).

Ṣalāh time too short

Q1 If [the remaining prescribed] time is too short is it mandatory for one to ‘lighten’²² his ṣalāh, if in doing so the entire ṣalāh would be [performed] within the [prescribed] time?

A1 [should] lighten.

Q2 What is the ruling [for the case] if one performs the ṣalāh, say of Ṣobḥ, in a place where the Fajr had commenced, and then travels to a place where the Fajr has not commenced yet?

A2 One should perform the ṣalāh again, as a precaution. The same is applicable for all other ṣalāh’s.

New developments

If the rotation of the planet earth were to slow down such that a day would be a day-and-a-half, i.e. 36 hours, the ruling is that that phenomenon should be treated as the norm. However, if the day became one hundred hours or suchlike, then the normal [24-hour] day should be taken as the criterion.

If the sun were to rise from the west – as mentioned in the ahādith that such phenomenon is amongst the signs of the time of the reappearance [of Imam Mahdi, *may Allah hasten his reappearance*] – and if the rise of the sun was of small amount it would not be mandatory to repeat the ṣalāh’s of Maghrib and ‘Eshā’, given the lack of evidence to this effect. However, if it were to be of considerable duration it would mandatory, given the unqualified evidence, and without reservation.

2. The Qiblah

The Qiblah is [the direction of] the Holy Ka‘bah in the Holy City of Mecca, and it is mandatory for one who is performing the ṣalāh in the

Ṣalāh

holy city of Mecca to face the direction of the Ka'bah itself. However, for one who is distant from it, it is sufficient to stand in the direction such that it can be said that one is facing the direction of the Qiblah.

a) Determining direction of Qiblah

It is mandatory for he who intends to perform the ṣalāh to do his utmost to obtain the accurate direction of the Qiblah. If he is excused from obtaining the accurate direction of the Qiblah it is essential he acts according to his best knowledge, using clues such as the mosques' Mihrāb, or the Muslims' cemetery, and suchlike. It is sufficient if one gains confidence from the word of one who knows the direction of the Qiblah through scientific principles.

If one does not have any means to identify the direction of the Qiblah, nor does he find any clues or probabilities to this effect despite his attempts, if there is ample time for ṣalāh, he should, as a precaution, perform ṣalāh in four directions. If there is not enough time to perform the four ṣalāh, he should, as a precaution, perform ṣalāh as far as time allows, even though it is not unlikely that it is sufficient to pray one ṣalāh in any one direction.

b) Facing the Qiblah

He who performs the ṣalāh in the [normal] standing position must face the Qiblah, i.e. with his face, chest, abdomen, legs, and, as per mostaḥab precaution, his toes in the direction of the Qiblah.

If one's duty is to perform the ṣalāh in the sitting posture, if he cannot sit in the normal sitting position, but places the sole of his feet on the ground, it is mandatory that his face, chest, abdomen, legs – as a precaution – should be in the direction of the Qiblah.

If it is not possible for one to perform the ṣalāh in the sitting position, it is mandatory for him to perform the ṣalāh in the lying position on the right hand side, such that the front of the body is towards the Qiblah. If he cannot do so, he should perform the ṣalāh while lying on his left hand side such that the front of his body is towards the Qiblah. If he cannot

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do that, he should lie on his back such that the sole of his feet are in the direction of the Qiblah.

New developments

On the moon, when performing the ṣalāh, if the earth is vertically above the head, or below the feet, one should perform the ṣalāh towards the earth. If this is not possible, for the earth is not visible, one should perform in any direction, and it is evident that it is not mandatory to perform the ṣalāh in four directions.

3. The Moṣalli Clothing

i) Covering of body during Ṣalāh

It is mandatory for a man to cover his private parts while performing the ṣalāh, even if no one sees him, and it is recommended to cover from the navel to the knees too.

It is mandatory for a woman, while performing the ṣalāh, to cover all her body, even her head and hair and, as per mostaḥab precaution, to cover the sole of her feet too.

But it is not necessary to cover the part of the face that is washed during wuḍu', nor the hands – up to the wrists – or the upper surface of the feet up to the ankles. However, in order to ensure that those areas that need to be covered are [properly] covered; she needs to extend the covering on her face, or that on the hand to go further than the wrists.

If during the ṣalāh one learns that his private part is uncovered, it is mandatory to cover it, and as per mostaḥab precaution, he should complete his ṣalāh, and repeats it a second time, especially if covering the part needed significant time. However, if one learns after finishing the ṣalāh that his private part was uncovered during the ṣalāh, his ṣalāh is valid.

ii) Criteria of Moṣalli Garment

The criteria of the garment of the moṣalli²³ are six:

- a) Ṭahārah
- b) Permissibility
- c) that it is not made of *meetah* parts
- d) that is not made of parts of ḥarām-meat animal
- e) that it is not made from gold (for men)
- f) that it is not made of silk (for men)

a) The first criterion – Ṭahārah

It is obligatory for the clothing or dress of the moṣalli to be ṭāhir, and if one deliberately performs the ṣalāh in najis clothing or with his body being najis, his ṣalāh is void.

1. If one does not know that his body or clothing is najis, and learns of that after the ṣalāh, his ṣalāh is valid.
2. If one forgets that his body or clothing is najis, and remembers that during the ṣalāh or afterwards, it is mandatory for him to repeat that ṣalāh or offer it as qaḍā' if the prescribed time for that ṣalāh had expired.
3. If doubts whether or not his body or clothing is najis and performs the ṣalāh and then after the ṣalāh learns that his body or clothing is najis, that ṣalāh is valid.
4. If one has two shirts and he knows one of them is najis but is not sure which one, if there was ample time, he should perform the ṣalāh in both shirts. For example if he is to perform the Duhr and 'Aṣr ṣalāh, he should perform each one of the ṣalāh in both shirts. However, if time was short, it is mandatory to perform the ṣalāh in either of the shirts, and as per mostahab precaution, should also perform the qaḍā' of the ṣalāh after the expiry of the time in a ṭāhir shirt.

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5. if one does not have in his possession other than a najis shirt it is mandatory for him perform the ṣalāh in that shirt, as per obligatory precaution – especially if one can not take his shirt off on account of cold weather and suchlike – and his ṣalāh is valid.

b) The second criterion – Permissibility

It is mandatory that the clothing and shirt of the moṣalli is mubāḥ (permissible for use).

1. If one knows of the prohibition of wearing usurped clothing and deliberately performs the ṣalāh with a usurped shirt on, or with a shirt that has thread, buttons, or anything else that is usurped, his ṣalāh is bāṭil (void). As a precaution, the same ruling applies to the moqāṣṣir ignorant²⁴.
2. If one does not know, or forgets that his garment is usurped, and performs ṣalāh with that on, his ṣalāh is valid.
3. If one performs the ṣalāh with a usurped garment on – in a bid to protect his life, or so that the thief would not take that dress – his ṣalāh is valid.
4. If one buys a garment with money, the khums or zakāh of which is not paid, and performs the ṣalāh with that on, his ṣalāh is unlikely to be valid.

c) The third criterion – that it is not made of meetah parts

It is mandatory that the clothing or garment of the moṣalli is not made from parts of a meetah²⁵ of an animal whose blood gushes out when slaughtered, such as sheep. As per obligatory precaution, one should also not perform the ṣalāh in a garment that has parts of a *meetah* of cold-blooded animal, whose blood does not gush out when slaughtered, such as fish or snake.

If the moṣalli has something on him of the meetah that is [normally] of living tissue, such as flesh or skin, his ṣalāh would be void, even if that [item] does not constitute a garment for him.

Ṣalāh

If the moṣalli had something on him of the meetah of a ḥalāl-meat animal that is [normally] non-living, such as its hair, wool, or fur or if he performs the ṣalāh in a garment made of such things, his ṣalāh is valid.

d) The fourth criterion – that is not made of parts of ḥarām-meat animal

It is mandatory that the garment of the moṣalli is not made of [any] parts of ḥarām-meat animal, and the ṣalāh is also rendered bāṭil (void) if one had anything of it on him, even a strand of hair.

If one doubts as to whether the garment is made of the hair, or wool of a ḥalāl-meat animal or a ḥarām-meat one, it is permissible to perform the ṣalāh in it, regardless of whether it was manufactured in a Muslim country or a non-Muslim country.

If one performs ṣalāh in a garment woven from parts of ḥarām-meat animal, while he is neglectfully ignorant²⁶ of the matter or the ruling, as per obligatory precaution, his ṣalāh is bāṭil (void). The same is applicable to the case of the one who has performed the ṣalāh in the najis item of the ḥarām-meat animal on account of having forgotten the matter.

There is no objection to wearing pure Otter or Squirrel fur when performing the ṣalāh.

e) The fifth criterion – that it is not made from gold (for men)

It is ḥarām for a man to wear clothing or garment with threads of gold woven in it, or with gold buttons on it, and with such a garment the ṣalāh is rendered bāṭil. There is no objection to that for women, whether for ṣalāh or otherwise.

It is ḥarām for men to adorn themselves with gold ornaments, such wearing gold ring or necklace, or watch, and with them the ṣalāh is rendered void. It is also mandatory to avoid the use of gold-frames for spectacles. However, there is no objection to the use of gold ornaments for women, whether during ṣalāh or otherwise.

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If one forgets he is wearing gold ring or garment, or doubts that and performs the ṣalāh while wearing that ring or dress, his ṣalāh is valid. The same ruling applies to the qāṣir ignorant²⁷. However, in the case of doubting it, it would be mandatory to inspect the [matter], and so too in all other cases unless proven otherwise.

f) The sixth criterion – that it is not made of silk (for men)

It is mandatory that the clothing or garment of the male moṣalli is not made from pure silk, and it is ḥarām for him to wear silk for other than ṣalāh too. As for [silk] cap, the trousers' line or lace, and suchlike with which the ṣalāh is not accomplished if performed in them alone, [their usage] runs counter to precaution.

1. If one does not know if the dress is made of pure silk or not, there is no objection to wearing it for ṣalāh.
2. There is no objection to a silk handkerchief and suchlike being in the moṣalli's pocket, and it does not render the ṣalāh void.
3. There is no objection to a woman wearing silk for ṣalāh or otherwise.
4. If one is compelled by extraordinary circumstances, there is no objection to wearing a usurped dress, or that made of pure silk, or woven with gold, or made using meetah substance, and [-under those circumstances -] it is permissible for one to perform the ṣalāh in such a dress.
5. In general, as a precaution, men should not wear women clothing and women should not wear men's on long term basis. There is no objection to this for ṣalāh, or for wearing them on short-term basis.

iii) Cases when body and clothing not mandatory to be ṭāhir

a) When the dress or clothing of the moṣalli is najis

The ṣalāh is valid in two cases:

Ṣalāh

If minor clothing items such as socks and caps were najis: If minor clothing items such as socks and caps, which are not sufficient to cover the private parts, were najis the ṣalāh would be valid if worn by the moṣalli, provided they are not made from meetah by-product or from ḥarām-meat animal. Also there is no objection to the ṣalāh if the ring worn by the moṣalli is najis. It is also permissible for the moṣalli to have on him items such as a small handkerchief, a key, or a knife that have been rendered najis.

If the dress of a nanny or a person normally caring for a baby becomes najis: If the dress of a lady who cares for her baby is rendered najis by the urine of her child, and she does not have another dress, and it is not possible for her to buy, hire or borrow another dress, if she washes the dress once in a day & night, it is permissible for her to perform ṣalāh in it even if it became najis by the child's urine until the following day, although it is recommended to render it ṭāhir for the Duhr and 'Aṣr ṣalāh. Similarly, if she had more than one item of clothing, but she needed to wear them all, it is sufficient for her to render them ṭāhir once in a day & night.

b) When the dress and the body of the moṣalli are najis

The ṣalāh is valid with the body and dress being najis in three cases:

If one is compelled to perform the ṣalāh with najis body or dress.

If the body or clothing of the moṣalli is stained with blood discharged from a wound, sore, or boil on his body, if it is difficult and is of some hardship to render ṭāhir the body or the dress, or change the latter, it is permissible to perform the ṣalāh in that state of body and dress as long as the wound, sore, etc. has not healed. The same ruling applies if pus is discharged from the body accompanied by blood, or if medication is added to the wound but is rendered najis by it [i.e. blood].

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If the body or dress is stained by blood the size of less than a dirham coin – and the size of a dirham coin is, as per obligatory precaution, that of the upper part of the forefinger – and moisture comes in contact with it [the blood], and if the total area of the blood and the moisture that has contacted it is that of a dirham coin or more, and thereby staining its surroundings, the ṣalāh would be void with this. If the total area does not reach that of one dirham and does not stain its surrounding, as a mostahab precaution, one should avoid performing the ṣalāh with it.

If there was on the body or dress of the moṣalli a bloodstain, even the size of a needle point, of the blood of *ḥayḍ*, *istiḥādāh*, *nifās*, or a dog, a pig, a kāfir, or a *meetah*, the ṣalāh would be void, as a precaution. The same applies if it was the blood of a ḥarām-meat animal, as per mostahab precaution. However, [as far as the validity of ṣalāh is concerned] there is no objection to other bloods such as human or ḥalāl-meat animal, even if it were scattered on various parts of the body or the garment provided the total area does not exceed one dirham.

Miscellany

- Q1 if one performs ṣalāh while has on him leather [of animal] that has not been slaughtered in the legal way such as belt or wallet, and realises this during the ṣalāh or after it, does he have to repeat the ṣalāh?
- A1 should take it off [during the ṣalāh] and continue with the ṣalāh.
- Q2 is it permissible for the moṣalli to have on him a wrist watch that has leather strap that is from an animal not slaughtered in the legal way (a *meetah*)?
- A2 if the moṣalli has on him of an animal that has not been slaughtered in the legal way something that is normally living tissue, such as skin, his ṣalāh is bāṭil (void), even if that item is not classified as a garment or covering for him such as a wrist watch strap.

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- Q3 what is the ruling of a garment sewed with animal leather that is not known whether or not it is *modhakkā*, i.e. ṭāhir or that the animal is slaughtered in the legal way?
- A3 if it is procured from the Muslim market and it is not known about it being *modhakkā* then it deemed ṭāhir and it is permissible to perform the ṣalāh with. However, if it is not taken from the Muslim market and nothing is known about it being *modhakkā*, then it is considered not ṭāhir and it is not permissible to perform the ṣalāh with.
- Q4 what is the ruling of having something najis in the pocket, such as a handkerchief with blood stains, while performing ṣalāh?
- A4 there is no objection to that.
- Q5 if one places headphones over one's ears to block outside noise, does this renders his ṣalāh void?
- A5 that does not render his ṣalāh void.
- Q6 I have bought a belt made of leather produced in western countries, but I do not know if it is of real leather or manmade. Is it permissible for me to perform ṣalāh wearing this?
- A6 it is permissible.
- Q7 if the hands of a watch are made of gold, is it permissible for a man to perform ṣalāh with it?
- A7 this runs counter to precaution.
- Q8 if the moṣalli is not sure whether the garment he has is made from wool, fur, hair of a ḥalāl-meat animal or ḥarām-meat one, is it permissible perform ṣalāh with it?
- A8 yes it is permissible to perform the ṣalāh with it, regardless of whether it is made in Muslim or non-Muslim country.
- Q9 what is the ruling of one who performs ṣalāh with clothing that has strand of cat hair on it, and he does not realise this until after the ṣalāh, or during it?

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- A9 if he does not realise this until after the ṣalāh, then, evidently, there is no obligation on him, and if he recognised this during the ṣalāh, it is mandatory to remove it immediately, and his ṣalāh is valid.

Woman's hair and ornament

- Q1 is it mostahab for a woman to adorn herself with jewellery for ṣalāh?
- A1 yes.
- Q2 is it permissible for a woman to perform ṣalāh without wearing socks, i.e. for the surface and sole of her feet to be uncovered?
- A2 there is no objection to that.
- Q3 if a woman realises during the ṣalāh that some of her hair is showing and covers it immediately, is it necessary for her to repeat or not?
- A3 should cover her hair and complete the ṣalāh.

Modern Queries

- Q1 If it were possible to extract silk from an animal in an artificial way, will it still be subject to the same prohibition as that of natural silk?
- A1 that is evidently so.
- Q2 if the silk worm is fed a diet that causes its saliva not to be silk, will it still be liable to the same prohibition?
- A2 evidently it is not subject by the ruling of silk, since the ruling is related to the subject matter, and the assumption is that it is not silk, thus there is no prohibition for men to wear it.

4. Place of Moṣalli

i) Criteria of place of moṣalli

First – that it is mubāḥ or permissible to use. In other words it should be:

Non-usurped

For if one performs his ṣalāh in a usurped place, his ṣalāh is bāṭil (void), even if one performs the ṣalāh on a carpet, bench, and suchlike [in that place].

- a) There is no objection to the ṣalāh performed under a usurped roof, or a usurped tent, if this is not considered in common customs (*'urf*) as handling a usurped item.
- b) If one performs the ṣalāh in a place where he does not know it to be usurped, but learns it to be after completing the ṣalāh, or if one performs the ṣalāh in a place where he had forgotten about it being usurped, but remembers it after finishing the ṣalāh, his ṣalāh is valid.
- c) If the owner of the place verbally gives his consent and permission to ṣalāh [to be performed] in his property, but one learns from some indications that the owner is not inclined to this wholeheartedly, his ṣalāh would be bāṭil (void) in that property. On the other hand, if the owner does not give his permission [verbally] but one is certain of his consent at heart, his ṣalāh in that property is valid.
- d) If one sits in a place in a mosque and someone else usurps his place and performs ṣalāh in it, [the validity of] his ṣalāh is questionable.

To have given the legal dues

If one buys a property with the very money that has not been subjected to khums or zakāh, one's handling of that place would

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be ḥarām and [the validity of] his ṣalāh in that place would be questionable.

It is ḥarām to handle/deal with a property whose owner has died, and who is liable to khums and zakāh that he has not paid. Also [the validity of] the ṣalāh in such a property is questionable. However, if the dues are paid, or the heirs guarantee that they will pay the dues, then there is no objection to the ṣalāh performed in that place.

It is ḥarām to deal with a property whose owner has died but still owes others [money]. Also [the validity of] the ṣalāh in such a property is questionable. However, if they guarantee to pay his debts, and his claimants, or heir, or the legal authority [ḥākim shar‘] give their permission, then there is no objection to that and performing ṣalāh is permissible in that place.

Second – to be stationary

If one is compelled to perform ṣalāh in a moving place – on account of lack of time or for any other reason – such as performing ṣalāh in a car, train, aircraft, it is mandatory not to perform ṣalāh while [the vehicle is] moving, if possible, and if it is diverted from the direction of the Qiblah one must revert to the Qiblah direction.

Third – to be able to complete the ṣalāh in the place

It is not permissible to begin the ṣalāh in places where one is not certain one would be able to complete the ṣalāh there on account of rain, crowd, or wind. However, if one is not certain of that, or there is a probability that he could complete the ṣalāh, it is permissible to begin the ṣalāh there, and if the ṣalāh is completed it is valid.

Fourth – that staying in the place is not ḥarām, for example performing ṣalāh under a roof that is about to collapse.

Fifth – that standing or sitting on it is not ḥarām for him, such as a carpet that has the name of Almighty Allah inscribed on it.

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Sixth – that he is able to perform the rukoo‘ and sujood and stand upright in the place.

The place should not be of a low ceiling such that it is not possible for him stand upright under it, and it should not be so small that it is not possible to perform the rukoo‘ and sujood. However, if one is compelled to perform the ṣalāh in such a place, he should carry out the rukoo‘, sujood, and standing up in the best he can.

Seventh – he should not perform the ṣalāh ahead of or inline with the grave of the ma‘ṣoom, peace be upon them.

One should not pray ahead of the tomb of the Prophet, peace be upon him and his pure family, and the Imams, peace be upon them, and also should not perform the ṣalāh inline with them, as per obligatory precaution.

Eight – that the place is not najis such that its moisture would seep to his body or garment.

The ṣalāh is rendered bāṭil if the place of sujood (prostration) of the forehead is najis, even if it is dry. As per mostaḥab precaution the place where the moṣalli performs the ṣalāh should not be najis at all.

Ninth – that the place of sujood (prostration) of the forehead is not higher or lower than the level of the knees and toes by more than the breadth of four joint fingers.

ii) Place of man and woman in Ṣalāh

It is not obligatory for a woman to stand behind a man in other than congregational prayers (Jamā‘ah ṣalāh), nor is it necessary for the place of her sujood be slightly behind the man’s place of standing, although it is recommended.

It is makrooh for a woman to stand ahead of a man, or inline with him for ṣalāh, or to begin the ṣalāh together, but it is not necessary to repeat the ṣalāh if they do so.

iii) Places where Ṣalāh is mostaḥab

a) The best of all mosques

There is great emphasis in the holy Islamic teachings about performing the ṣalāh in the mosques, and the best of all mosques is Masjid al-Ḥarām in the holy city of Mecca, followed by Masjid al-Nabiy (The Mosques of the Prophet, peace be upon him and his pure family), and then Masjid al-Kufah, then Masjid al-Aqsā, then the Grand Mosque of every city, then the local mosque and the market mosque.

b) Ṣalāh in shrines is superior to Ṣalāh in mosques

It is mostaḥab to perform the ṣalāh in the holy shrines of the Imams, peace be upon them, and in fact the ṣalāh in them is superior to ṣalāh in mosques. The ṣalāh in the shrine of Imam Amir al-Mo'mineen, peace be upon him, is equivalent to two hundred thousand ṣalāh, and every rak'ah of ṣalāh at the shrine of Imam Husayn, peace be upon him, is equivalent to one thousand Hajj and one thousand Umrah, and equivalent to the freeing of one thousand slave, and one thousand jihad with a *mursal* Prophet [one who is sent to the masses].

c) Woman praying in the mosque

It is preferred for women to perform their ṣalāh at home. However, if they are able to observe complete ḥijāb from men, by setting up a screen between them, it is better for them to perform the ṣalāh in the mosque, especially in congregation.

d) Mosque neighbour Ṣalāh

It is mostaḥab to go to mosques frequently, especially the abandoned mosques where ṣalāh is not performed. It is makrooh for the mosque neighbour to perform the ṣalāh in other than the mosque, save exceptional circumstances.

e) Rendering the mosque ṭāhir

It is ḥarām to render a mosque najis; whether its floor, ceiling, roof, the interior of its walls, and as per obligatory precaution, it is also ḥarām to render the exterior of the mosque walls najis. It is obligatory upon one

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who learns of such locations becoming najis to eradicate the najāsah immediately. It is also ḥarām to render najis the shrines of the Imams, peace be upon them, and if any one of the them were rendered najis, it is obligatory to render it ṭāhir.

f) Building and decorating mosques

It is mostahab to build and refurbish a mosque that is dilapidated, and if it is in such ruins that cannot be repaired and refurbished, it is permissible to demolish it and build it anew. It is also permissible to pull down a mosque that is not in ruins for expansion if it is needed by the [growing] congregation.

As a precaution the mosques should not be decorated by gold, but there is no objection to that as far as the shrines of the Imams are concerned. It is mandatory, as a precaution, not to have pictures of creatures of souls such as human or animal, and it is makrooh to have pictures of soulless creatures such as flowers and suchlike.

Miscellany

Ṣalāh in Vehicle

- Q1 is it permissible to board vehicles such a coach or an airplane knowing that one would spend all of the prescribed time of a ṣalāh on board travelling, and one would not be able to get off the vehicle to perform the ṣalāh?
- A1 it is permissible, and one must perform the ṣalāh while onboard as best as one can.
- Q2 how should one perform the ṣalāh if one is moving – in a vehicle – that travels with the sun in speed and direction, on land or in space, such that one is always in a constant position with respect to the sun?
- A2 it is obligatory for him to perform five ṣalāh every 24 hours. The same time ratio [between the various ṣalāh] should be observed.

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Q3 if one knows that the train will not stop during the prescribed time of the ṣalāh in order to perform the ṣalāh, and thus one would have to perform the ṣalāh onboard the train, is it permissible to ride this train?

A3 Yes.

People of the Book – Places of worship

Q1 is it permissible to perform ṣalāh in Christian churches or Jewish synagogues?

A1 yes it is permissible, with the consent of their owners. (Unless of course this act assumes a different ‘title’, in that for example if praying there constitutes promotion for them, in which case it is ḥarām.)

Q2 Jurists state that it is permissible to perform the ṣalāh in temples of Ahl al-Kitāb but it is mostaḥab to spray with water the place where ṣalāh is to be performed. What is the purpose of this spraying? For if the place is ṭāhir there is no need to the spraying, and if it were najis, this spraying would not render it ṭāhir for it is normally Little water.

A2 principally it is [considered] ṭāhir, and spraying it makes it cleaner.

Q3 is the ṣalāh valid if performed in the house of a person of people of the book and on a fabric he says it is washed?

A3 if one does not know it is najis, the ṣalāh is valid. (This is for when the fabric is moist, for otherwise the dry fabric does not render [the body] najis.)

Usurped or non-khumsed house

Q1 if some parts of a house were usurped, such as the bricks with which the house was built, does this affect the validity of the ṣalāh?

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- A1 if the land on which one performs the ṣalāh is not usurped, the ṣalāh is valid.
- Q2 is the ṣalāh valid if performed in the house of a person who does not khums his wealth and earnings, if this is in aid of guiding him?
- A2 it is valid if this is with the permission of Ḥākīm al-Shar‘ei, or his representative.

Woman praying ahead of man

- Q1 is it permissible to for a woman to perform ṣalāh ahead of a man performing ṣalāh, or next to him without a gap?
- A1 it is not permissible in congregational (Jamā‘ah) prayers, and it is makrooh for other prayers.
- Q2 in the shrine of Lady Zaynab, peace be upon her, women perform ṣalāh in the courtyard next to men. Is this permissible?
- A2 there is no objection so long as it is not Jamā‘ah ṣalāh.

Ṣalāh in public estates

- Q1 is it permissible to perform ṣalāh in public schools or other places or lands that belong to the authority?
- A1 yes it is permissible.

Modern / Special cases

There is no objection to performing ṣalāh on ice – in the Polar region – for the criterion in ṣalāh is stability and immobility, and that there is no evidence for requiring one to be or stand on a specific thing [during ṣalāh]. Of course if the ice is moving, such as flowing ice rivers, or melting ice, the ṣalāh [on it] is not valid for it breaches the immobility [requirement], unless in compelling circumstances.

5. Adhān and Iqāmah

1. The ruling of performing them

It is mostaḥab for a man or a woman to perform the adhān and iqāmah before the daily obligatory ṣalāh, rather the iqāmah should not be neglected. It is mandatory to perform the iqāmah after the adhān, and it is not valid to perform it before the adhān.

It is mandatory not to pause for too long between the sections or parts of the adhān, and also the iqāmah, and if one did pause more than the norm, they must be repeated again.

2. The Parts of the adhān and iqāmah

The adhān consists of twenty parts:

<u>Transliteration</u>	<u>Translation</u>	<u>Arabic</u>	<u>Repeat</u>
Allāho Akbar	Allāh is greatest	الله أكبر	4 times
Ash_hado al-lā ilāha il-lal-lāh	I testify that there is no god but Allāh	أشهد أن لا إله إلا الله	2 times
Ash_hado an-na Muḥammadan Rasoolol-lāh	I testify that Muhammad is the Messenger of Allāh	أشهد أن محمداً رسول الله	2 times
Ash_hado an-na Aliy-yan waliy-yol-lāh	I testify that Ali is the waliy (authority) of Allāh [over His creation]	أشهد أن علياً ولي الله	2 times
Ḥay-ya ‘alaṣ-ṣalāh	Hasten to Ṣalāh	حي على الصلاة	2 times
Ḥay-ya ‘alal-falāh	Hasten to success	حي على الفلاح	2 times
Ḥay-ya ‘alā Khayr-il-‘amal	Hasten to the best of deeds	حي على خير العمل	2 times
Allāho Akbar	Allāh is greatest	الله أكبر	2 times
lā ilāha il-lal-lāh	There is no god but Allāh	لا إله إلا الله	2 times

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As for the parts of the iqāmah, they are nineteen; in that the first part is repeated only twice, [instead of four times required in the adhān], and the last is recited only once [as opposed to twice in the adhān], with the addition of the phrase *qad qāmat-iṣ-ṣalāh* after *Ḥay-ya ‘alā Khayr-il-‘amal*.

<u>Transliteration</u>	<u>Translation</u>	<u>Arabic</u>	<u>Repeat</u>
Allāho Akbar	Allāh is greatest	اللَّهُ أَكْبَرُ	2 times
Ash_hado al-lā ilāha il-lal-lāh	I testify there is no god but Allāh	أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ	2 times
Ash_hado an-na Muḥammadan Rasoolol-lāh	I testify that Muhammad is the Messenger of Allāh	أَشْهَدُ أَنْ مُحَمَّدًا رَسُولُ اللَّهِ	2 times
Ash_hado an-na Aliy-yan waliy-yol-lāh	I testify that Ali is the <i>waliy</i> (authority) of Allāh [over His creation]	أَشْهَدُ أَنْ عَلِيًّا وَوَلِيَّ اللَّهِ	2 times
Ḥay-ya ‘alaṣ-ṣalāh	Hasten to the Ṣalāh	حَيَّ عَلَى الصَّلَاةِ	2 times
Ḥay-ya ‘alal-falāh	Hasten to the success	حَيَّ عَلَى الْفَلَاحِ	2 times
Ḥay-ya ‘alā Khayr-il-‘amal	Hasten to the best of deeds	حَيَّ عَلَى خَيْرِ الْعَمَلِ	2 times
Qad Qāmat-iṣ-ṣalāh	The Ṣalāh is now being established	قَدْ قَامَتِ الصَّلَاةُ	2 times
Allāho Akbar	Allāh is greatest	اللَّهُ أَكْبَرُ	2 times
lā ilāha il-lal-lāh	There is no god but Allāh	لَا إِلَهَ إِلَّا اللَّهُ	1 time

Evidently the phrase “Ash_hado an-na Aliy-yan waliy-yol-lāh” is the integral part of both adhān and iqāmah, as some narrations point to that.

Miscellany

- Q1 are recorded adhān and iqāmah sufficient to replace live ones?
A1 evidently they are deemed to have no value.
- Q2 is it permissible to recite adhān and iqāmah while sitting down?
A2 yes it is permissible, though it is mostahab to recite them in standing position.

The Acts of Ṣalāh

1. Obligatory acts of Ṣalāh

The obligatory acts of ṣalāh are eleven:

1. the *Niyyah* or intention,
2. Qiyām or standing upright,
3. Takbirat al-Eḥrām or saying Allāho Akbar,
4. Qirā'ah or recitation,
5. Rukoo' or bowing,
6. Sujood or prostration,
7. Dhikr or utterance [of rukoo' and sujood],
8. Tashahhud or declaration of faith,
9. Salām or salutation,
10. Order or sequence of the acts,
11. Continuity of the various acts.

Some of the obligatory acts are also 'fundamental' or 'key-element' of the ṣalāh, such that if neglected or missed out altogether, or added to or deducted from – deliberately or inadvertently – the ṣalāh will be void. These fundamental obligatory acts are referred to as *rukṇ*. The non-rukṇ obligatory acts are those that if deliberately neglected, altered, added to or deduced from, the ṣalāh will be void, but if on account of negligence or forgetting these were introduced the ṣalāh will not be void.

Ṣalāh

Rukn or key-elements of the Ṣalāh

The *rukun* or key-elements of the ṣalāh are five:

- a) The *Niyyah* or intention,
- b) Takbirat-al-Ehrām,
- c) Qiyām, or standing upright while performing Takbirat-al-Ehrām, and being in the state of Qiyām or the upright position prior to heading for Rukoo‘. [known as Rukoo‘-joined Qiyām]
- d) The Rukoo‘,
- e) The two prostrations (Sujood).

Details of obligatory acts of Ṣalāh

a) The *Niyyah* or intention

It is mandatory for the moṣalli to perform the ṣalāh with the *niyyah* or intention of *qurbah* or seeking nearness to and abiding by the command of Almighty Allah. It is not necessary to verbally utter the words; “I perform the ‘Aṣr ṣalāh seeking nearness to Allah”, for example.²⁸

If one performs it with the intention of *riyā’*, i.e. so that others see him praying, his ṣalāh will be void, regardless of whether he performs the ṣalāh purely for show-off or only to some extent.

It is mandatory for the moṣalli to continue with his intention from the beginning of the ṣalāh to the end. So if he is inattentive during the ṣalāh such that if he is asked what he is doing, he would not know, his ṣalāh would be void.

b) Qiyām

1. Rukn and non-Rukn

It is mandatory to stand upright (i.e. to be in the Qiyām position) while performing Takbirat-al-Ehrām. It is also mandatory to be in the state of Qiyām or upright position before beginning to head for Rukoo‘. This latter Qiyām is known as Rukoo‘-joined Qiyām, which is also a *rukun* or

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fundamental act of the ṣalāh. However, the Qiyām standing position while reciting al-Ḥamd and surah, and the Qiyām position after rising from the Rukoo‘ are not *rukūn*, and thus if one inadvertently misses out one of these, his ṣalāh remains valid.

2. To be stationary and motionless during Qiyām

It is mandatory that the body is motionless during the Qiyām position, and it is not inclined to a side, nor leaning on something, but there is not objection to that if one is compelled to do these actions. There is also no objection to these if one does them on account of negligence.

There is no objection if one moves his feet when heading for rukoo‘.

3. To be stationary and motionless when reciting

It is mandatory for the body of the moṣalli to remain stationary and motionless when reciting anything, even the mostaḥab adhkār. If one needs to make a slight movement forward or backward, to the left or the right, it is mandatory he stops reciting [during those moments]. However, motionlessness is not required when reciting

bihawli-llāh wa qowwatihi By Allah’s might and بِحَوْلِ اللَّهِ وَقُوَّتِهِ
aqoomo wa aq‘ud power I rise and sit أَقُومُ وَأَقْعُدُ

when rising up to the upright standing position.

There is no objection if the hands or fingers are moved while reciting al-Ḥamd, although it is mostaḥab not to move them either.

4. Sitting down when compelled

It is mandatory that the moṣalli does not sit down so long as it is possible for him to stand upright. If he is such that his body involuntarily moves when standing upright, or if he urgently needs to rely on something, or lean, or spread his legs more than normal, it is mandatory to perform the ṣalāh in the standing position as best as he could, and his condition allows him. However, if it is not possible for him to stand up in any way, even standing and curving his back or stand

Ṣalāh

on his knees, he must sit upright and perform the ṣalāh in the sitting position.

If one, who performs the ṣalāh in the sitting position, becomes able to – during the ṣalāh – to stand upright, he must stand upright as best as he can, but should not recite anything until he is completely motionless.

5. Lying down

One must not perform ṣalāh lying down so long as he is able to perform it in the sitting position. If one is not able to sit upright, he must sit in any way he can, and if it is absolutely not possible for him to sit, he must lie down on his right side facing the Qiblah, as mentioned previously in the Qiblah rulings, and if this is not possible he should lie down on his left side, otherwise should lie on his back with the sole of his feet in the direction of the Qiblah.

Miscellany

- Q1 what is the ruling of one who moves forward or backwards while reciting?
- A1 if it is not deliberate, he should repeat that [part of recitation] during which his body moved.
- Q2 is the ṣalāh rendered void if someone bumps into the moṣalli such that his place of ṣalāh changes?
- A2 it is not rendered void if one does not, as a result, lose his posture or appearance of the ṣalāh.
- Q3 if the telephone or the door bell rings while the person is performing ṣalāh, is it permissible to abort the ṣalāh to answer the phone or door?
- A3 it is not permissible unless in a mostaḥab ṣalāh.

One who suffers from chronic condition of uncontrollable laughter, his ṣalāh is valid with laughter, unless he is able to prevent himself for the period of ṣalāh. Similarly, for the case of crying, or a bodily movement that counters motionlessness, and that of somnolence [the

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person who sleeps too much] if he slumbers during his ṣalāh on various occasions.

c) Takbirat-al-Eḥrām

1. Its wording

It is mandatory to perform the Takbirat-al-Eḥrām, which is to declare

Allāho Akbar Allah is greatest الله أكبر

at the beginning of every ṣalāh, and it is one of the rukn's of the ṣalāh. There must be continuance between the words Allah and Akbar, and must say it in correct Arabic.

If one doubts whether or not he has performed Takbirat-al-Eḥrām, if one has begun reciting, then should ignore his doubt, but if he has not began reciting he should perform Takbirat-al-Eḥrām.

2. Motionlessness when performing it

It is mandatory for the moṣalli to be stationary and motionless when performing Takbirat-al-Eḥrām, for if he does so while deliberately moving, he invalidates the Takbirat-al-Eḥrām.

It is mostaḥab to raise (and then lower) the hands to the vicinity of the ears when performing Takbirat-al-Eḥrām, as well as all other Takbirāt during the ṣalāh.²⁹

3. in the case of the dumb

The dumb, and the person who suffers from a disease in his tongue such that he cannot utter Takbirat-al-Eḥrām properly, must say it in the best way he can. If one cannot utter anything at all, he must make it cross his heart/mind, and should identify the Takbirah by moving his tongue if possible.

d) Recitation

It is mandatory to recite surah al-Ḥamd, together with another complete surah in the first two rak'ah of the daily obligatory ṣalāh. It is

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permissible – in the third and fourth rak‘ah – to recite al-Ḥamd only, or the four tasbeehāt once. The four tasbeehāt are:

Ṣobḥān-Allāh,	Glorified/Immaculate is Allah	سُبْحَانَ اللَّهِ
wal-ḥamdo lil-lāh,	All Praise is to Allah	وَالْحَمْدُ لِلَّهِ
wa lā ilāha il-lal-lāh,	There is no god but Allah	وَلَا إِلَهَ إِلَّا اللَّهُ
wal-Ilāho akbar.	Allah is greatest	وَاللَّهُ أَكْبَرُ

It is mostaḥab to recite these four tasbeehāt three times.

It is mostaḥab, in all ṣalāh’s, to recite surah al-Qadr in the first rak‘ah [that is after surah al-Ḥamd] and surah al-Tawḥeed in the second.

1. Reciting the surah

If in the ṣalāh one recites a surah [that is after al-Ḥamd] other than surah al-Tawḥeed or surah al-Kāfiroon, it is permissible to stop [reciting that surah] and recite another surah, even if one has reached the midpoint of the surah.

If the remaining ṣalāh time becomes too short if one were to recite the surah, or if the moṣalli is compelled not to recite the surah – due to extraordinary circumstances such as if one fears being robbed by a thief, or attacked by ferocious animal, etc. – then he is not required to recite the surah.

It is not essential to recite the surah in optional (mostaḥab) ṣalāh, even if that ṣalāh has become obligatory through a vow (nadhṛ). However, in some of the mostaḥab ṣalāh – such as al-waḥshah ṣalāh [which is recited after the burial of the deceased] which has a specific surah recited in it, it is necessary to recite the surah, if one wishes to perform the ṣalāh according to its defined procedure.

2. The sequence of reciting the surah

If one recites the surah before al-Ḥamd deliberately, his ṣalāh is void, and if one inadvertently does that and in the process realises this, he must stop [reciting the surah], recite al-Ḥamd, and recite the surah from its beginning.

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If one forgets to recite al-Ḥamd and the surah, or forgets one of them but then remembers it after reaching the rukoo‘, his ṣalāh is valid.

If while reciting a surah, one forgets some parts of the surah while reciting it, or is compelled not to complete it due to shortness of time, or some other reason, it is permissible for him to abandon that surah and recite another.

3. Audibly and inaudibly

It is mandatory for the male to recite al-Ḥamd and the surah audibly in the Ṣobḥ, Maghrib, and ‘Eshā’ ṣalāh, and it is mandatory for the male and female to recite them inaudibly in the Duhr and ‘Aṣr prayers.

It is permissible for a woman to recite al-Ḥamd and surah audibly or inaudibly in the Ṣobḥ, Maghrib, and ‘Eshā’ ṣalāh but she must recite them inaudibly if a non-maḥram man can hear her, as a precaution.

It is mandatory for man and woman to recite al-Ḥamd or the tasbeehāt inaudibly in the third and fourth rak‘ah.

If one recites al-Ḥamd in the third and fourth rak‘ah, as a precaution, one should recite the *basmalah*³⁰ inaudibly too.

If a man deliberately recites inaudibly something that must be recited audibly or deliberately recites audibly that that must be recited inaudibly, his ṣalāh is rendered void. But if he does this inadvertently, or on account of not knowing the ruling, his ṣalāh is valid. If he learns of his mistake while reciting al-Ḥamd and the surah, he must revert to that that is correct, but is not necessary to repeat what he has read incorrectly.

If one recites al-Ḥamd and surah too loudly, say by yelling, his ṣalāh is rendered void.

4. Dann in reciting

If one recites the four tasbeehāt in the first two rak‘ahs of the ṣalāh, assuming/believing (*dann*) he is doing the last two rak‘ahs, if he recognises his mistake before the rukoo‘, it is mandatory to recite al-

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Ḥamd and surah, and if one realises this during rukoo‘ or after, his ṣalāh is valid.

If one recites al-Ḥamd in the last two rak‘ahs assuming/believing they were the first two, or recites al-Ḥamd in the first two assuming they are the last, his ṣalāh is valid regardless of whether he learns of his mistake before the rukoo‘ or after.

If one wanted to recite al-Ḥamd in the last two rak‘ahs but uttered the tasbeehāt inadvertently, or if one wanted to recite the tasbeehāt in those rak‘ahs but uttered al-Ḥamd inadvertently, it is not required to stop the recitation of those and begin reciting what he initially intended to, for it is sufficient to proceed with them.

5. Doubt (*shakk*) in reciting

If one doubts as to whether or not he recited an āyah or a word correctly, if one does not engage in something else after that, it is mandatory to recite that āyah or word in the correct manner. However, if he engages in an article that follows the issue he has doubt about, and if this latter article is a rukn, he should disregard his doubt; for example he doubts while performing the rukoo‘ as to whether or not he recited the āyah or the word correctly, he should disregard his doubt. And if the latter article is not a rukn, it is permissible to disregard that doubt too, for example if he doubts while reciting the verse “Allah_oṣ-ṣamad” as to whether he correctly recited the verse prior to that.

Miscellany

- Q1 in the obligatory ṣalāh, is reciting the [entire] surah obligatory, or is it sufficient to recite some verses (āyāt) of a long surah, something that ‘Allāmah Ḥilli and Sheikh al-Moḥqqeqeen [i.e. Sheikh al-Anṣārī] were of the opinion?
- A1 yes, it is obligatory to recite the [entire] surah.
- Q2 if the moṣalli recited the last part of an āyah incorrectly, does he repeat the recitation of what recited incorrectly or should he

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repeat from the beginning of the āyah? And similarly for recitation of other things.

- A2 it is sufficient to repeat what he had recited incorrectly.
- Q3 if one starts reciting a surah, but then forgets some of its verses (āyāt), what should he do?
- A3 he should recite another surah.
- Q4 in the first year of becoming adolescent, I did not used to pay a lot of attention to my ṣalāh from the point of view of recitation, rukoo‘, sujood, etc. and I only began to appreciate it after one of the mo‘mineen reminded me. Do I have to repeat those ṣalāh; especially I do not know how many they were?
- A4 it is not obligatory to repeat, unless if one knows some or all of them to be bāṭil, in which case one should repeat those known to be bāṭil.
- Q5 I noticed someone who was reciting the tashahhud incorrectly, and he was an elderly man, and I know that if I tell him of this he would not give due attention given his old age, is it still obligatory for me remind him?
- A5 you have no obligation [in this respect].
- Q6 if one used to pronounce the recitations [of al-Ḥamd and surah] and the dhikrs of rukoo‘ and sujood incorrectly for a long period of time, is it obligatory for him to repeat his ṣalāh after he learns of his mistake?
- A6 he is not obliged to repeat, but should ensure to correct his pronunciations and recitations from now on.
- Q7 if one is reciting al-Ḥamd in the ṣalāh, or intends to the recitation [of al-Ḥamd] after Takbirat-al-Eḥrām but does not remember some or all of its āyāt, what is his duty? Is it permissible to perform the [four] tasbeehāt instead, or should he read another surah instead?

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- A7 his ṣalāh is rendered void, and should perform another ṣalāh, reading from a moṣḥaf [i.e. a copy of the Qur'an] if necessary, unless in the state of the ṣalāh itself he could reach a copy of the moṣḥaf [to read from].
- Q8 I notice some of those performing the ṣalāh utter some dhikr in the ṣalāh, for example after the recitation of al-Ḥamd in the ṣalāh they say “al-ḥamdo-lil-lāh rabbil-‘ālameen”, or after al-Tawḥeed, they say “kadhālika Allāho rabbonā”, don't they not constitute addition to the ṣalāh?
- A8 No, rather Allāh's remembrance is good in any case.
- Q9 in the surah of al-Tawḥeed, do we recite the word before last as “kof'an” or “kofowan”?
- A9 it should be recited as “kofowan” as it is written in the Qur'an.
- Q10 is it permissible for a moṣalli to recite a surah that he has not memorised it well and that he may err in reciting it?
- A10 should not recite that, but should recite one that he is certain to recite correctly.
- Q11 is it permissible for one to carry a copy of the holy Qur'an during ṣalāh, and reading off it, whether for obligatory or optional ṣalāh, audibly or inaudibly?
- A11 there is no objection to that.

e) Rukoo‘

1. Its process

In every rak‘ah, after the recitation, one must bow until he can place his palms over his knees. This position is referred to as rukoo‘. In rukoo‘, as a precaution, one should say three times [the dhikr]:

Ṣobḥān-Allāh Glorified/Immaculate is Allāh سُبْحَانَ اللَّهِ

Or one should say once:

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*Ṣobḥāna rab-biyal-
'aḍeemi-wa-biḥamdeh* Glorified/Immaculate سُبْحَانَ رَبِّيَ الْعَظِيمِ وَبِحَمْدِهِ
is my Great Lord and
Praised

It is mandatory to observe continuity between these words, and he should say them in correct Arabic. It is mostaḥab to repeat this dhikr three, five, or more times.

However, if time is too short, or if one is compelled [under extraordinary circumstances] is it sufficient to say once:

Ṣobḥān-Allāh Glorified/Immaculate is Allah سُبْحَانَ اللَّهِ

It is mostaḥab to say takbir [i.e. Allāho Akbar] while he is upright before heading for the rukoo'. It is also mostaḥab to push the knees back during rukoo', and to keep his back straight [horizontal], and stretch his neck in line with his back. He should look in the direction of his feet. It is mostaḥab to send greetings to the Prophet and his family after the rukoo' dhikr:

*Allāhom-ma ṣal-li 'alā
Muhammad wa-āli
Muhammad* O Allah send your eternal blessings اللَّهُمَّ صَلِّ
and mercy upon Muhammad and عَلَى مُحَمَّدٍ
the progeny of Muhammad وَآلِ مُحَمَّدٍ

After rising from the rukoo' and standing upright, it is mostaḥab to say

*sami'a-Allāho
leman ḥamidah* Allah hears/answers he who سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ
praises Him

2. If compelled

If one cannot bow down properly as required for rukoo', one must lean on something, and if even this is not possible, he must perform the rukoo' to the best he can. If it is not possible for him bend at all, he should sit when performing the rukoo', and do it in the sitting posture, or nod his head to signify rukoo'. If one performs rukoo' in the sitting posture, he should bend such that his face is facing his knees, and it is better if he bends until his face is near the place of sujood.

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If one's hands and knees were abnormal in that his arms were too long such that if he bends slightly he reaches his knees, or if his were too low such that he would have to bend more than normal to reach his knees, he should bow and perform the rukoo' as normal.

3. Motionlessness during dhikr

It is mandatory that the body of the moṣalli is motionless during the obligatory dhikr of the rukoo'. However, there is no objection if his body moves slightly such that it does not constitute a disturbance of the state of motionlessness, and similarly if he moves his fingers; he does not need to repeat the dhikr [of the rukoo'].

If one deliberately utters the dhikr before bowing to the extent required for rukoo', his ṣalāh is rendered void. Also, if one deliberately raises his head from the [state of] rukoo' before finishing the obligatory dhikr, his ṣalāh is rendered void. If one forgets [performing] the rukoo', and remembers [this] – before reaching the sujood – one must stand [upright] and then perform the rukoo'. If one stands to perform the rukoo' in a bow-stature [i.e. without attaining the fully upright stature], his ṣalāh is rendered void.

f) Sujood

1. The procedure

It is mandatory to stand upright after finishing the rukoo' dhikr, and once the body attains a state of motionless, he should head for sujood. If one performs sujood before the standing upright or before the aforementioned motionlessness his ṣalāh is rendered void.

It is mandatory to perform two prostrations (sajdah) after the rukoo' in every rak'ah of the obligatory and optional ṣalāh. A sajdah [is defined as] placing the forehead, the palms of the two hands, the knees, and the tips of the big toes of the two feet on the ground. It is mandatory to sit up after finishing the first sajdah dhikr, attain a state of motionlessness, and then go for the sajdah a second time.

In sujood, as per precaution, one should say three times [the dhikr]:

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Ṣobḥān-Allāh Glorified/Immaculate is Allah *سُبْحَانَ اللَّهِ*

or say once:

*Ṣobḥāna rab-biyal-
a'lā-wa-biḥamdeh* Glorified/Immaculate *سُبْحَانَ رَبِّيَ الْأَعْلَى وَبِحَمْدِهِ*
is my Exalted Lord
and Praised

It is mandatory to observe continuity between these words, and he should say them in correct Arabic. It is mostaḥab to say this dhikr three, five, or seven times.

2. The fundamentality of the sujood

Two sajdah's together are a rukn, such that if the moṣalli misses them out in an obligatory ṣalāh, whether deliberately or negligently, or adds to them another two sajdah's, his ṣalāh is rendered void.

If one deliberately performs one sajdah too many or too few, his ṣalāh is rendered void.

If one negligently misses out one sajdah, the ruling of this will be given in the forthcoming section.

3. Motionlessness

If one deliberately [begins to] say the sujood dhikr before his forehead reaches the ground and his body becomes stationary and motionless, or raises his head before having finished saying it, his ṣalāh is rendered void.

If one deliberately raises one of his seven masājīd³¹ (or the elements of prostrations) from the ground while reciting the sujood dhikr, his ṣalāh is rendered void. However, there is no objection if one negligently raises one of his masājīd – other than the forehead – outside the duration of reciting the sujood dhikr and then puts it back on the ground again.

If one negligently raises his forehead from the ground before finishing the sujood dhikr, it is not permitted to place it on the ground again, and he should consider it as one sajdah. However, if one negligently raises

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one of his other masājīd from the ground – other than the forehead – he must return it to the ground and repeat the dhikr.

In the first and third rak‘ah, where there is no tashahhud, such as the third rak‘ah of the Duhr, ‘Aṣr, and ‘Eshā’ ṣalāh, one should, as per obligatory precaution, after the second sajdah sit and pause a little without motion, and then rise up for the following rak‘ah. This is known as the resting position/posture.

4. Prostration of the compelled

If one is not able to place his forehead on the ground, he should bow as far as he can, and place his forehead on an elevated torbah or anything that he performs the sujood on, such that it can be said that he has performed the sajdah. As a precaution he should place the palms of his hands, knees, and big toes on the ground as normal.

If one is not able to bow at all, he must nod his head to signify sujood, and if this is not possible he should [signify sujood] with the movement his eyes. In either case, as per mostaḥab precaution, he should assume a sitting position, and have the place of sujood elevated so that he can place his forehead on it if possible. If he cannot nod his head, or move his eyes, he should intend this in his heart, and as per mostaḥab precaution, to point with his hand to signify the sajdah.

5. Raising the forehead involuntarily from the point of sujood

If the forehead is raised from the place of sujood involuntarily and without one’s control, one should prevent it from going back to the place of sujood again if possible, and this would count as one sajdah, regardless of whether or not one said the sujood dhikr. And if it is not possible to prevent it from returning, and it returns to the place of sujood without one’s control, all will be counted as one sajdah.

6. Taqiyyah and sujood

It is permissible to perform sujood on carpet and suchlike in cases of *taqiyyah*, and one is not required to go to another place to pray, although that would be preferable to do as a precaution. If it is possible to perform the sujood on a straw mat or something else on which it is valid to

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perform the sujood, such that that would not constitute difficulty for him, as per obligatory precaution, he should not perform sujood on the carpet and suchlike.

7. Place of sujood

The place of sujood must not be higher than the level of the two knees by more than four joined fingers, and also it should not be lower than the level of the big toes of the feet and the two knees by more than four joined fingers.

It is mandatory that there is not obstacle between the forehead and the place of sujood. If there is some dirt on the torbah that prevents the forehead from touching the torbah, the ṣalāh is rendered void, but there is not objection if the colour of the torbah changes.

8. The place of sujood being ṭāhir

It is mandatory that the torbah or anything else that the sujood is performed on is ṭāhir. There is no objection if the torbah is placed on a najis carpet, or if one of the two sides of the torbah is najis, but one places his forehead on the side that is ṭāhir.

9. The things that sujood may be performed on

The best thing to perform the sujood on is the Husayni torbah (earth), and after that may be the earth, stone, and plant.

Plantation

It is mandatory to perform the sujood on earth and anything that grows from it such as wood and leaves, with the exception of that used for eating and wearing. It is not valid to perform the sujood on edible things such as fruit, those that are used to make clothes such as cotton, and on minerals or metals such as gold.

Limestone

It is permissible to perform sujood on gypsum and limestone, and as per mostahab precaution, sujood should not be performed on baked

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limestone and gypsum, nor on brick or earthenware/pottery and suchlike if one has the optional.

Paper

It is permissible to perform sujood on paper if it is made of material that is permissible to perform sujood on, such as straw; even though it is evident that sujood is also permissible on paper derived from cotton and suchlike.

10. Non-availability of valid things for sujood

If one does not have a valid item to perform the sujood on, or one has such an item but cannot use it for some reason, such as extreme cold or heat, he can perform sujood on his clothes if they are cotton, and if they are something else, he must perform sujood on the back of his hand, or on a mineral object such an agate ring (aqeeq). As a mostaḥab precaution one should not perform sujood on the back of his hand as long as it is possible to perform the sujood on a mineral item.

If during the ṣalāh one loses the item on which he performs the sujood, and he does not have an alternative, if there is enough time to perform the ṣalāh [again during the prescribed time for that ṣalāh] he should abort the ṣalāh [to obtain an alternative torbah etc.], and if time is too short, he must perform the sujood on his clothes if they are cotton or flax fibre, but if they are of synthetic fabric or suchlike, he should perform the sujood on the back of his hand, or on a mineral item such as an agate ring.

11. Stability of the forehead during sujood

Sujood on soft/loose earth or clay such that the forehead does not gain stability is invalid.

If the torbah or any other item used for sujood, sticks to the forehead after the first sajdah, one must take it off for the second as a precaution.

12. Prostration before other than Allah Almighty

Prostration or sujood before other than Allah Almighty is ḥarām. What some people do when they place their forehead on the floor in the

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shrines of the impeccable imams, *peace be upon them*, if it is thanksgiving to Allah Almighty then there is no objection to that, otherwise it is ḥarām. As for kissing the floor steps in the shrines of the impeccable imams, it is permissible and indeed mostaḥab and it does not constitute sujood.

Miscellany

- Q1 is it permissible to perform sujood on currency notes?
- A1 the validity of this is questionable.
- Q2 on some of the Husayni torbah there are patterns or names of impeccable imams embossed on them. Is it permissible to perform the sujood on them?
- A2 there is no objection to that.
- Q3 what is the ruling regarding [the validity of] the use of a torbah on which a dark spot has formed as a result of extensive use of it for sujood over a long period of time?
- A3 if this [black spot] does not constitute an obstructing layer over the torbah, then there is no objection.
- Q4 what is the ruling on performing sujood on non-ṭāhir torbah?
- A4 sujood on it is not valid.
- Q5 what is the ruling concerning one who has for a long time performed the four tasbeehāt three times with the intention of being obligatory, unaware of the relative ruling in this case?
- A5 there is no objection to that.
- Q6 is it permissible to perform the ṣalāh without using a torbah or anything else?
- A6 it is permissible to perform the sujood on other than torbah that is considered as earth or that that grows in it other than that which is eaten or worn.

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- Q7 why is it not permissible to perform the sujood on that which is used for eating and clothing?
- A7 it is reported in narrations from Ahl al-Bayt that it is mandatory to perform the sujood on earth and whatever grows in it other than that which is used or eating or clothing.
- Q8 is it permissible to perform the sujood on the prayer mat?
- A8 it is not permissible to perform the sujood on a mat made from fabric, but it is permissible if it is made from material [such as straw] that is valid to perform sujood on.
- Q9 what is the ruling of performing sujood on coloured disposal tissues, and also marble and tiles?
- A9 it is permissible, if the marble is made from earth.
- Q10 what is the ruling on performing sujood on wet paper tissues?
- A10 as far as the item that is valid for sujood is concerned; no distinction is made as to whether it should be wet or dry.

New developments

If some of the edible vegetables are rendered inedible due to [modification or genetic engineering], it is evident that it is permissible to perform sujood on them after the modification for it is no longer edible.

If inedible vegetables were rendered edible by modification/genetic engineering, is it valid to perform sujood on those that used to be inedible? Evidently it is not valid, for the ruling is applicable to the status quo.

The ruling of the previous two cases is applicable to the case of vegetable that is used for clothing; in that if it used to be used for clothing but it is no longer after modification, or vice versa.

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g) Tashahhud

It is mandatory to sit to perform tashahhud in the second rak‘ah of every ṣalāh, in the third rak‘ah of the Maghrib ṣalāh, and in the fourth rak‘ah of the Duhr, ‘Aṣr, and ‘Eshā’ ṣalāh. One must sit after performing the second sajdah and say while in a stationary state:

<p><i>ash-hado al-lā-ilāha il-lal-lāh</i> <i>waḥdahu lā shareekah,</i> <i>wa-ash-hado an-na Muhammadan</i> <i>‘abduhu wa rasooluh</i> <i>Allāhom-ma ṣal-li ‘alā Muhammad wa-āle Muhammad</i></p>	<p>I bear witness that there is no god but Allah, and that Muhammad is His servant and messenger, O Allah send your eternal blessings and mercy upon Muhammad and the progeny of Muhammad</p>	<p>أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ</p>
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If one forgets to perform the tashahhud, stands up, and then remembers – before the rukoo‘ – that he did not perform the tashahhud, he should sit down and perform the tashahhud, and then he should stand upright and continue with the ṣalāh as normal, and finish the ṣalāh. After the ṣalāh, he should then perform *sajdatay-as-sahw* – the two prostrations of lapse – for the ‘out of place’ standing up, as an obligatory precaution.

h) Tasleem

After the tashahhud in the last rak‘ah of the ṣalāh it is mostaḥab to say, while in the sitting posture with the body being stationary:

<p><i>as-Salāmo ‘alayka ayyohan-nabiyyo wa raḥmatollāhi wa barakātoh</i></p>	<p>Peace be upon you O prophet and the mercy of Allah and His blessings</p>	<p>السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ</p>
<p><i>as-Salāmo ‘alaynā wa ‘alā ‘ebādel-lahiṣ-ṣāliḥeen</i></p>	<p>Peace be upon us and the righteous servants of Allah</p>	<p>السَّلَامُ عَلَيْنَا وَعَلَى عِبَادِ اللَّهِ الصَّالِحِينَ</p>
<p><i>as-Salāmo ‘alaykom wa raḥmatollāhi wa barakātoh</i></p>	<p>Peace be upon ye and the mercy of Allah and His blessings</p>	<p>السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ</p>

3. Criteria for validity of Ṣalāh

a) Order or sequence of Ṣalāh

If one deliberately changes the sequence of the ṣalāh, for example recites the surah before al-Ḥamd, or performs the sujood before the rukoo‘, the ṣalāh is void.

1. forgetting a rukn

If one forgets to perform one of the rukns of the ṣalāh, and performs the rukn that follows it; like if one performs the two sajdah’s without performing the rukoo‘, his ṣalāh is void.

If one forgets a rukn and performs that which follows it, which is not a rukn – like if one forgets the two sajdah’s and performs the tashahhud – it is mandatory to perform the forgotten rukn and then repeat what he previously recited in error and negligent.

2. forgetting a non-rukn

If one forgets performing a non-rukn and performs the rukn that follows it, like if one forgets al-Ḥamd, and engages in performing the rukoo‘, his ṣalāh is valid.

If one forgets a non-rukn and performs that which follows it, which is also a non-rukn, for example if one forgets to recite al-Ḥamd and recites the surah, and then if he engages in what follows that is a rukn - for example he remembers in rukoo‘ that he did not recite al-Ḥamd - he must continue with his ṣalāh, and his ṣalāh is correct. If one has not engaged in the following rukn, he must perform what he had forgotten and then recite what he had recited in error again.

b) Continuity

It is mandatory for the moṣalli to observe the continuity of ṣalāh, that is to perform the acts of the ṣalāh such as rukoo‘, sujood, tashahhud one after the other and without a gap [between them]. He must also observe continuity when uttering the dhikrs, and recite them as commonly

accepted. If one leaves a gap between them such that it is not said he is performing the ṣalāh, his ṣalāh is rendered void.

4. Quonoot in Ṣalāh

a) Occasion of Quonoot

It is mostaḥab to perform Quonoot in all prayers, obligatory and optional, and it should be performed before the rukoo' of the second rak'ah, and as per mostaḥab precaution it should not be missed out in the obligatory ṣalāh. It is mostaḥab to perform the Quonoot in the Witr ṣalāh even though it is one rak'ah. In the Friday prayer one Quonoot is performed in every rak'ah, in Ṣalāt al-Āyāt there are five Quonoots, and in the Eid Ṣalāh in the first rak'ah there are five Quonoots to be performed and in the second rak'ah four, and as a precaution the Quonoots of the Eid al-Fiṭr and Eid al-Aḍḥā should not be missed out.

b) Procedure of Quonoot

In performing Quonoot, it is mostaḥab to raise the hands to the proximity/level of the face, aligning the palms of the hands side by side, fingers joined, with the exception of the thumbs, with the palms of the hands facing skywards, and one should look into the palms of the hands. It suffices to recite any dhikr one wishes, even if one said ṢobḥānAllāh once.

c) Qaḍā' of Quonoot

If one deliberately misses out the Quonoot one does not have to perform its qaḍā', but if one forgets performing it and remembers it before bowing sufficiently for rukoo', one should stand upright and perform the Quonoot. If one remembers while performing the rukoo', it is mostaḥab to perform the qaḍā' of the Quonoot after the rukoo'. If one remembers it while in sujood, it is mostaḥab to perform the qaḍā' of the Quonoot after the Salām. [i.e. while sitting in the same position one should raise one's hands to the state of Quonoot and recite the supplication one wishes.]

5. Ṣalāh's Ta'qeebāt

When one finishes a ṣalāh it is mostaḥab after that to engage in some of the ta'qeebāt (follow-on's) such as dhikr, supplication, or reciting the holy Qur'an. It is recommended that one performs the ta'qeebāt while facing the Qiblah, before moving from his place and before one's wuḍu', ghusl, or tayammum is invalidated. It is not necessary for the ta'qeebāt to be in Arabic, and it is preferred to read the specific ta'qeebāt as given in relevant books.

One of the highly stressed upon ta'qeebāt is the tasbiḥāt of [Fatimah] al-Zahrā' peace be upon her, which is as follows:

One should say:

<i>Allāho akbar</i>	Allah is Greatest	الله أكبر	34 times
<i>Al-ḥamdo lil-lāh</i>	All praise belongs to Allah	الحمد لله	33 times
<i>ṢobḥānAllāh</i>	Glorified/Immaculate is Allah	سُبْحَانَ اللهِ	33 times

6. Invocation of Allah's Blessings upon the Prophet

It is mostaḥab to invoke Allah's blessings upon the prophet, peace be upon him and his pure family, whenever one hears his sacred names such as Muhammad, Ahmad, or his title such as al-Moṣṭafā, or his agnomen such as Abil-Qāsim, or even if one hears the pronoun referring to him, peace be upon him and his pure family. This is also applicable even if one hears them while performing the ṣalāh.

7. Invalidation, abandon, and doubt

A) Cases that invalidate the Ṣalāh

Twelve cases invalidate the ṣalāh:

1. If one of the criteria of the ṣalāh ceases to exist, for example if one learns during the ṣalāh that the place (one is performing the ṣalāh in) is usurped.

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2. something that spoils the wuḍu' or ghusl to occur for individual during the ṣalāh, regardless of whether this occurred deliberately, inadvertently, or under compelling circumstances, such as the discharge of urine.
3. To hold *takfeer*, which is to place the hands over one another across the body.
4. To say 'amen' after reciting al-Ḥamd. However if one says this inadvertently, or on grounds of *taqiyyah*, to hide his faith and protect himself [in dangerous surrounding], his ṣalāh is not rendered void.
5. To turn one's back to the Qiblah, deliberately, inadvertently, or negligently, or if one turns to the right or left of the Qiblah. If one deliberately deviates to the extent that it cannot be said as he is facing the Qiblah, even if it is not as far as the right or left, his ṣalāh is void.
6. to utter words:

a. a word of one or two letters

Uttering a word of two letters or more, even if it is meaningless. However, if one does that inadvertently his ṣalāh is not void. If one deliberately utters a meaningful single-letter word, like the Arabic letter – the nearest equivalent in the Latin alphabet is Q which means 'to protect', if one knows its meaning his ṣalāh is void, and as per obligatory precaution, he should repeat his ṣalāh if he does not know its meaning, but said it knowingly.

b. Coughing, belching

There is no objection to coughing, belching, sighing in the ṣalāh. However, to deliberately say 'Oh' or 'Ah' and suchlike that consists of two letters, renders the ṣalāh *bāṭil*.

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There is no objection if one uttered a word of dhikr – with the intention of it being a word of dhikr – such as saying Allāho Akbar audibly to alert someone to something.

c. Repeating the words

There is no objection to repeating some of the words in al-Ḥamd and the surah, or any of the dhikrs of the ṣalāh a number of times on grounds of precaution, and there is no objection if one repeats them intentionally, provided [the repetition] is not intended as being part of [al-Ḥamd, surah or the dhikr concerned]. However, if one repeats something several times on grounds of obsession (*waswasah*) [being habitually or obsessively doubtful], as per precaution his ṣalāh is rendered *bāṭil*.

d. Salām during Ṣalāh

To initiate the Salām (greeting) is *mostaḥab*, and there is great emphasise for the rider to say Salām to the walker, the standing to the sitting, and the younger to the elder. And to reply [to the Salām] is *wājib*, i.e. obligatory. If one salutes a group, it is *wājib kifā'ei* for the entire group to reply to his Salām, i.e. it would be sufficient if one of them replied to his Salām. However, a *moṣalli* does not salute anyone, and if someone salutes him, it is mandatory for the *moṣalli* to return his Salām just as he saluted him. So if someone saluted the *moṣalli* by saying “Salāmon ‘alaykum”, the *moṣalli* should reply “Salāmon ‘alaykum”, but if he said “alaykum al-Salām”, it is better for the *moṣalli* to reply “Salāmon ‘alaykum”.

It is mandatory to reply to the Salām promptly, whether during the ṣalāh or other than that. If one delays responding to the Salām – deliberately or inadvertently – for a relatively long period such that if he responded, it would not be considered as a reply to that Salām, if he is

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performing ṣalāh he should not reply, and if not it is not mandatory to reply.

It is mandatory to respond to the Salām such that the person who said the Salām can hear him, and if he were deaf, he should reply as required.

If the moṣalli does not reply to the person who said the Salām, he has committed disobedience and sin, but his ṣalāh is valid.

It is not mandatory to reply to the Salām of one who said the Salām jokingly or in ridicule, and it is not permissible to reply to him if performing ṣalāh.

7. To deliberately laugh audibly. The same applies of one is made to laugh. However, if one negligently laughs audibly, the ṣalāh is valid, unless one loses the state and posture of ṣalāh. Smiling does not render the ṣalāh bāṭil.

If in an attempt to prevent himself from laughing audibly one's condition changes, for example his face turns red, as per mostahab precaution, he should redo his ṣalāh again, unless one loses the state and posture of ṣalāh in which case it mandatory to repeat the ṣalāh.

8. To deliberately cry audibly for worldly matters, and as per obligatory precaution one should not even cry inaudibly. However, there is no objection crying/weeping out of fear of Allah Almighty, or for the affairs of the hereafter, silently or audibly, and this is in fact amongst the best of deeds.
9. Doing something that, deliberately or negligently eradicates the state or posture of ṣalāh such as clapping a lot, and making a big jump, and suchlike. However, there is not objection to doing something that does not eradicate the form of the ṣalāh, such as pointing by hand.

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If one remains silent during ṣalāh for too long such that it cannot be said he is performing ṣalāh, his ṣalāh is rendered void.

10. If one deliberately or negligently eats or drinks during ṣalāh such that it cannot be said he is performing ṣalāh, his ṣalāh is rendered void. If one swallows – during the ṣalāh – remnants of food that had been in his mouth or between his teeth, his ṣalāh is not rendered void. Also there is no objection if there remained in his mouth some sugar (grains), say, that slowly melted and was swallowed during ṣalāh.
11. Any doubt that one might develop about the number of rakʿāt performed in a two-rakʿah and a three-rakʿah ṣalāh, or during the first two rakʿah of a four-rakʿah ṣalāh.
12. To increase or decrease a rukn or a fundamental act of the ṣalāh – be it deliberately or inadvertently, [renders the ṣalāh bāṭil], but, the inadvertent addition of Takbirat-al-Ehrām does not invalidate the ṣalāh. Also the deliberate addition or deduction in non-rukn acts renders the ṣalāh bāṭil.

If one doubts after the ṣalāh as to whether or not he did something during the ṣalāh that renders the ṣalāh bāṭil, his ṣalāh remains valid.

B) Cases when it is mandatory to abort Ṣalāh

It is not permissible to deliberately abort the ṣalāh. However, there is no objection in aborting the ṣalāh if this is in aid of protecting property or to avoid physical or financial harm. If it is obligatory for one to abort the ṣalāh, but he does not do so and continues to finish it, he has committed disobedience but his ṣalāh is valid.

i) Not very important

If it is possible for the moṣalli to protect himself, or protect those he must protect, or protect the property or possession he must protect without aborting the ṣalāh, then he must not abort the ṣalāh. It is

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makrooh to abort the ṣalāh to protect something that is not very important.

ii) To pay off a debt

If one begins the ṣalāh, with ample time ahead of him, and the claimant asks him for his debt, if it is possible for him pay his debt while performing the ṣalāh, he should do so and should not abort the ṣalāh. If it is not possible pay the debt without aborting the ṣalāh, it is mandatory to abort the ṣalāh, pay his dues and then perform the ṣalāh.

C) Doubts

1. Doubts of Ṣalāh are twenty three:

a) Eight doubts invalidate Ṣalāh

If one of the invalidating doubts (*shakk*) arise for the moṣalli, it is permissible for him to abort the ṣalāh, or to [pause and] think [about the matter] until the state or form of the ṣalāh is abolished, or that he would have no hope to attain a certainty or *dann* (belief) [about that doubt]. The eight doubts that invalidate the ṣalāh are:

- i. To doubt about the raka'āt [performed] in two-rak'ah ṣalāh such as the Ṣoḥḥ ṣalāh, or the traveller ṣalāh. However, if the doubt is in the case of two-rak'ah mostaḥab (optional) ṣalāh, and the iḥtiyāt ṣalāh, the ṣalāh is not invalidated.
- ii. To doubt about the raka'āt [performed] in three-rak'ah ṣalāh.
- iii. To doubt, in a four-rak'ah ṣalāh, as to whether he has performed one or more rak'ah.
- iv. To doubt, in a four-rak'ah ṣalāh – before finishing the second sajdah – whether he has performed two or more raka'āt.
- v. To doubt [whether he has performed] two or five raka'āt, or between two and more than five.
- vi. To doubt between three and six, or between three and more than six.

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- vii. To doubt between four and six, or between four and more than six before finishing the second sajdah.
- viii. To doubt about the number of raka'āt one has performed in the ṣalāh, such that one does not know how many raka'āt has performed.

b) Six doubts should be ignored

There are six doubts that should be ignored by the moṣalli

- i. To doubt about something after surpassing its stage:

For example to doubt, while in rukoo', as to whether or not he recited al-Ḥamd.

Or [in general] one doubts – during the ṣalāh – as to whether or not he performed some of the obligatory acts of the ṣalāh, such as whether or not he recited al-Ḥamd. If one does not engage in what follows that, he must perform the doubted act, but if he engages in what must be performed after the doubted act, then he should ignore his doubt.

- ii. Doubt after the Salām

If one doubts after the Salām as to whether or not his ṣalāh was valid; for example if one doubts whether or not he had performed the rukoo', or doubts after the Salām of a four-rak'ah ṣalāh as to whether he prayed four or five rak'ah, he should ignore his doubt. However, if his doubt goes outside this range, i.e. four or five, for example if one doubts after the Salām of a four-rak'ah ṣalāh as to whether he prayed two rak'ah or five, his ṣalāh is bātil.

- iii. Doubt after the expiry of the ṣalāh time

If after the expiry of the prescribed ṣalāh time one doubts (*shakk*) as to whether or not he performed the ṣalāh, or if he suspects/believes (*dann*) that he did not perform the ṣalāh, he is not required to perform the ṣalāh. However, if he doubts as to

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whether or not he performed the ṣalāh before the expiry of the prescribed time, or suspects that he did not perform the ṣalāh, he must perform the ṣalāh, rather, it is mandatory to perform the ṣalāh even if he suspects that he has performed the ṣalāh.

iv. Doubt of Excessive Doubter

If one doubts three times in a ṣalāh, or doubts in three successive ṣalāh; such as Ṣobḥ, Duhr, and ‘Aṣr, he is considered Excessive Doubter (*Katheer al-Shakk*), and he should pay no attention to his doubt(s), if his excessive doubt is not due to [the state of] anger, fear, or unsettled mind.

If one doubts as to whether or not he is Excessive Doubter, he must act according to the duty of the normal doubter. The Excessive Doubter must pay no attention to his doubt so long as he is not certain that he has regained the condition of the normal people.

v. Doubt of prayer leader and prayer follower

If the congregational prayer leader (Imam Jamā‘ah) doubts the number of raka‘āt he has performed, like if he doubts if he has performed three or four raka‘āt, if the prayer follower (ma‘moom) is certain that he performed four rak‘ah, and indicates to the imam that he performed four rak‘ah, it is necessary for the imam to finish the ṣalāh and he is not required to perform the iḥtiyāṭ ṣalāh. Similarly, if the imam is certain of the number for the raka‘āt, but the ma‘moom has doubt about it, the latter must take no notice of his doubt.

vi. Doubt in mostaḥab ṣalāh

If one doubts the number of raka‘āt [performed] in a mostaḥab ṣalāh, if the higher number renders the ṣalāh bāṭil, he should assume the lesser; for example if one doubts as to whether he performed two or three rak‘ah for the Ṣobḥ nāfilah, he should assume that he performed two. If, on the other hand, the higher number does not render the ṣalāh bāṭil, for example if doubts as

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to whether he performed two or one rak‘ah, he may act on either probability, and his ṣalāh is valid.

If one has doubt about performing one of the acts of the nāfilah, regardless of it being a rukn or non-rukn, he should perform the act if he has not surpassed its stage, but should ignore his doubt if has gone pass that stage.

If one does something in the nāfilah that requires him to perform *sajdatay-as-sahw* – the two prostrations of lapse – or forgets a sajdah or tashahhud, it is not mandatory to perform *sajdatay-as-sahw* after the ṣalāh, or perform the forgotten sajdah as *qaḍā’*, or the forgotten tashahhud, although it is preferred to perform the forgotten [acts] after the ṣalāh.

c) The nine valid doubts

If a moṣalli doubts the number of raka‘āt he has performed in a four-rak‘ah ṣalāh, it is mandatory for him to reflect and think about the doubt immediately, as per the following nine categories. If his thinking and reflection leads him to a certainty or a *dann* (belief) on either side of the doubt, he should assume that side and complete the ṣalāh accordingly. However, if his thinking and reflection does not lead him to a resolution, he should act according to the following cases:

Case 1: if one doubts as to whether has performed two or three raka‘āt, that is after raising his head from the second sajdah, in this case he should base it on having performed three raka‘āt, should stand up to perform a further rak‘ah, finish the ṣalāh, and then after the ṣalāh should perform one rak‘ah of the iḥtiyāṭ ṣalāh – in the standing position – or two rak‘ah in the sitting position, as will be explained later.

Case 2: if one doubts between two or four, that is after raising his head from the second sajdah, in this case he should base it on four, finish his ṣalāh while he is sitting, and then after the ṣalāh, he should perform two raka‘āt of the iḥtiyāṭ ṣalāh in the standing position.

Case 3: if one doubts between two, three, or four; i.e. he does not know whether he has performed two or three or four raka‘āt, that is after

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raising his head from the second sajdah, in this case he should base it on having performed four raka'āt, finish his ṣalāh while he is sitting, and then after the ṣalāh, he should perform two raka'āt of the ihtiyāṭ ṣalāh in the standing position, and two in the sitting position – as a precaution.

Case 4: if one doubts between four and five, that is after raising his head from the second sajdah, he should base it on having performed four raka'āt, finish his ṣalāh while he is sitting, and then after the ṣalāh, he should perform sajdabay-as-sahw – the two prostrations of lapse.

- If one develops one of these four doubts after reciting the dhikr in the second sajdah and before raising his head from the sajdah he should act upon the given ruling of the particular case, and as per mostaḥab precaution, he should repeat that ṣalāh. On the other hand, if one repeats the ṣalāh it would be sufficient for discharging one's duty.

Case 5: if one doubts between three or four at any stage of the ṣalāh, he must base it on four, finish his ṣalāh, then should perform one rak'ah of the ihtiyāṭ ṣalāh in the standing position, or two in the sitting.

Case 6: if one doubts between four and five while he is standing, he must sit, perform tashahhud and Salām, finish the ṣalāh, and then perform one rak'ah of ihtiyāṭ ṣalāh in the standing position, or two in the sitting, and as an obligatory precaution he should also perform sajdabay-as-sahw – the two prostrations of lapse – for the extra standing up.

Case 7: if one doubts between the three and five while in the standing position, he must sit, perform tashahhud and Salām, and finish his ṣalāh, and then after the ṣalāh he should perform two raka'āt of the ihtiyāṭ ṣalāh in the standing position, and as per obligatory precaution he should also perform sajdabay-as-sahw – the two prostrations of lapse – for the extra standing up.

Case 8: if one doubts between the three, four, and five while in the standing position, he must sit, perform tashahhud and Salām, and finish the ṣalāh, and then after it should perform two raka'āt of the ihtiyāṭ ṣalāh in the standing position, and two in the sitting, and as per

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obligatory precaution he should also perform sajdabay-as-sahw – the two prostrations of lapse – for the extra standing up.

Case 9: if one doubts between the five and six while in the standing position, he must sit, perform tashahhud and Salām, and after the Salām should perform sajdabay-as-sahw – the two prostrations of lapse, and as per obligatory precaution he should also perform another sajdabay-as-sahw for the extra standing up.

2. General criteria for the states of doubt

a. Restarting the Ṣalāh after a valid doubt

If the moṣalli develops one of the valid doubts, he must not abort his ṣalāh, as a precaution, and if he does so, and restarts the ṣalāh anew, the second ṣalāh is valid.

b. Restarting the Ṣalāh after a doubt without the iḥtiyāṭ Ṣalāh

If one develops one of the doubts that necessitates the iḥtiyāṭ ṣalāh, and if one completes his ṣalāh and repeats it anew without performing the iḥtiyāṭ ṣalāh, he has committed disobedience. If one repeats the ṣalāh before committing something that invalidates the ṣalāh, such as turning his face away from the Qiblah, his second ṣalāh is invalid as per mostaḥab precaution. However, if one engages in the second ṣalāh after committing something that invalidates the first ṣalāh, his second is valid.

c. When dann (belief) weighs more than doubt and vice versa

If one's dann (belief) tends towards to one of his doubt's prospects at the outset, but then the two prospects gained equal weight in his dann (belief), he must act according to the rulings of doubt. On the other hand, if the two prospects of his doubt carried equal weight in his opinion at the outset, and he acts accordingly, but then his dann (belief) weighs with one side more than the other, he must act on the side his dann (belief) favours and complete his ṣalāh.

If one does not know if his dann (belief) tends to one side of his doubt or they carry equal weight, he must act according to the rulings of doubt.

d. One doubt replaces another

If one's doubt is resolved and another develops for him, for example he doubts between two and three and then doubts between three and four, he should act upon the second doubt.

e. Doubt after the end of the Ṣalāh

If one realises after the ṣalāh that he had a doubt during the ṣalāh, but he does not know whether it was one of the invalidating doubts, or the valid doubts, or if it was one of the valid doubts, which kind, it is sufficient for him to repeat the ṣalāh.

f. Doubt in the sitting Ṣalāh

If one who [normally] performs the ṣalāh in the sitting position has a doubt that requires him to perform one rak'ah of the iḥtiyāṭ ṣalāh in the standing position, or two rak'ah in the sitting position [as an alternative], he must perform one rak'ah in the sitting position. If he has a doubt that requires him to perform two raka'āt of the iḥtiyāṭ ṣalāh in the standing position, he must perform two in the sitting position.

Miscellany

Q1 if one stands up to perform the tasbeehāt of the third rak'ah, but performs them grammatically incorrectly, and then realises this, but before he corrects them he doubts if he had performed the tashahhud, is it obligatory for him to return to perform it [the tashahhud] since given the situation he has not yet engaged in the following obligatory act on account of not performing the tasbeehāt correctly?

A1 he should pay no attention to his doubt.

Q2 what is the ruling if one develops a doubt about reciting al-Ḥamd while he is reciting the subsequent surah?

A2 he should pay no attention to his doubt.

Q3 what is the ruling if one develops a doubt about the correctness of the tashahhud [recitation] before the tasleem?

Ṣalāh

- A3 he should pay no attention to his doubt. However, if he has doubt before the tasleem about performing the tashahhud itself, he should perform it.
- Q4 what is the ruling of one who develops a doubt about the tasleem before the ta‘qeebāt while he is [still] in the same position?
- A4 should perform the tasleem.
- Q5 what is the ruling concerning the doubt about the correctness of the recitation of al-Ḥamd after completing the two sajdah’s?
- A5 should pay no attention to it.
- Q6 if the moṣalli develops a doubt and his doubt is one of the valid ones, is it permissible to abort his ṣalāh and restart it anew?
- A6 it is not permissible.

D) The Iḥtiyāṭ Ṣalāh

i) Its procedure

If it is required for one to perform the iḥtiyāṭ ṣalāh, it is mandatory – immediately after the ṣalāh – to declare the *niyyah* for the iḥtiyāṭ ṣalāh, perform Takbirat-al-Eḥrām, recite al-Ḥamd only, perform rukoo‘ and the two the sajdah’s. If he is required to perform only one rak‘ah of the iḥtiyāṭ ṣalāh, then after the two sajdah’s he should go on to perform the tashahhud and tasleem. If one is required to perform two rak‘ah of the iḥtiyāṭ ṣalāh, after the two sajdah’s he should stand up to perform another rak‘ah, as he did in the first, and then perform the tashahhud and tasleem.

In the iḥtiyāṭ ṣalāh, the surah – after al-Ḥamd – is not recited, nor is the Quonoot; one must recite al-Ḥamd silently, should not verbally utter its *niyyah*, and as a precaution should utter the *basmalah* inaudibly.

ii) Before and after the *iḥtiyāt Ṣalāh*

If one learns, before performing the *iḥtiyāt ṣalāh*, that the *ṣalāh* he has performed is valid, he would not be required to perform the *iḥtiyāt ṣalāh*, and if he realises this, while he is performing the *iḥtiyāt ṣalāh*, he does not have to complete the *ṣalāh*.

If one learns, after performing the *iḥtiyāt ṣalāh*, that the missing *raka'āt* of his *ṣalāh* are equal to the *iḥtiyāt ṣalāh*, for example he performs one *rak'ah* for the *iḥtiyāt ṣalāh* when doubting between three and four, and then learns, after the *iḥtiyāt ṣalāh*, that he had prayed three *raka'āt*, his *ṣalāh* is valid.

iii) Doubt about performing the *iḥtiyāt Ṣalāh*

If one doubts as whether or not he performed the *iḥtiyāt ṣalāh* he was required to do, if this [realisation] is after the time of the *ṣalāh*, he should pay no attention to his doubt. However, if there is time left, and if one does not engage in something else, and does not get up from the place of his *ṣalāh*, and does not do something that contravene his *ṣalāh* like turning his back to the Qiblah, he must perform the *iḥtiyāt ṣalāh*. If he does something that invalidates his *ṣalāh*, or there was long time between the *ṣalāh* and when the doubt began to cross his mind, as per *mostahab* precaution, he should repeat the entire *ṣalāh* anew.

iv) Addition or deduction in the *iḥtiyāt Ṣalāh*

If a *rukṅ* is added to the *iḥtiyāt ṣalāh*, or if one performs two *rak'ah* [of the *iḥtiyāt ṣalāh*] instead of one, the *iḥtiyāt ṣalāh* is rendered void, and must perform the original *ṣalāh* anew.

If one inadvertently adds or deducts something that is non-*rukṅ* in the *iḥtiyāt ṣalāh*, he should, as a precaution, perform *sajdatay-as-sahw* – the two prostrations of lapse.

v) *dann* (belief) in the *iḥtiyāt Ṣalāh*

The ruling of *dann* (belief) about the number of *raka'āt* in the *ṣalāh* has the ruling of certainty, unless the *dann* to the thing causes the *ṣalāh* to be invalid, in which case the *dann* will not have the ruling of certainty.

vi) Precedence of the iḥtiyāṭ Ṣalāh

If one is required to perform the iḥtiyāṭ ṣalāh and the qaḍā' of a forgotten sajdah or tashahhud, or sajdatay-as-sahw – the two prostrations of lapse – one must perform the iḥtiyāṭ ṣalāh first.

vii) Doubt, dann (belief) and inadvertent act in the daily and obligatory Ṣalāh

There is no difference in the rulings of *shakk* (doubt), *dann* (belief) and *sahw* (inadvertent act or lapse) in the daily ṣalāh and other obligatory ṣalāh. So for example if one doubts in the Āyāt Ṣalāh as to whether he performed one or two rak'ah, and since the Āyāt Ṣalāh is a two-rak'ah ṣalāh, a doubt in it renders it void.

Miscellany

- Q1 if one is Excessive Doubter in ṣalāh, if he doubts in the iḥtiyāṭ ṣalāh in the way he doubts in the ṣalāh, should he take notice of his doubt?
- A1 he should pay no attention to his doubt.
- Q2 if one keeps repeating his ṣalāh given the state of inattentiveness that has overcome him, is repetition of ṣalāh permissible for him?
- A2 it is ḥarām for him to repeat if it is on grounds of obsessive doubting (waswasah).
- Q3 after rising from the second sajdah of the second rak'ah, the moṣalli finds himself doubting about the number of the raka'āt between two and three, and he does not know if this doubt developed for him before finishing the two sajdah's or after. On which should he act?
- A3 he should assume that the doubt occurred to him after the two sajdah's and his ṣalāh is not invalidated.
- Q4 on one occasion I performed the ṣalāh of the eclipse of the moon in the house of the mo'mineen, and a doubt developed for me in one of the raka'āt, and I felt confused, and I based my act

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on the strongest probabilities and finished the ṣalāh, except that afterwards I was not certain, and that the people who prayed behind me were in sequence but not following [me] as the imam. I wanted to tell them to repeat the ṣalāh but felt extremely embarrassed, and by now some of the have died. So does the dann (belief) I based my act on acceptable InSha’Allah, while Allah is merciful and forgives a great deal?

- A4 the soundness and validity of dann (belief) in the acts of the ṣalāh is the same as the dann (belief) in the raka’āt.

E) Prostration of sahw (lapse)

If one does not perform the prostration of lapse after the Salām of the ṣalāh deliberately, he has committed disobedience, and it is obligatory for him to perform it at the closest time, and if one does not perform it inadvertently, he must perform it when he remembers it immediately, and he is not required to repeat the ṣalāh.

i) The Procedure for sajdatay-as-sahw

The procedure for the two prostrations of lapse is that after the Salām of the ṣalāh, he must declare the *niyyah* to perform prostration of lapse, and places his forehead on what is valid to perform sujood on and say:

Bismillāhi wa Billāh wa ṣalla-llāha ‘alā Muhammadin wa ālih.	بِسْمِ اللَّهِ وَبِاللَّهِ وَصَلَّى اللَّهُ عَلَى مُحَمَّدٍ وَآلِهِ
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Or say:

Bismillāhi wa Billāh, Allāhumma ṣalli ‘alā Muhammad wa āli Muhammad.	بِسْمِ اللَّهِ وَبِاللَّهِ اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ
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However, it is recommended to say:

Bismillāhi wa Billāh As-Salāmo alayka ayyohā-Nnabiyyo wa Raḥmatollāhe wa Barakātoh.	In the name of Allah, and by Allah, Peace be upon you O prophet and the mercy of Allah and His blessings.	بِسْمِ اللَّهِ وَبِاللَّهِ السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ
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Ṣalāh

Then he should sit and then performs sujood a second time and say aforementioned dhikrs, and then sit again, and recite the tashahhud and one Salām.

ii) Cases of obligatory requirements of performing sajdalay-as-sahw – after the tasleem

- i. If one inadvertently speaks during the ṣalāh,
- ii. If one performs the tasleem in other than its stage, like if one performs tasleem inadvertently in the first rak‘ah,
- iii. If one forgets one of the two prostrations,
- iv. If one forgets the tashahhud.
- v. If one doubts after the second sajdah in a four-rak‘ah ṣalāh as to whether he has performed four or five raka‘āt,

If one negligently sits where he should stand up, for example if one sits by mistake while reciting al-Ḥamd and the surah, or stands up where he should sit, e.g. if one stands by mistake while giving the tashahhud. It is mandatory, as per obligatory precaution, to perform the sajdalay-as-sahw – the two prostrations of lapse. In fact, as per obligatory precaution, one should perform the two prostrations of lapse for every inadvertent addition or deduction in the ṣalāh.

Miscellany

1. If one repeats correctly what one had recited incorrectly, he is not required to perform prostration of lapse for the incorrect recitation.
2. If one recites the three aforementioned Salām s in other than their correct place, it is sufficient to perform one prostration of lapse only.
3. If one forgets one sajdah or the tashahhud and remembers that before the rukoo‘ of the following rak‘ah he must return and perform the forgotten and the subsequent acts of the ṣalāh, and

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then after the ṣalāh perform the sujood of the lapse for the out-of-place standing up, as a precaution.

Q If one recites the basmalah without identifying the surah, and then recites the basmalah anew with a particular surah [in mind], is one required to perform sajdathay-as-sahw – the two prostrations of lapse?

A It is not required.

F) Qaḍā' of the forgotten sajdah or tashahhud

When performing the qaḍā' of the forgotten sajdah or the qaḍā' of the forgotten tashahhud, all the validating criteria for the ṣalāh are required too, such as the body and garment being ṭāhir, facing the Qiblah, and other such criteria.

i) Sequence in Qaḍā'

If one forgets one sajdah and tashahhud, one should, as per obligatory precaution, begin with performing the qaḍā' of that which one forgot first. If one does not remember which he forgot first, he should, as a precaution, perform a sajdah first, then tashahhud, and then perform another sajdah after the tashahhud; or perform tashahhud first, then a sajdah and then another tashahhud in order to be certain to have achieved the sequence in performing the qaḍā' of the forgotten sajdah and tashahhud.

ii) Place of sajdah and tashahhud

If one remembers in the rukoo', or after that, that he had forgotten a sajdah or forgotten the tashahhud of the previous rak'ah, it is mandatory that, after the Salām of the ṣalāh, he performs the qaḍā' of the forgotten sajdah, or the forgotten tashahhud, then after that he performs the prostration of lapse, (or the sujood as-sahw).

iii) Repeating the Ṣalāh after the qaḍā'

If one does something after the Salām of the ṣalāh and before performing the qaḍā' of the forgotten sajdah or the forgotten tashahhud,

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the deliberate or inadvertent act of which renders the [normal] ṣalāh bāṭil, such as turning one's back to the Qiblah, he must, as a precaution, repeat the ṣalāh after performing the qaḍā' of the forgotten sajdah or the forgotten tashahhud – if the forgotten sajdah or the forgotten tashahhud were of other than the last rak'ah. However, if they were of the last rak'ah, he must repeat the original ṣalāh.

iv) Inattentiveness in the two-prostrations of lapse

If one does something, after the Salām of the ṣalāh and before performing the qaḍā' of the forgotten sajdah or the forgotten tashahhud of the previous rak'ah, the act of which during the [normal] ṣalāh necessitates the performance of sajdatay-as-sahw, such as inadvertent talking, one must perform the qaḍā' of the forgotten sajdah or the forgotten tashahhud, and he does not have to perform additional sajdatay-as-sahw further to the sajdatay-as-sahw that he must perform after the qaḍā' of the forgotten sajdah or tashahhud.

v) Other sujud too

If one is required to perform the qaḍā' of forgotten sajdah or forgotten tashahhud, if he is also required to perform the sujud as-sahw for some other reason, he must, after the ṣalāh, perform the qaḍā' of the sajdah or the tashahhud first, and then perform the sujud as-sahw.

vi) Doubt about performing qaḍā' of sajdah and tashahhud

If one doubts as to whether he has performed, after the ṣalāh, the qaḍā' of the forgotten sajdah and tashahhud or not, if the ṣalāh time has not expired, it is mandatory to repeat the qaḍā' of the sajdah or tashahhud, and if the ṣalāh time has expired, it is recommended to perform the qaḍā' of the forgotten [sajdah or tashahhud].

G) Addition and deduction to the acts of the Ṣalāh

If one deliberately adds to the obligatory acts of the ṣalāh, or deducts from them, even by one alphabetical letter, his ṣalāh is rendered bāṭil.

If on grounds of being ignorant of the case, one adds to the obligatory acts of the ṣalāh or deducts from them, his ṣalāh is rendered bāṭil, as a

precaution. However, if, on grounds of being ignorant of the case, one recites the al-Ḥamd and the surah silently in the Ṣobḥ, Maghrib, and ‘Eshā’ ṣalāh; or recite them audibly in the Duhr and ‘Aṣr prayers, or if on the same grounds, performs his ṣalāh complete while travelling, his ṣalāh is valid.

2. The Nāfilah Ṣalāh

The mostaḥab ṣalāh, known as the nāfilah (pl. nawāfil) are many, but from amongst them the ones emphasised upon are the nawāfil of the daily prayers, and with the exception of Friday, they are 34 rak‘ah for every day of the week as follows:

Duhr nāfilah, which is eight raka‘āt and is performed before the Duhr ṣalāh,

‘Aṣr nāfilah, which is eight raka‘āt and is performed before the ‘Aṣr ṣalāh,

Maghrib nāfilah, which is four raka‘āt and is performed after the Maghrib ṣalāh,

‘Eshā’ nāfilah, which is two raka‘āt and is performed in the sitting position after the ‘Eshā’ ṣalāh,

The Layl (Night) nāfilah, which is eleven raka‘āt and is performed between midnight and Fajr,

Ṣobḥ nāfilah, which is two raka‘āt and is performed before the Ṣobḥ ṣalāh,

And since the ‘Eshā’ nāfilah is performed in the sitting position, it is counted as one rak‘ah.

And as for Friday, in addition to the Duhr and ‘Aṣr nawāfil of sixteen raka‘āt, there are also four more raka‘āt.

All of these daily nawāfil are performed in two-rak‘ah format, just like the Ṣobḥ ṣalāh.

Ṣalāt-al-Layl (Night Prayer)

There is particular emphasis on the Night Prayer in the narrations reported from the *ma'ṣoom* imams, peace be upon them.

The Night prayer is eleven rak'ah, eight rak'ah are the Night prayers, two are *al-shaf'* prayer, and one rak'ah is *al-witr* prayer. Every two rak'ah is performed with one Salām with the exception of the *witr* which is one rak'ah, with one Salām. The time of the night prayer is between midnight and the break of Fajr. [Midnight is midpoint between sunset and the Fajr – and not sunrise.]

It is recommended that in each of the two rak'ah of the first prayer the surah of al-Tawḥeed is recited thirty times [after al-Ḥamd], and in the rest of the two rak'ah prayers, the long surahs are recited such as the Cattle, the Cave, the Prophets, if there is enough time. It is recommended to recite the long surah in the first rak'ah and a short in the second [in the latter three prayers]. Otherwise one may even read al-Tawḥeed in all³².

It is recommended to recite [the surahs of] al-Falaq, al-Nās, and al-Tawḥeed in the *al-shaf'* and *al-witr*³³.

In the Quonoot of *al-witr* prayer one prays for forty believers, saying *Allāhumma ighfir le 'so & so'*, and instead of 'so & so' the name of the individual should be mentioned, [and if one wishes to pray for a minor, the minor] should not be counted as amongst the forty³⁴. [After that] it is recommended in the Quonoot to say *istighfār* seventy times, better still to say it one hundred times. While saying the *istighfār* one may keep one's left hand raised and keep count with the right hand. This *istighfār* is recommended to be as follows:

Astaghfirullāha min jamee'a dulmi wa jurmi wa isrāfi fi amri wa atoobo ilayh.

However, it is sufficient to say *Astaghfirullāha wa atoobo ilayh.*

It is recommended to say seven times *hādihā Maqām al-'ā'edhu bika min al-nār.*

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It is recommended to say three hundred times *al-'Afw*, and if one wanted to say them conjointly then it should be pronounced *al-'Afw al-'Afw al-'Afw . . .*

Virtues and merits of the Night Prayer

Allah Almighty revealed to Moses, “Rise up in the darkness of the night, and make your grave a garden of the gardens of Paradise”.³⁵

Amir al-Mo'mineen said, “The rising of the night gives health to the body”.³⁶

Imam Ṣādiq said, “the prayer of the night beautifies the face, beautifies manners, freshens up the breath, increases sustenance, pays the debt, repels sorrows, and strengthens the sight”.³⁷

Imam Ṣādiq also said, “he says lies who claims he performs the night prayers and he goes hungry, for the prayer of night guarantees the sustenance of the day”.³⁸

Ghufaylah Ṣalāh

One of the mostaḥab ṣalāh is the Ghufaylah ṣalāh, which is performed between the Maghrib ṣalāh and the 'Eshā' ṣalāh, and is of two rak'ah as follows:

In the first rak'ah, after al-Ḥamd, one should recite the following verses:

<p>wa dhan-nooni idh dhahaba mughāḍiban, faḍanna al-lan naqdira 'alayh, fanādā fid-ḍulumāti al-lā ilāha illā anta subḥānak, innī kuntu mina-ad- ḍālimīn. fastajabnā lahu wa najjaynāhu minal-ghamm, wa kadhālika nunjīl- mo'minīn.</p>	<p>And the Man of the Whale, when he left in a rage, thinking that We would not put him to hardship. Then he cried out in the darkness, “There is no god except You! You are Glorified/ Immaculate! I have indeed been among the wrongdoers! So We answered his prayer and delivered him from the agony; and thus do We deliver the faithful.[21:87-88]</p>	<p>وَذَا النُّونِ إِذْ ذَهَبَ مُغَاضِبًا فَطَنَّ أَنْ لَنْ نَقْدِرَ عَلَيْهِ، فَنَادَى فِي الظُّلُمَاتِ أَنْ لَا إِلَهَ إِلَّا أَنْتَ، سُبْحَانَكَ، إِنِّي كُنْتُ مِنَ الظَّالِمِينَ، فَاسْتَجَبْنَا لَهُ وَنَجَّيْنَاهُ مِنَ الْغَمِّ، وَكَذَلِكَ نُنْجِي الْمُؤْمِنِينَ</p>
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Ṣalāh

In the second rak‘ah, after al-Ḥamd, one should recite the following verse [6:59]:

<p>Wa ‘Indahu Mafātiḥul-Ghaybi Lā Ya‘lamuhā Illā Huw Wa Ya‘lamu Mā Fīl-Bar-ri wal-Baḥr, wa mā Tasquṭu Min Waraqatin Illā Ya‘lamuhā, Wa Lā Ḥabbatin Fī <u>Dulumātil-Arḍ</u>, Wa Lā Raṭḥin Wa Lā Yābisin, Illā Fī Kitābin Mubīnin.</p>	<p>With Him are the treasures of the Unseen; no one knows them except Him. He knows whatever there is in land and sea. No leaf falls without His knowing it, nor is there a grain in the darkness of the earth, nor anything fresh or withered but it is in a manifest Book.</p>	<p>وَعِنْدَهُ مَفَاتِيحُ الْغَيْبِ لَا يَعْلَمُهَا إِلَّا هُوَ وَيَعْلَمُ مَا فِي الْبَرِّ وَالْبَحْرِ وَمَا تَسْقُطُ مِنْ وَرَقَةٍ إِلَّا يَعْلَمُهَا وَلَا حَبَّةَ فِي ظُلُمَاتِ الْأَرْضِ وَلَا رَطْبٍ وَلَا يَابِسٍ إِلَّا فِي كِتَابٍ مُبِينٍ</p>
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One should then say in the Quonoot:

Allāhumma inni as‘aloka bi-mafātiḥ al-ghayb al-lati lā ya‘lamuhā illā ant, an tuṣalli ‘alā Muhammad wa ālihi, wa an taf‘ala [*mention your request*].
You would then say:
 Allāhumma anta waliyyu ni‘mati, wal-qādiro ‘alā ṭalibati, ta‘lamo ḥājati, fa as‘aloka bi-ḥaqqi Muhammad wa ālihi, alayhi wa alayhim al-salām, lammā qaḍaytahā li.

O Allah I ask you by the treasurers of the Unseen, which no one knows other than you, to send your eternal blessings and mercy upon Muhammad and the progeny of Muhammad, and [*mention your request*]. You should then say: O Allah you are the patron of my blessings and you are able to give my request – you know my need – so I ask you by the sake of Muhammad and his progeny – peace be upon him and upon them – to fulfil it for me.

اللَّهُمَّ إِنِّي أَسْأَلُكَ
 بِمَفَاتِيحِ الْغَيْبِ الَّتِي لَا
 يَعْلَمُهَا إِلَّا أَنْتَ أَنْ
 تُصَلِّيَ عَلَيَّ مُحَمَّدًا
 وَآلِهِ وَأَنْ تَفْعَلَ بِي
 كَذَا وَكَذَا وَتَذَكَّرَ
 حَاجَتِكَ عِوَضَ هَذِهِ
 الْكَلِمَةِ ثُمَّ تَقُولُ :
 اللَّهُمَّ أَنْتَ وَلِيُّي
 نِعْمَتِي وَالْقَادِرُ عَلَيَّ
 طَلِبْتِي تَعْلَمُ حَاجَتِي
 فَأَسْأَلُكَ بِحَقِّ مُحَمَّدٍ
 وَآلِهِ عَلَيْهِ وَعَلَيْهِمُ
 السَّلَامُ لَمَّا قَضَيْتَهَا لِي

It is permissible to perform the nawāfil in the sitting position, but it is recommended to count every two raka'āt in the sitting position as one rak'ah. So if one wanted to perform the Duhr nāfilah, which is eight raka'āt, he should perform sixteen in the sitting position, and if one wanted to perform the Witr ṣalāh, which is the last of the Layl ṣalāh and is one rak'ah in the standing position, he should perform two raka'āt in the sitting position.

3. The Friday Ṣalāh

Ruling of the Friday Ṣalāh

At the time of the presence of the ma'ṣoom Imam, peace be upon him, it is mandatory for one to perform the Friday Ṣalāh of two rak'ah on the Friday, instead of the Duhr ṣalāh. However, at the time of his absence – like this day and age – as a mostaḥab precaution, one who performs the Friday Ṣalāh, should also perform the Duhr ṣalāh.

Miscellany

- Q1 what is the ruling of audible recitation in the Duhr [ṣalāh] on Friday?
- A1 as a mostaḥab precaution it should be audible.
- Q2 [when performing] the Friday Ṣalāh, as a mostaḥab precaution one should perform the Duhr [ṣalāh] too. Should it be before the Friday Ṣalāh or after or either way is permissible?
- A2 either is permissible.
- Q3 if one is in a session of reciting the holy Qur'an, and comes across one of the verses of prostration, but he does not know whether or not this is one of obligatory prostrations, does he have to enquire [as to whether or not this is obligatory]? And if one learns that it is obligatory, is it mandatory for him to perform the qaḍā' of what has passed?

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- A3 it is not mandatory to enquire, and he should perform the qaḍā' prostration.
- Q4 is attending the two khuṭbah of the Friday Ṣalāh like attending the ṣalāh itself?
- A4 yes, and it is mandatory, as a precaution, for the followers [of the prayer leader] to listen to the khuṭbah and not to talk such that would prevent them from listening.
- Q5 does the Friday Ṣalāh require the permission of the religious authority /Marje' /Ḥākim al-Shar'ei?
- A5 no.
- Q6 if one does not attend the khuṭbah and performs the Friday Ṣalāh (i.e. the two rak'ah only), what is the ruling of this ṣalāh? Should he perform the Duhr ṣalāh as a precaution?
- A6 it is the mostahab precaution to perform the Duhr ṣalāh.
- Q7 is the Friday Ṣalāh obligatory, and replaces the Duhr ṣalāh, if it is performed with all its criteria?
- A7 one has the choice between the Duhr and the Friday Ṣalāh, and if the Friday Ṣalāh is performed according to its criteria, then the Duhr ṣalāh is not mandatory.

4. The Congregational Prayer

It is mostahab to perform the obligatory ṣalāh, especially the daily ones in congregation (Jamā'ah), and this is especially emphasised for the Ṣobḥ, Maghrib, and 'Eshā'; and in particular for the neighbours of the mosque, and those who hear the mosque's adhān.

There is no objection if the imam or the ma'moom repeat the Jamā'ah ṣalāh that he has performed.

1. Rewards of congregational prayers

If only one person follows the leader of Jamā'ah ṣalāh, every rak'ah of their ṣalāh carries the reward (thawāb) of one hundred and fifty ṣalāh, and if two people follow, every rak'ah of their ṣalāh carries the reward (thawāb) of six hundred ṣalāh, and as their number increase, their reward increases too, until if their number exceeds ten, then if all the skies were sheets, and the seas ink, and the trees pens, and the jinn, man, and the angels were writers, they would not be able to write the reward of one rak'ah of their ṣalāh.

2. Rulings of congregational prayers

a) Jamā'ah and mostahab Ṣalāh

it is not permissible to perform the mostahab ṣalāh or the nawāfil in Jamā'ah or congregation, with the exception of the istisqā' ṣalāh (praying for rain), and the obligatory ṣalāh that has become mostahab for a particular reason, such as the ṣalāh of Eid al-Fiṭr and Eid al-Aḍḥā that are mandatory in the presence of the ma'ṣoom Imam, peace be upon him, but mostahab because of his absence, may Allah hasten his honourable reappearance.

b) Following the Jamā'ah Imam in qaḍā' ṣalāh for others

If the Jamā'ah imam is performing his daily ṣalāh it is permissible to follow him in that, and perform a ṣalāh of the daily prayers behind him. However, if he is performing a qaḍā' ṣalāh for himself on grounds of precautionary measure (iḥtiyāṭ), or if he is doing so for others, then following him is questionable, even if he does not receive a wage for performing the qaḍā' ṣalāh for others – except if he is performing a specific qaḍā' ṣalāh, [i.e. a qaḍā' ṣalāh that is not on precautionary grounds].

c) Overflowing

If the rows of the Jamā'ah ṣalāh reached the door of the mosques, the ṣalāh of those who stand behind the [last] row in front of the door is valid, and so too the ṣalāh of those who stand behind it [the door], as

Ṣalāh

well as the ṣalāh of those who stand on either side of the door without seeing the front row.

d) Place of the Jamā‘ah imam

It is necessary that the place where the prayer leader (Jamā‘ah imam) stands is not higher than that of the follower (ma‘moom) by more than a ‘span of the hand’, which is about 20cm. there is no objection if the follower stands higher than the leader.

e) Distinguishing child

If a distinguishing child separates between those who stand in one row, and if they do not know his ṣalāh to be bāṭil, it is permissible for them to follow [the imam with the child as one of the adjoining individuals in the row].

f) Sequence of rows and Takbirat-al-Eḥrām

After the imam performs Takbirat-al-Eḥrām, if the people in the first row were about to perform Takbirat-al-Eḥrām, it is permissible for those in the second row to perform Takbirat-al-Eḥrām and it is not required for one to wait until for the person in front to finishes Takbirat-al-Eḥrām. The same applies to other rows.

g) Imam does not meet criteria

If the follower (ma‘moom) learns after the ṣalāh that the imam is not ‘ādil (just), or that the imam is kāfir, or that his ṣalāh was invalid for whatever reason, such as not having wuḍū’, the ṣalāh of the follower is valid.

h) Follower goes solo

if the follower decides to leave the Jamā‘ah [to perform the ṣalāh solo] – with or without a reason – after the reciting of al-Ḥamd and the surah, it is not required for him to recite al-Ḥamd and surah, but if he decides to leave before the completion of al-Ḥamd and surah, he is required to recite the rest of al-Ḥamd and surah that has not been recited by the imam.

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If the follower decides to leave the Jamā‘ah during the Jamā‘ah ṣalāh, it is not permissible for him to return to the Jamā‘ah again. However if one doubts as to whether or not he intended to leave and then decided to finish his with the congregation, his ṣalāh is valid.

i) Joining the Jamā‘ah while imam is in rukoo‘

If one joins the congregation while the imam is in the state of rukoo‘, and catches up with the rukoo‘ of the Imam, [i.e. bows for rukoo‘ while the imam is in the state of rukoo‘], his ṣalāh is valid – even if the imam has finished the dhikr of the rukoo‘ – and that counts as one rak‘ah for him. However, if one bows down to the extent of the rukoo‘, but does not catch up with the rukoo‘ of the imam, he must repeat his ṣalāh as a precaution – if he did not know that he would catch up with the rukoo‘ of the imam – but if he was sure that he would catch up with the rukoo‘ of the imam, his ṣalāh is valid – although, as a mostahab precaution, [the ṣalāh] should be repeated.

j) Relative position of imam and ma‘moom

The ma‘moom (follower) must not stand ahead of the imam [at any point], and there is no objection if they are aligned, however, if the follower is taller than the imam, then as per mostahab precaution should stand such that if he performs rukoo‘ or sujood, he will not be ahead of the imam.

k) Screen between imam and ma‘moom

There should be no opaque screen or barrier between the imam and the ma‘moom, or between one follower and another, through whom a follower connects to the imam. However, if the imam is male and the follower is female, then there is no objection to a screen between the female ma‘moom and the imam, or between the female follower and the male follower through whom she connects to the imam.

l) Joining in the second rak‘ah

If one joins the Jamā‘ah ṣalāh in the second rak‘ah, one does not have to recite al-Ḥamd and surah, but he should perform the Quonoot and the

Ṣalāh

tashahhud with the imam, as a precaution however, he should squat – during the recitation of the tashahhud [by the imam] – on the fingers of his hands and the forefront of his feet and he should lift his knees from the ground. After tashahhud he must stand up with the imam, and recite al-Ḥamd and the surah, but could leave out the surah if there is not enough time to recite it [and keep up with the imam], and he may continue with the imam. However, he should make the niyyah to go solo and act according to his duty if there is not enough time to recite al-Ḥamd.³⁹

If one lags the imam by one rak‘ah, it is mostaḥab – when the imam performs the tashahhud of the last rak‘ah – to squat as described earlier, and wait until the imam performs the salām and finishes the ṣalāh, before he stands up [to continue with his ṣalāh].

m) Joining in the second rak‘ah of a four-rak‘ah ṣalāh

If one joins the Jamā‘ah ṣalāh in the second rak‘ah of a four-rak‘ah ṣalāh, he must, after performing the two sajdah’s of the second rak‘ah, which is the imam’s third rak‘ah, sit and perform the tashahhud as required, and it is permissible for him to perform the mostaḥab acts of the tashahhud too, and then rise up to perform the third rak‘ah, and if there is not enough time to perform the four-tasbiḥāt three times, he should recite them once to keep up with the imam and join him in rukoo‘.

n) Inability to catch up with imam in recitation

If the imam is performing the third or the fourth rak‘ah, and the ma’moom knows that there would not be enough time for him to recite al-Ḥamd and the surah if he joins the Jamā‘ah ṣalāh, as per obligatory precaution he should wait until the imam goes to rukoo‘ and then join the ṣalāh and perform the rukoo‘.

o) Necessity of recitation in third and fourth rak'ah

If one follows the imam [for the Jamā'ah ṣalāh] in the third or the fourth rak'ah, he must recite al-Ḥamd and the surah if there is enough time to do so, and if there is not enough time to recite the surah, then he must recite al-Ḥamd and join the imam in rukoo'.

p) Not knowing in which rak'ah is the imam

If the imam is in the standing position and the ma'moom (follower) does not know in which rak'ah is the imam, it is permissible for the ma'moom to follow the imam, but he must recite al-Ḥamd and the surah with the intention of Qurbah (seeking nearness to, and abiding by the command of Allah) and if he learns at a later stage that the imam was in the first or second rak'ah, his ṣalāh is valid.

q) The ma'moom not reciting where he should

If one does not recite al-Ḥamd and the surah believing the imam to be in the first or second rak'ah and then after the rukoo' it becomes clear to him that the imam was in the third or fourth rak'ah, his ṣalāh is valid.

3. Criteria of the Jamā'ah imam

It is mandatory for the Jamā'ah imam to be:

- Adolescent,
- Sane,
- Shi'a (or follower) of the twelve Imams,
- Just,⁴⁰
- Of legitimate birth,
- Performs the ṣalāh in the correct way,

It is also mandatory for the imam [or leader of the congregational prayer] to be male if the ma'moom is male, but there is no objection to the imam to be a woman if [all the] ma'moom (followers) are women, or for the imam to be a distinguishing child if the follower is (are) a distinguishing child(ren).

a) Sitting or lying-down imam

He who is able to perform the ṣalāh in the standing position, it is not permissible for him to follow one who performs his ṣalāh in the sitting position, and he who is able to perform the ṣalāh in sitting position, it is not permissible for him to follow one who performs his ṣalāh in the lying position.

b) Excused imam

It is permissible to follow an imam who performs his ṣalāh in a najis dress, or with tayammum, or with Jabirah wuḍu', if his wearing of the najis dress, or resorting to tayammum or Jabirah wuḍu' is justifiable.

4. Rulings of Jamā'ah

a) Identifying the imam at the time of niyyah

It is mandatory for the ma'moom to identify the imam when declaring the niyyah, but it is not mandatory to know the name of the imam. Thus if one says, "I follow the current imam", his ṣalāh is valid.

b) Performing various parts of the ṣalāh

It is mandatory for the ma'moom to perform all parts of the ṣalāh himself, with the exception of the recitation of al-Ḥamd and the surah. However, if one's first or second rak'ah coincided with the imam's third or fourth, then it is mandatory for the ma'moom to recite al-Ḥamd and the surah too.

c) Performing Takbirat-el-Eḥrām

It is mandatory for the ma'moom not to perform Takbirat-el-Eḥrām before the imam, rather he must not, as per mostaḥab precaution, do so before the imam finishing the Takbirat-el-Eḥrām.

d) Tasleem prior to Imam's

It is not mandatory for the ma'moom to lag behind the imam in performing the salām, and if one deliberately performs the salām before the imam does so, his ṣalāh is valid and he does not have to repeat the

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salām a second time with the imam’s salām. However, if one performs the salām before the imam does so his thawāb (reward) will be less.

e) Dhikrs before Imam

There is no objection if the ma’moom recites the other dhikrs of the ṣalāh (other than Takbirat al-Eḥrām and the salām) before the imam reciting them. However, if one can hear them [being recited by the imam] or knows when the imam will say them, as per mostaḥab precaution he should not say them before the imam does.

f) Rukoo‘ and sujood before imam or much after

With the exception of the dhikrs, it is mandatory for the ma’moom to perform [acts such as] the rukoo‘ and sujood with the imam or after him by a little. If one deliberately performs them before the imam, or after him by a long time, his ṣalāh is valid, with the probability of committing disobedience through the unusual long delay or going ahead of the imam.

g) Leaving rukoo‘ before imam

If the ma’moom inadvertently raises his head from rukoo‘ before the imam, if the imam is still in the state of rukoo‘, it is mandatory for him to return to the rukoo‘ and then rises and stands up with the imam, and his ṣalāh is not rendered void by an addition in rukn in this case. However, if one returns to the rukoo‘ but before reaching rukoo‘, the imam raises his head from the state of rukoo‘, the validity of his ṣalāh will be questionable, though its validity is not remote.

h) Leaving sujood before imam

If the ma’moom raises his head from sujood inadvertently and sees the imam still in the sujood state, he must return to the sujood immediately, even if such a mistake occurs in both sajdah’s.

i) Going to rukoo‘ before imam

If one inadvertently goes to rukoo‘ before the imam does and it is such that if he returns to standing upright he will not arrive at much of the imam’s recitation, if he waits until the imam goes to rukoo‘, his ṣalāh is

valid. His ṣalāh will also be valid if he raises his head from the rukoo‘ with the intention of following the imam and then goes to rukoo‘ with the imam.

j) Imam’s lapse in Quonoot and Tashahhud

If the imam inadvertently performs Quonoot in a rak‘ah in which there is no Quonoot, or performs tashahhud in a rak‘ah in which there is no tashahhud, it is not valid for the ma’moom to follow him in that. However, it is not permissible for him to go to rukoo‘ before the imam does, nor to stand up before the imam stands up, but rather he must wait until the imam finishes from that inadvertent Quonoot or tashahhud, and then finish with him the rest of the ṣalāh.

k) Being considerate of the weakest ma’moom

It is mostahab (desirable) for the imam to be considerate about the state of the weakest of the followers, and thus he should not prolong his rukoo‘, Quonoot, or sujood, unless he knows of the wishes of all the followers in that.

5. Mostahab acts of the Jamā‘ah ṣalāh

It is mostahab for the ma’moom, if he is one male, to stand on the right hand side of the imam, and if one female, also to stand on the right hand side of the imam such that the place of her prostration is inline with the position of the knees or feet of the imam. If the ma’moom were a male and a female, or a male and several females, it is mostahab for the male to stand on the right of the imam and the rest behind the imam, and if they were several men and women it is mostahab for them to stand behind the imam, with the men behind the imam and, as per mostahab precaution, the women behind the men.

If the imam and the ma’moom were both female, it is preferred for them to stand in line and the imam should not stand ahead of the ma’moom.

It is mostahab for the imam to stand in the mid-point of the row, and that people of knowledge, and piety to stand in the first row.

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It is mostahab for the rows to be in solid orderly form with no disorder or gap in them.

It is mostahab for the followers to rise up after the imam recites [the phrase in the Iqāmah] Qad Qāmat al-Ṣalāh.

It is mostahab for the imam if he learns while he is rukoo‘ of the presence of a new ma‘moom wishing to join the ṣalāh and follow him, to prolong the rukoo‘ by twice as long, and rise after that, even if he learns of the presence of another person wishing to join.

6. Makrooh acts of Jamā‘ah ṣalāh

It is makrooh for a ma‘moom to stand alone in a row, if there are empty spaces in other rows.

It is makrooh for the ma‘moom to utter the adhkār such that the imam can hear them.

It is makrooh for the ‘traveller’, who has to shorten his four-rak‘ah ṣalāh – such as the Duhr, ‘Aṣr, and ‘Eshā’ – to follow, in these ṣalāh, an imam who is not ‘traveller’. It is also makrooh for a non-‘traveller’ to follow, for these ṣalāh, an imam who is ‘traveller’.

Miscellany

Appearance

Q Is good appearance sufficient to establish the justice of the Jamā‘ah imam?

A Yes.

Error in niyyah

Q1 if one thought the Jamā‘ah imam is performing the Friday ṣalāh and [so he joined the ṣalāh] with that intention but it turns out that it is the Duhr ṣalāh, is it possible to correct his ṣalāh, on the grounds that he erred in the ‘implementation’ while he was intending to perform the duty in progress.

Ṣalāh

- A1 If it was of the type of ‘error in implementation’ his ṣalāh as Duhr is correct.
- Q2 If one follows the imam in ṣalāh but then after the ṣalāh it turns out that the ṣalāh of the imam was nāfilah, is it obligatory for the follower to repeat the ṣalāh?
- A2 It is not obligatory to repeat unless if one contravenes the duty of the solo (*monfarid*) moṣalli such as an addition in rukoo‘.

Praying solo in the presence of congregation prayer

- Q1 If congregational prayer is being performed in the mosque when I enter the mosque, is it permissible to perform my ṣalāh solo (*furādā*), knowing that in doing so that could constitute insult to the imam?
- A1 Insult is ḥarām.

Error in pronunciation

- Q1 If the follower hears the imam reciting some of the words incorrectly, what is his duty?
- A1 He should recite those words correctly.

Doubt about imam’s justness

- Q1 If the follower doubts the justness of the imam or his [correct] recitation, is it permissible to follow him?
- A1 In the case of doubting the justness [of the imam] the Jamā‘ah is not valid, and in the case of the doubt about the correct recitation of the imam, the Jamā‘ah is valid, given the validity of the matter in principle.

Ṣalāh with non-Shi’a

- Q1 if one is with non-Shi’a where they pray Jamā‘ah, is it permissible for him to pray with them, even though it is possible for him to leave the place and pray somewhere else.

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- A1 if one prays with them, his ṣalāh would not be accepted as having discharged his duty.
- Q2 is it permissible to perform ṣalāh behind a non-Shi'a imam? If it is permissible what are the conditions? And if not why not?
- A2 one of the conditions of the Jamā'ah imam is justness, and justness is not accomplished except through following and adhering to the Ḥaqq (Truth)⁴¹, and the ṣalāh behind a non-just is bāṭil. However, if one felt compelled, it is permissible to perform the ṣalāh behind him, but it is mandatory for him to repeat the ṣalāh afterwards.

Doubt about imam's recitation

- Q1 I once prayed the Maghrib with a Jamā'ah imam, but I doubt his recitation as to whether he pronounces it correctly or incorrectly. What is the ruling in this respect?
- A1 you should assume it to be correct.

Unintended detachment from the Jamā'ah

- Q1 if one did not know that one of the criteria of a valid Jamā'ah is that one must be joined to the imam or to whom who is joined to the imam, and he performed ṣalāh for a long period in such a state, is his ṣalāh deemed invalid, since he did not perform the recitation [of al-Ḥamd and the surah] relying instead on the recitation of the imam believing that his ṣalāh is Jamā'ah while in fact it was – inadvertently – solo (*furādā*).
- A1 his ṣalāh is valid.

Switching to solo ṣalāh

- Q1 After the imam recited al-Ḥamd and began reciting a long surah, after reciting a few verses of the surah if one wants to revert to solo (*furādā*) ṣalāh but he does not know the surah, recited by the imam, by heart to recite the rest of its verses, is it

Ṣalāh

sufficient to recite a short surah, or is it mandatory to finish the same surah that the imam recited?

A1 he could recite a short surah and that would be sufficient.

Joining in rukoo‘

Q1 if the imam is in the second rak‘ah, and the moṣalli wishes to join him, obviously if this newly joined follower knows that he cannot recite al-Ḥamd [in time] he should wait until the imam goes to rukoo‘, and then he [follower] should perform takbirat al-Eḥrām. The question is: if the ma‘moom performs takbirat al-Eḥrām while the imam had not yet gone to rukoo‘, but then he goes to rukoo‘ and the ma‘moom goes to rukoo‘ without reciting al-Ḥamd, what is the ruling if the ma‘moom: was ignorant of the ruling? And what is it if he was negligent of the ruling even though he knew of it?

A1 his ṣalāh is valid in both cases.

Leaving the imam

Q1 if one joins the imam in the last rak‘ah but then leaves the imam [i.e. the Jamā‘ah ṣalāh] before the end of the dhikr of the second sajdah, does this constitute [having performed] a Jamā‘ah ṣalāh?

A1 yes it does.

Following a Ma‘moom after reverting to solo ṣalāh

Q1 Is it permissible for one who wishes to perform Jamā‘ah ṣalāh, after it has finished, to join a ma‘moom who is completing what remains of his ṣalāh solo (*furādā*)? For example is it permissible to join the ma‘moom in the second or the third rak‘ah.

A1 yes it is permissible.

Two non-Shi'a in the middle

- Q1 is it permissible for there to be in the row of Jamā'ah ṣalāh two non-Shi'a side by side, and if they are together, is it mandatory to part between them so that it does not constitute a gap?
- A1 it is permissible, and it is not mandatory to part between them.

Taking the Jamā'ah ṣalāh lightly and non-participation

- Q1 It is stated that: it is not permissible not to attend the Jamā'ah ṣalāh, on grounds of not caring about it, and it is not permissible to miss it out for no reason. Does this point to the obligatory requirement of attending the Jamā'ah ṣalāh for one who is able to attend, and the prohibition of non-attending it for no reason? Or does it only point to it being highly recommended and mostaḥab, and the sever undesirability of non-attending it for no reason?
- A1 The Jamā'ah ṣalāh is mostaḥab, unless non-attendance constitutes taking it lightly.

The Imam is moqallid of another Marje'

- Q1 Is the ṣalāh of your moqallid valid if he performs it behind an imam who is a moqallid of a marje' who considers the Friday Ghusl as a sufficient replacement for wuḍu'?
- A1 yes it is valid.

Confirmation of imam's justness during travel

- Q1 Justness ('adālah) is a criterion that must exist in the imam [of the Jamā'ah ṣalāh], and during travel it often occurs that we enter a mosque to pray and find a Jamā'ah ṣalāh being performed. Is it mandatory for us to confirm the justness of the imam of the congregation before joining him [in prayer], or is the presence of the populous and his outfit is sufficient to assume his justness?

Ṣalāh

- A1 Justness (‘adālah) is the observance of and discharging the obligatory duties and refraining from prohibited deeds. It is a nurtured inward quality [turned aptitude or *malakah* as it is known in Islamic terminology] that prevents the individual from committing sin and disobedience. It is recognised through good sound appearance, which is revealed through one’s own knowledge or assumption, and it is confirmed by the testimony of two just individuals and through the widespread common knowledge.

Doubt about illegibility of the pronunciation of the letter R

- Q1 I pray behind an imam who, when reciting the surah of al-Qadr, the R at the end of each āyah is not clear [in his pronunciation], and it is not possible to hear it, and sometimes we doubt whether or not it is clear – all of this is because of the difficulty the imam has in pronouncing the letter r – what is our duty in this respect?

- A1 in the case of doubt about its validity, his act is carried as correct.

Too late to join

- Q1 what is the ruling of the ma’moom if he says the takbir to join in, while the imam is in rukoo‘, but the imam stands upright from rukoo‘, before the ma’moom has the chance to join [in the rukoo‘], and what is the duty of the ma’moom in this case?
- A1 the takbir is valid, and if he wishes he may opt for solo or *forādā* ṣalāh, and if he wishes he may wait – in his standing up position – until the imam begins his following rak‘ah, when he could count it as his first rak‘ah – unless that the imam takes too long [to stand up right again for the following rak‘ah] such that the individual is no longer considered as ‘following’ [the imam] in which case he should change his niyyah for this ṣalāh to pray solo/*forādā*.

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Doubts about congregation imam

- Q1 is it permissible for me to perform Jamā‘ah ṣalāh behind anyone who is trustworthy and meets all the criteria of the imam regardless of [which marje‘] he follows, and even if the marje‘ was a scholar about whom some doubts and questions are raised?
- A1 it is permissible to perform the ṣalāh behind anyone who meets the criteria for the congregation imam as mentioned above in the criteria of the Jamā‘ah imam.

Reminding the imam

- Q1 is it mandatory for the ma‘moom to remind the imam if he forgets an āyah, or to correct an āyah if the imam recites it incorrectly, and is it required for the ma‘moom to perform the two sajdah of *sahw*?
- A1 the ma‘moom has the option of either reminding the imam, or reciting the forgotten or incorrect part himself, and he is not required to perform the *sahw* sajdah.

justness of imam or otherwise

- Q1 if one is offered to lead the congregational prayers in the belief that he is just, but the individual knows of himself to have committed *fisq*⁴², is it permissible for him to lead regardless of whether he intends the leadership or not?
- A1 yes it is permissible.

Loud voice during congregation prayers

- Q1 there is one who raises his voice loudly in his prayers and during congregational prayers. What is the ruling of his coming to the mosque when he disturbs others, and that the imam and the followers have advised him against this?
- A1 if this constitutes violation and nuisance to the imam and the congregation, then it is not permissible.

Ṣalāh

Forādā ṣalāh vs. Jamā'ah

Q1 what is the ruling of a forādā ṣalāh in a mosque while at the same time a Jamā'ah ṣalāh is going on? This is when the individual who performs the forādā ṣalāh is of a notable station in the village, and this could lead to doubt about the justness of the imam in the eyes of the some of the faithful.

A1 if this undermines the station of the imam it would not be permissible.

Jamā'ah imam's wage

Q1 is it permissible for the imam to receive a wage for the congregation ṣalāh?

A1 it is preferred not to.

Conversion of ṣalāh to forādā

Q1 if the ṣalāh of the front row is completed, and they join the imam for another ṣalāh without a break or gap, would the validity of the ṣalāh of the row behind be questionable. The example of this scenario is that of the ṣalāh of the travellers being in the front row with respect to others.

A1 The ṣalāh of the row behind changes into forādā and it would be correct.

The recitation of the follower after the imam goes to rukoo'

Q1 if a ma'moom performs Takbirat-al-Eḥrām while the imam is heading for rukoo' in the third or fourth rak'ah, is the obligation of recitation waived for the ma'moom in this case?

A1 yes.

Duty of the ma'moom in correct recitation

Q1 if the ma'moom recognised that the imam does not pronounce some of the letters correctly, what is his duty?

A1 he should recite the word [of those letters correctly].

Performing Takbirat-al-Eḥrām before the front rows

- Q1 is the ṣalāh valid if one who is in the first row performs Takbirat-al-Eḥrām before the one who is [immediately] behind the imam or close to him? Similarly, is the ṣalāh valid if who is in the back rows performs Takbirat-al-Eḥrām before those who are in the first row?
- A1 the ṣalāh is valid in both scenarios if the one who is closest to the imam was ready to perform Takbirat-al-Eḥrām.

5. Ṣalāh of the Traveller

It is mandatory for the travelling person to shorten his four-rak‘ah ṣalāh – which are the Duhr, ‘Aṣr, and ‘Eshā’ – by performing them in two rak‘ah and leaving out their last two raka‘āt. This can be done if the following eight criteria are met:

1. Reaching the prescribed distance
2. Intending to travel the prescribed distance
3. not retracting from the prescribed distance
4. not crossing one’s residence district
5. That the journey is not in disobedience
6. That one is not a nomad
7. That his job is not travelling
8. To be distant from his hometown

Criteria of traveller ṣalāh

1. Reaching the prescribed distance

The distance travelled by the individual should not be less than a total of eight parasangs (also known as farsang or farsakh) – including the return journey – and each parasang is approximately 5.5 kilometres.

a) The starting point

If the town has a surrounding wall then that constitutes as the starting point, and if not, the distance travelled is calculated from the last houses of the town/city.

b) Doubt about the distance travelled

If the distance travelled is less than eight parasangs, or if the traveller does not know whether or not his journey covers eight parasangs, he should not shorten his ṣalāh. However if he doubts as to whether or not he has reached eight parasangs, it is mandatory for him, as a precaution, to investigate the matter. If two just individuals inform of the distance being eight parasangs, or it is commonly accepted that the distance is this amount and one is sure of this, one should shorten his ṣalāh.

And if one just individual informs him that the distance is eight parasangs, it would be mandatory for one to shorten his ṣalāh and not fast on that day, and he must perform qada' fasting in lieu of this day.

c) Two routes to the same point

If there were two routes to the same destination, one of which is less than eight parasangs and the other is eight parasangs or more, if one travels to that destination via the route of eight parasangs or more, then one should shorten his ṣalāh, and if one travels via the less-than-eight parasangs route, one should perform his ṣalāh complete.

2. Intending to travel prescribed distance

One should have the intention of covering the distance of eight parasangs at the outset of his journey. Thus if one goes to a place which is less than eight parasangs away, and then from there he decides to go to another place such that the two distances combined would be eight parasangs or more, since he did not intend to travel this distance from the beginning of his journey, it is mandatory for him to complete his ṣalāh, and not shorten.

If one intends to travel a distance of eight parasangs, he must shorten his ṣalāh if he reaches a point – known as *ḥadd al-tarakhuṣ* – where the

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walls of the city are no longer visible, and the adhān cannot be heard. [*ḥadd al-tarakhuṣ* means the “limit or boundary of a town/city” (where one must perform the ṣalāh as qāṣr or shortened)].

3. That one does not retract from prescribed distance

That during his journey, one should not retract from his intention of travelling the designated distance, for if one changes his mind before covering the four parasangs distance, or doubts about doing so, he would be required to complete his ṣalāh.

4. That one would not pass through his hometown

That in the course of his journey one does not intend to pass through his hometown before covering the eight parasangs, or does not intend to stay in a place ten days or more. For if one intends to pass through his hometown before covering the eight-parasang distance, or if one intends to reside in a place for ten days or more, one must perform his ṣalāh in full.

5. That journey is not in disobedience

Travelling is not prohibited if it is for leisure, and one must shorten his prayers.

a) Prohibition of the travel itself

That one does not travel for the purpose of a prohibited act or disobedience. If one travels for a prohibited act such as stealing or drinking alcohol, it is mandatory for one to perform his ṣalāh in full. Also one should complete his ṣalāh if the travelling itself is prohibited, such as the travelling of a wife without the permission of her husband, or the travelling of a son despite the prohibition of his father or mother causing their annoyance. This is in the case of their travelling not being obligatory, but in the case of an obligatory journey such as the obligatory hajj, they both must shorten their prayers.

b) a ḥarām journey obligates the complete ṣalāh

Travelling is prohibited if it constitutes harm/hurt/annoyance to the parents, and if abandoning the journey does not constitute harm to the son, and in this case the traveller must complete his ṣalāh, and fast [if applicable]. If one's journey is not prohibited or does not [specifically] travel for a prohibited act, he should shorten his ṣalāh, even if one commits a prohibited act in the course of the trip such as backbiting about someone or drinking intoxicant.

6. That one is not a nomad

That one is not a nomad who constantly roams the land in search of pasture and water; who would stay by water source for a while and then move on. In such case one should complete the ṣalāh.

If a nomad travels in search of a place and a pasture for his animals and the distance covered is more than eight parasangs, he would still need to complete his ṣalāh even if his livelihood is not with him.

If a nomad travels for trade, hajj pilgrimage and suchlike he must shorten his ṣalāh.

7. That his job is not travelling

That his job is not travelling, and so the tour leader, driver, sailor, and suchlike should complete his ṣalāh on other than his first trip [of his business], even if he travels for shipping his goods.

a) Tour leader

If the tour leader's job is to travel, he must perform his ṣalāh complete, and if his job is not travelling then he should shorten his ṣalāh [when he travels].

b) The driver and the travelling salesman

the driver and the travelling salesman who visit various places some two to three parasangs away from their hometown if on occasion travels a distance of more than eight parasangs they must shorten their ṣalāh, but

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if it is considered that their job is travelling, then if they travel eight parasangs or more they should complete their ṣalāh.

c) The tourist

The wayfarer travelling to various countries who has not designated a hometown for himself must perform his ṣalāh as complete.

d) Leisure travel vs. Business travel

if one whose job is travelling travels for other than his job, such as the hajj pilgrimage, he must shorten his ṣalāh [during his trip], but if he leases his vehicle – like if a driver hires his car – for pilgrimage and he goes with them, he must complete his ṣalāh.

e) If instead of his travelling job intended to stay in a place

If a person whose job is travelling resides in other than his hometown for ten days, he should shorten [his ṣalāh] on his first trip after those ten [days] if his residence in that place was out of specific intention made from the outset. However, if he did not have the intention to remain in that place for ten days, he must perform his ṣalāh complete on his first trip after the ten days.

8. To be distant from his hometown

That one reaches *ḥadd al-tarakhuṣ* [or the “limit or boundary of a town/city” where one must perform the ṣalāh in shortened form]. This means that one is distant from his hometown or place of residence – and also, as per obligatory precaution, the place where he made the intention to stay for ten days – by the extent that the ‘wall’ of the city is not visible and he cannot hear the adhān, provided the sky is clear and there is no dust in the air that blurs the view or prevents the adhān being heard. It is not necessary to be so distant that he cannot see the domes and minarets [of the mosques of the city] and that he cannot see the walls at all, but it is sufficient that he cannot see the walls well.

Ṣalāh

a) If one can hear the adhān but cannot see the walls and vice versa

If one travels to a place where he can hear the city's adhān but cannot see its walls, or can see its walls but cannot hear its adhān, and he wants to perform the ṣalāh there, he must perform it in full.

The traveller who is en route to his hometown must perform his ṣalāh in full if he can see the walls of his hometown or can hear its adhān [if he wishes to perform the ṣalāh at that location]. The same is applicable to a traveller who intends to stay at a city for ten days if [on his approach to the city] he can see its walls or hear its adhān.

If one's eyesight or hearing is unusually [sharp] or the sound of the adhān unusually high, one should shorten his ṣalāh at a place where the average eye cannot see the city's walls or the average ear cannot hear the average sound of adhān.

b) Hometown and place of residence

The place that a person chooses as his abode is considered as his hometown regardless of whether or not he was born there, and regardless of whether or not it is his parents' hometown or he chose it to be his hometown and considered to be so by others.

The place that one intends to remain there for long period of time such as four or five years is commonly considered as his hometown, and so if he needs to travel and then come back to that place again, he must perform his ṣalāh in full.

c) Multiple hometowns

If a person adopts two places as hometowns, for example if he lives in one town for six months and in another for another six months, both are considered as his hometowns. Similarly, the same is applicable if he adopts more than two towns for his abode, all are considered as his hometowns.

If one arrives at a town he used to take as his abode and hometown in the past but has now abandoned it, he may not perform the ṣalāh in full,⁴³ even if he has not adopted another place as his hometown.

d) Intention of residence

The traveller who intends to reside in a place for ten days consecutively, or knows that he would be obliged stay in that place for ten days must perform his ṣalāh in full in that place.

e) Intention of residence in two cities

A traveller who intends to stay in a place for ten days is not allowed to perform his ṣalāh in full unless he remains there for the full ten days. Thus if one intends to stay in two towns for ten days he must shorten his ṣalāh if the two towns are not joined together. If the two towns are joined then they carry the ruling of one town.

f) Change of plan after the intention of residence

If a traveller decides to remain in a place for ten days but if he abandons the idea, or doubts as to whether or not he would stay before he performs a four-rak'ah ṣalāh, then he must shorten his ṣalāh [so long as he is there], but if this change of plan or uncertainty develops after he performs a four-rak'ah ṣalāh, then he must perform his ṣalāh in full so long as he remain there.

g) After noon change of plan

If a traveller decides to remain in a place for ten days, and he fasts, but then in the afternoon abandons the idea of staying there, if he abandons the idea after having performed a four-rak'ah ṣalāh in that place, his fast is valid and he must perform his ṣalāh in full so long as he remains there. And if he abandons the idea before performing a four-rak'ah ṣalāh, his fast is correct for that day, and he must shorten his subsequent ṣalāh, and he is not allowed to fast on the following days.

h) Intention of residence in one place while visiting another

If a traveller who decides to remain in a place for ten days, after having performed a four-rak'ah ṣalāh, wishes to go on an outing or an excursion of less four parasangs away and then come back to the original place and stay for ten days, he should perform his ṣalāh in full during the trip and back. However, if he decides not to stay in the

Ṣalāh

original place for the ten days when he returns back to that place, he must perform his ṣalāh in full during his less-than-four-parasang excursion, and while he remains there, when he sets off to return, and after having returned to the original place. However, if the outing destination is four more parasangs away, then one must shorten his ṣalāh when he sets off to go there and while he remains there, while he is on his way back, as well as when he arrives back to the original place.

i) Intention to reside inline with others

If one decides to remain in a place for ten days on the belief that his travel companions also wish to stay there for ten days, and after performing a four-rak'ah ṣalāh learns that they do not intend to remain there for ten days, he must perform his ṣalāh in full so long as he remains there, even if he also abandons the idea of staying there.

j) Renewing the intention to reside

If a traveller decides to remain in a place for nine days or less, and if after the expiry of nine days or less he extends his stay by another nine days or less [he should perform his ṣalāh as short] and if he continues to extend his stay in this way [because of uncertainty] until thirty days, he must perform his ṣalāh in full on day thirty one.

k) thirty days of uncertainty in one place

A traveller who is uncertain of his residence for thirty days must not perform his ṣalāh in full after the thirty days except if he has spent all these thirty days in one place. If he has spent the thirty days in various places, he should shorten his ṣalāh even after thirty days.

Miscellany

1. Special Places

It is permissible for a traveller to perform his ṣalāh in full in Masjid al-Ḥarām [The Sacred Mosque (of Ka'bah), in the holy city of Mecca], Masjid al-Nabiy [The Prophet's Mosque, in the holy city of Medina] and Masjid al-Kufah, in the city of Kufah.

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It is also permissible for a traveller to perform his ṣalāh in full in the vicinity of the holy shrine of Imam Husayn, peace be upon him, and as a mostahab precaution one should shorten his ṣalāh if one performs his ṣalāh in locations twenty-five *dhirā'* (1 *dhirā'* is about 75cm) away from the sacred tomb.

2. Deliberate performance of short ṣalāh in full

One who knows he is a traveller and he must shorten his ṣalāh, if he deliberately performs his ṣalāh in full, in other than the aforementioned four places, his ṣalāh is *bāṭil* (void). The same is applicable if one forgets that a traveller's ṣalāh is *qaṣr* (short) and performs it in full, and it is obligatory for him to repeat the ṣalāh if there is enough time left of that period, or must perform it as *qaḍā'* if he remembers after the expiry of the particular time period, as a precaution.

3. on account of negligence

If one knows he is travelling and he must shorten his ṣalāh, but performs it in full negligently his ṣalāh is void.

One who does not know whether or not he is obliged to shorten his ṣalāh [during travel], if he performs his ṣalāh in full, his ṣalāh is valid.

If he forgets that he is a traveller and performs his ṣalāh in full, if he remembers that within the ṣalāh's prescribed time, it would be mandatory for him to repeat the ṣalāh in short form. However, if he remembers that after the expiry of the ṣalāh's prescribed time, it is to mandatory for him to perform the *qaḍā'* of the ṣalāh.

4. Remembers in the middle of the ṣalāh

If one begins a four-rak'ah ṣalāh and during the course of the ṣalāh realises that he is a traveller, or that he has covered a distance of eight parasangs in his journey, if he has not reached the rukoo' of the third rak'ah, it is mandatory for him to finish his ṣalāh in two rak'ah⁴⁴. If one reaches the rukoo' of the third rak'ah, his ṣalāh is void.

5. arriving at hometown before performing qaṣr

A traveller who has not performed the ṣalāh [of current period] and arrives at his hometown or at a place where he intends to remain for ten days must perform his ṣalāh in full. On the other hand one who is not a traveller and has not performed the ṣalāh at the outset of its prescribed time in his hometown, and travels, it is mandatory for him to shorten his ṣalāh during the journey.

6. Traveller's Qaḍā' ṣalāh

The traveller who must shorten his ṣalāh, if he misses [any of] the Duhr, 'Aṣr or 'Eshā' ṣalāh, it is mandatory for him to perform their qaḍā' as qaṣr (short) even if he is back in his hometown. On the other hand if a non-travelling person missed one of these three ṣalāh, it is mandatory for him to perform its qaḍā' in full even if he wants to perform it while travelling.

7. Travelling student and residence

- Q1 A student resides in a place and attends his daily classes in another that is distant from the place of residence by the prescribed distance. What is the ruling concerning his ṣalāh and fasting? It should be added that he cannot remain in the place of his residence for three consecutive months, because of travelling during the weekend.
- A1 One should perform his ṣalāh in full and fast, and Allah is the Knower.
- Q2 A person, who used to reside and study in a city for sometime, goes to that city to visit an ill person or accompany one medical treatment. What is the ruling concerning his ṣalāh and fasting?
- A2 One should shorten his ṣalāh and not fast, unless he intends to stay there for ten days or more.

8. Weekly visit

- Q1 a girl marries and lives with her husband in his hometown, and every week she visits her parents in their hometown, and the distance between the two hometowns is more than the threshold limit. What is the ruling concerning her ṣalāh and fast while she is in her parents' hometown?
- A1 if she has abandoned her parents' hometown as hers, her ṣalāh there should be qaṣr (short).

9. Multiple hometowns

It is permissible for one to adopt a number of hometowns as required by his job, activities, etc. and it is sufficient to intend to abandon the designation of a hometown of any of them.

One must perform his ṣalāh in full and fast if one works in a place that is distant from his home or place of residence the designated distance (of 8 parasangs) and he travels every day to and from there. However, if he goes to the area of his work for other than his job, for example to visit a sick person in hospital during the weekend, or for leisure, etc. then he must shorten his ṣalāh and not fast – unless he resides there for ten days.

10. Soldier's ṣalāh

A soldier in a barracks may perform ṣalāh in full under one of the following conditions:

1. To intend to reside for ten days or more,
2. That the barracks becomes his normal place of residence, by deciding to remain there, say for three or four years, such that he is not considered as traveller.

A soldier does not differ from others as far as the ruling of a traveller and its particulars are concerned.

11. distant from place of residence

- Q1 when it is ṣalāh time I am distant from my place of residence and when I return to my residence, there is still time to pray, do I perform the ṣalāh qaṣr, since at the time of adhān I was away

Ṣalāh

the prescribed distance, or do I perform it in full as I am still within the ṣalāh time?

A1 perform the ṣalāh in full.

Q2 If the ṣalāh had arrived when I travelled away from my place of residence without performing the ṣalāh there, and then I arrived at my destination. Do I perform my ṣalāh in full for I left my hometown after the adhān time, or do I shorten because I have travelled the designate distance?

A2 shorten your ṣalāh, unless you intend to remain there [for ten days] when you must perform ṣalāh in full.

New Developments

Space travel has the same ruling as travelling to any part of the earth; in terms of residence that mandates performing ṣalāh in full, fasting, etc. on account of the unqualified evidence and occurrence of travel. Evidently, it makes no difference if travelling is perpendicularly or horizontally, in the upwards, downwards or diagonal direction.

The orbital movement of the moon is not considered as travel. Thus if man colonises the moon, his ruling will be that of a resident, given that the evidence of travel is not applicable to its movement. However, if there are very small heavenly bodies such that their movements are commonly considered as travelling, then the ruling of travel would apply to them. If man resides on them for a month, say, the ruling of frequent traveller would apply, given their continuous movement.

If one is riding in a submarine, or on a satellite or a space station that continuously travels, his case would be that of the frequent traveller. If the vehicle is stationary for a period and travelling for another, his ruling would be that of everyone else in travel and residence.

The rulings of ‘hometown’, ‘travel’, ‘residence’, and ‘frequent traveller’, and suchlike with respect to ṣalāh and fasting are applicable to space and planet travellers, as well as sailors on the sea surface, or submarine, or deep sea [travel] such submarine station and suchlike, given the general applicability of evidence to all, and the commonality of travel.

6. The Qaḍā' Ṣalāh

1. The Qaḍā' Ṣalāh

a) The obligation of performing the missed ṣalāh as qaḍā'

If one does not perform the ṣalāh in their prescribed time, it is mandatory for one to perform them as qaḍā'. This is applicable even if one was asleep during the entire prescribed period of the ṣalāh. Or if one missed the ṣalāh due to drunkenness or being unconscious that have been brought about by his own will/action. However, a woman does not have to perform the qaḍā' of the ṣalāh she leaves out during ḥayḍ (the monthly menstruation period) or after nifās (childbirth). Also if one learns, after a ṣalāh's prescribed time, that one's ṣalāh has been void, it is mandatory for one to perform the qaḍā' of that ṣalāh.

b) Order of the qaḍā' ṣalāh

In the case of [a number of] missed daily ṣalāh, the order of which have to be observed, such as the missed Duhr and 'Aṣr ṣalāh's of one day, or the missed Maghrib and 'Eshā' ṣalāh's of one night, it is obligatory that their qaḍā' are performed in the required order. In other than such cases, the order is to be observed as per mostaḥab precaution.

He who is required to perform the qaḍā' of the ṣalāh he missed, it is permitted for him to perform the optional (mostaḥab) ṣalāh.

If one knows that he has missed a four-rak'ah ṣalāh but does not know whether it was a Duhr or 'Aṣr ṣalāh, it would be sufficient for him to perform a four-rak'ah ṣalāh with the intention of the qaḍā' (in lieu) of what he has missed.

c) Setting forth or back qaḍā' ṣalāh

If one has missed one or more ṣalāh from previous days, it is not mandatory for him to perform them first before engaging with the day's current ṣalāh. However, if one has missed one or more ṣalāh of his current day, if it is possible, he should perform the day's qaḍā' ones first

Ṣalāh

before engaging with the day's current ṣalāh, as per mostaḥab precaution.

d) Performing the qaḍā' with congregation

it is permissible to perform the qaḍā' ṣalāh with congregation, regardless of whether the imam's ṣalāh is adā' (current) or qaḍā' (in lieu of missed) one, and it is not necessary for the ma'moom ṣalāh to be the same as that of the imam; in that there is no objection if the ma'moom performs the Ṣobḥ ṣalāh with the congregation while the imam performs the 'Aṣr ṣalāh.

2. non-permissibility of performing qaḍā' on behalf of a living person

It is not permissible for one to perform the qaḍā' ṣalāh on behalf of a living individual, even if the individual concerned is unable to perform the qaḍā' ones.

a) The eldest son must perform the qaḍā' or hire one to do so

It is mandatory for the eldest son to perform his parents' qaḍā' ṣalāh and fast, if they had not missed them in disobedience [i.e. deliberately] and it was possible for them to perform the qaḍā'. Performing the presents' qaḍā' becomes obligatory after their death.

On the other hand one may hire someone to perform those qaḍā' on their behalf. As for the fasting that they had to miss due to travelling, even if it was not possible for them to perform the qaḍā', as per obligatory precaution the eldest son must perform it or he must hire someone to do so.

b) Doubt about missed duties

if the eldest son is uncertain as to whether or not his parents had missed on any of their ṣalāh or fast, he is not under any obligations to perform any qaḍā'.

c) Hire to qaḍā' in will

If a dying person makes a will that someone should be hired to perform his qaḍā' ṣalāh and fast, and if the hired person performs them correctly, it is not mandatory for the eldest son to perform their qaḍā'.

d) Duty of eldest son in qaḍā'

If the eldest son wishes to perform the qaḍā' of his parents, he must act according to his own duty, e.g. to recite audibly in the qaḍā' of the ṣalāh's of Ṣobḥ, Maghrib, and 'Eshā' when he performs them on behalf of his mother.

3. Hiring for qaḍā' ṣalāh

It is permissible for one to hire someone to perform the qaḍā' of missed duties of a deceased, and if one volunteers to perform the qaḍā' of missed duties of a deceased without wage, that would be valid.

a) Hiring oneself

It is permissible for one to hire himself to perform mostaḥab acts such as visiting (Ziyārah) the shrine of the Prophet Muhammad, Allah's peace and blessing be upon him and his pure family, and the shrines of the ma'ṣoom Imams, peace be upon them, on behalf of the living or the dead. It is also permissible for one to volunteer to perform mostaḥab acts and offer its rewards to the deceased or the living.

b) Identify at niyyah

At the time of the niyyah it is mandatory for the hired person to identify the individual on whose behalf he is performing the acts, and it is not necessary for him to know his name, for it is sufficient to intend as follows: I perform the ṣalāh on behalf of whom I am hired for.

c) Gender of the hired person

It is permissible to hire a woman for performing the qaḍā' of a male deceased, and similarly it is permissible to hire a man for a female deceased, and in either case each one should act according to their own duty with respect to reciting audibly and inaudibly.

Ṣalāh

It is mandatory to hire one who can be trusted as to be able to perform the acts of worship correctly.

Miscellany

- Q1 if a moṣalli used to recite al-Ḥamd and the surah [in the ṣalāh] incorrectly for a period of time, and then he realises this and corrects his recitation in the ṣalāh, what is the ruling concerning his past ṣalāh? Is it necessary to perform the qaḍā' [of the past ṣalāh] given that this was going on for a number of years?
- A1 evidently it is not required to repeat, although doing so would be preferable as a precaution.
- Q2 A mokallaf at the outset of his adolescence did not used to care much about his daily obligatory ṣalāh, and years after his adolescence and his religious obligation, he began to adhere to his obligations. In this case is he required to perform the qaḍā' of what he had missed, and how does he do it when he does not know exactly how many he has missed?
- A2 He should perform the qaḍā', and work them out according to his best estimate.
- Q3 On my way to visiting the shrine of Imam Husayn, peace be upon him, one of my friends asked me to perform two rak'ah prayers by the tomb of the imam, peace be upon him, but I forgot to do so, and I remembered it only after I came back. Do I have to perform it else where, or is it in my responsibility?
- A3 No.
- Q4 after the father passes away, it is mandatory for the eldest son to perform his qaḍā' ṣalāh, if the son knows them, but what if he does not know the number of the missed ṣalāh?
- A4 he should perform those he is certain of, although it is preferable to perform the qaḍā' of what he thinks or assumes have been missed.

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- Q5 if one is required to perform the qaḍā' of some ṣalāh, is it permissible to perform mostahab ṣalāh, or qaḍā' ṣalāh for the deceased?
- A5 yes.
- Q6 if a woman goes to sleep, and then when she wakes up after sunrise she finds herself to be in a state of ḥayḍ, and she does not know if the ḥayḍ began before Fajr or after Fajr – when the morning prayer is due - by a period of time that would have been enough to perform the ṣalāh if she was awake.
- A6 she is not duty bound to the perform Fajr ṣalāh for that day after end of her ḥayḍ period and after having performed the ghusl, though as a precaution it is recommended that she does.
- Q7 if one has missed-ṣalāh to perform but does not know how many they are, nor which are first ones, is he allowed to act upon ḥadith reported from Ahl al-Bayt, peace be upon them, that if one performs the ṣalāh, and he was liable to missed-ṣalāh, the Almighty would not hold him accountable for those?
- A7 he should perform the qaḍā' of those he is sure of. As for those ḥadith, it may be in reference to those missed ṣalāh one is not aware of.
- Q8 if one deems his acts of worship during the early period after his adolescence may have been void, for example he thought it probable that his wuḍu' may have been void, or that he is not sure that he used to perform the janābah ghusl correctly, is he required to perform the qaḍā' of his acts of worship of that period, such as ṣalāh and fast, or could he base his assumption that they were correct?
- A8 assume they were correct.
- Q9 what is the ruling concerning the elderly men and women who do not perform their ṣalāh correctly / perfectly from various viewpoints, which is due to old age and feeble mental power? It

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is mandatory to perform the qaḍā' ṣalāh on their behalf after their death?

A9 it is not mandatory to perform qaḍā' ṣalāh, but it is mostahab.

Q10 if one dies and he has obligation of qaḍā' ṣalāh of some five years, and his friends have divided those qaḍā' ṣalāh between themselves such that each one performs the qaḍā' ṣalāh for one month or more, is the order of performing those ṣalāh mandatory? In other words, can anyone of them start at any time he wants, or is mandatory that one begins and ends the qaḍā' ṣalāh for one month before another person begins his turn?

A10 The order between the months is not required.

New developments

Q1 if one pledges a vow that if he misses a ṣalāh, he would give ten dollars to the poor, and he misses a Ṣobḥ ṣalāh, but he gets on an aircraft and reaches a place where the sun has not risen, and he performs the ṣalāh, is he still required to give the dollars?

A1 he does not have to give the dollars.

Q2 if the sun sets in the horizon where one is present, and then one rides an aircraft that takes off vertically until he can see the sun and he performs the ṣalāh as adā' in the craft. Is it permissible for such an individual to delay his ṣalāh until the sunset and then perform it such an aircraft?

A2 it is not unlikely for it to be permissible provided that he is confident he can succeed to do so, though it is imperative he should observe precaution [i.e. by performing the ṣalāh in time].

7. Ṣalāt al-Āyāt

1. When they are obligatory

It is mandatory to perform ṣalāt al-āyāt for a number of events:

1. sun eclipse, even if partial and no one fears it,
2. moon eclipse, even if partial and no one fears it,
3. earthquake, even if no one fears it,
4. thunder, lightening, thunderbolt, fierce black and red winds, and suchlike if most people fear them.

a) Multiple requirements

If a number of events take place that necessitate the ṣalāt-al-āyāt to be performed, then it is mandatory to perform one ṣalāt al-āyāt for each one of those events. For example, if there was sun eclipse and earthquake too, then it is mandatory to perform ṣalāt al-āyāt twice.

b) Mandatory for people of affected region only

If events that require ṣalāt al-āyāt occur in a region, then it is obligatory upon the people of that region only to perform ṣalāt al-āyāt, and not those of other regions. However, if the other region is nearby such that it is considered as part of the region, then the people of the other region should also perform ṣalāt al-āyāt.

c) Immediate requirement

when earthquake, thunder, lightening, and suchlike occur, it is mandatory for one to perform ṣalāt al-āyāt immediately, and if one does not, he commits disobedience, but its obligation remains upon the individual until one performs it, and it remains *adā'*, [a requirement to be performed], whenever it is performed.

d) After the expiry of the event

If after the expiry of the event one learns that the solar or lunar eclipse was total, then it is mandatory for one to perform ṣalāt al-āyāt as *qaḍā'*.

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However, if after the event one learns that the solar or lunar eclipse was partial, it would not be mandatory to perform the qaḍā' of ṣalāt al-āyāt.

e) Repeating the ṣalāh if void

If one learns that the ṣalāt al-āyāt that one has performed was void, it is mandatory to repeat it if it is within the prescribed time, or perform it as qaḍā' if it is outside that time.

f) while in a state of ḥayḍ or nifās

If an event such as solar or lunar eclipse or earthquake takes place and a woman is in a state of ḥayḍ (menstruation) or nifās, it is not mandatory upon her to perform ṣalāt al-āyāt, nor is it required for her to perform its qaḍā'. As a precaution it is mostaḥab that she performs it after she becomes ṭāhir.

2. Procedure of Ṣalāt al-Ayāt

Ṣalāt al-āyāt consists of two rak'ah, in each rak'ah there are five rukoo'. The procedure for performing it is as follows:

After the niyyah, one performs Takbirat al-Eḥrām, recites al-Ḥamd and an entire surah, and then goes to rukoo' [and reads the rukoo' dhikr], [and then stands upright to] recite al-Ḥamd and an entire surah, and then goes rukoo' [as before], and so on until five times. After standing upright from the fifth rukoo', one then goes to perform the two sajdah. After performing the two sajdah, one stands up again for the second rak'ah, and does the same as one did in the first. After the rukoo' and sujood of the second, one performs the tashahhud and salām.

a) Dividing the surah

In ṣalāt al-āyāt it is permissible, after the niyyah and reciting al-Ḥamd, for one to divide the surah one wishes to recite in five, and recite one division – which can be one āyah or more – and then goes to rukoo', then stands upright to recite the second division of the surah – without reciting al-Ḥamd – and then go to rukoo', and continue in this way until reciting the fifth division of the surah before going for the fifth rukoo'. For example, intending to recite surah al-Tawḥeed, he recites the surah's

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Basmalah of the surah, then goes to rukoo‘ [and reads the rukoo‘ dhikr], then stands upright to recite *qul howa-llahu ahadd*, then goes to rukoo‘, then stands upright to recite *allahus-samadd*, then goes to rukoo‘, and then stands upright to recite *lam yalidd wa lam yooladd*, then goes to rukoo‘, and then stands upright to recite *wa lam yakon lahu kofwan ahadd*, then goes to rukoo‘, and after standing upright he goes to perform the two sajdah and then stand up to perform the second rak‘ah in the same way as he did the first, and then after the two sajdah he performs the *tashahhud* and *salām*.

b) Combination of complete and divided surah

There is no objection to reciting al-Ḥamd and the entire surah after the rukoo‘ for five times in the first rak‘ah, but reciting al-Ḥamd once and dividing the surah into five divisions in the second rak‘ah, or vice versa.

c) Mostahab acts of ṣalāt al-āyāt

All that is mandatory (wājib) or optional/desirable (mostahab) in the obligatory ṣalāh is mandatory and mostahab in ṣalāt al-āyāt too. However, it is mostahab in ṣalāt al-āyāt to say instead of adhān and iqāmah, “al-ṣalāh” three times.

It is mostahab to perform Quonoot before the second, fourth, sixth, eighth, and tenth rukoo‘, but if one performs one Quonoot before the tenth rukoo‘ suffices.

d) Doubt in ṣalāh

Every one of the rukoo‘s in ṣalāt al-āyāt in a rukn, and thus ṣalāt al-āyāt is rendered void if they are increased or reduced deliberately or inadvertently.

If one doubts in ṣalāt al-āyāt as to how many rak‘ah he has performed, and he does not reach a conclusion, his ṣalāh is void.

New developments

If one is on a planet that has one moon or more, or one sun or more, it is mandatory to perform ṣalāt al-āyāt for every sun or moon eclipse.

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If one is on a planet that has several moons, and that every day one or two of the moons are eclipsed, is it mandatory to perform ṣalāt al-āyāt for every eclipse? [The answer]: it is unlikely! Evidently, it is not mandatory, and as per precaution one ṣalāt al-āyāt should be performed a day.

If one is in an area on earth where earthquake occurs once or more everyday, it is not mandatory to perform ṣalāt al-āyāt for every quake, and as per precaution it should be performed once a day.

If one is in the sea and a quake occurs at the seabed such that its effect is visible on the sea surface, and if the seabed is close to the surface such that it can be considered as earthquake, then as a precaution ṣalāt al-āyāt should be performed. Similarly if one is airborne and an earthquake occurs, if the individual is close to earth surface then as a precaution he must perform ṣalāt al-āyāt. The criterion is that the matter is commonly considered or accepted as such in both the ruling and the subject matter.

If the solar or lunar eclipses are minimal such that they cannot be noticed by the naked eye, but can be observed by telescopes and suchlike, it is not mandatory to perform ṣalāt al-āyāt, for this is not commonly considered as such.

On the hypothesis that one is higher than the surface of the moon or the sun, and the sun or moon is eclipsed, ṣalāt al-āyāt is not mandatory for him, for it is applicable only to those who are within the horizons of the two.

8. The Two Eid's Ṣalāh

The ṣalāh of the two Eids are mandatory during the presence of the Imam of Time, *may Allah hasten his noble reappearance*, and it must be performed in congregation (Jamā'ah). However, during the occultation of the Imam, peace be upon him, it is mostahab and may be performed individually or in congregation.

The time of the two Eid ṣalāh is from sunrise to midday on the day of Eid.

The procedure for Eid ṣalāh

The Eid ṣalāh consists of two rak'ah, in the first rak'ah after reciting al-Ḥamd and a surah, performs Takbirat al-Eḥrām five times, and performs Quonoot after each takbirah, and after the fifth Quonoot performs a takbirah and heads for rukoo', followed by two sajdah. After that he should stand upright again to perform the second rak'ah, in which he should perform Takbirat al-Eḥrām four times [after reciting al-Ḥamd and a surah]. Here also he should perform Quonoot after each takbirah and then performs the fifth takbirah and then rukoo' followed by two sajdah, and then tashahhud and salām.

- Q1 is the khuṭbah (sermon) of Ṣalāt al-Eid mandatory? Is it done in the same way as the two khuṭbah of the Friday ṣalāh?
- A1 if the mandatory criteria of Ṣalāt al-Eid are all met, then it is performed like the Friday prayers, with the exception that the two khuṭbah are performed after the ṣalāh, and they are part of the obligation. If those criteria are not met, then it is permissible to perform it forādā or Jamā'ah, and it is permissible to forgo the two khuṭbah during the time of occultation even if the ṣalāh is performed in congregation.

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Chapter Four: Fasting

Fasting is to abstain from such acts as those that constitute breaking the fast (*mufṭir*), from the time of the Fajr adhān to that of Maghrib, in accordance with the command of the Almighty Allah. A Fast falls in four categories; obligatory, forbidden, *makrooh*, and *mostahab*.

Establishing the Beginning of the Month

The beginning of the month is established through five means:

1. that one sights the crescent [of the new moon] himself
2. that a group of credible and trustable people confirm the sighting, and similarly if the sighting of the crescent is confirmed with that which can be relied upon.
3. that two just men report that they sighted the crescent at night, however, if they differed on the description of the crescent then the beginning of the month will not be established.
4. that thirty days pass from the first day of the month of Sha‘bān, in which case the first day of Ramaḍān is established.
5. that the Ḥākim al-Shar‘i (the marje‘) issues a decree on (the citing of) the crescent of the month.

If the Ḥākim al-Shar‘i (the marje‘) decrees on the establishment of the beginning of the month, it would be mandatory to act according to his decree even for one who is not in his *taqleed*, provided another Ḥākim al-Shar‘i (marje‘) does not decree to the non-establishment of the beginning of the month. Also if one knows that the Ḥākim al-Shar‘i (marje‘) has made a mistake in his decree, he may not act according to the decree of that Ḥākim al-Shar‘i (marje‘).

The beginning of the month is not established by the predictions of astronomers, however if one could be confident of their observations, then it would be mandatory to act according to their predictions.

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The altitude of the crescent or its late setting does not indicate that the previous night was the first night of the month.

If the crescent was confirmed in one country, this does not benefit the people of another country unless the two countries are close, or that one knows that their horizons are one.

It is mandatory to fast on the day that one does not know whether it is the last day of Ramaḍān or the first day of Shawwāl, and if one learns before *maghrib* that it was the first of Shawwāl it would be mandatory for him to break his fast.

Those for whom fasting is not mandatory

- a) One who cannot fast or if fasting is very difficult for him because of old age, fasting is not obligatory for him, but it is mandatory for him to give to the poor one *modd*⁴⁵ of food for every day not fasted.
- b) The thirstful, i.e. one who cannot bear being thirsty much and it proves very difficult for him, fasting is not obligatory for him and it is mandatory for him to give to the poor one *modd* of food for every day not fasted, and it is mandatory for him to perform the *qaḍā'* of the fasting he has missed if he were able to do so afterwards.
- c) The fasting of the month of Ramaḍān is not obligatory for a pregnant or a breastfeeding woman if doing so would constitute harm to pregnancy or breastfeeding. Furthermore, it is not mandatory for her to perform the *qaḍā'* [of the fasting] if her condition continued to the month of Ramaḍān of the following year, however it is mandatory for her to give *fidyah* to the poor of two *modd* of food for every day not fasted; one for not fasting and the other for not performing the *qaḍā'*.

The Niyyah (Intention)

1. Uttering the niyyah

It is not mandatory to utter the niyyah, or even make a mental note like saying: “I shall fast tomorrow”, but it is sufficient to refrain from that which nullifies the fast beginning from the adhān of Fajr to that of Maghrib seeking nearness to Almighty Allah. In order to ensure that he is fasting throughout this period, it is mandatory to refrain from the *muftirāt* (those that break the fast) from little before the adhān of Fajr and that he breaks his fast little after the adhān of Maghrib.

2. Time of the niyyah

- a) It is permissible to declare the intention [of fasting] every night of the month of the Ramaḍān for the following day, and it is permissible declare the intention [of fasting] on the eve of the first night of the month for the fasting of the entire month.
- b) The time of the declaration of the intention of fasting the month of Ramaḍān is from the beginning of the night until the morning adhān.
- c) The time of the declaration of the intention of mustahab fasting is from the beginning of the night until sunset [of the following day] with enough time to declare the intention; so if one does not commit of the *muftirāt* (those that break or nullify the fast) until this time and intends a mustahab fasting, his fast is valid.
- d) If one sleeps before the morning adhān without declaring the intention of fasting, if he wakes up before noon and declares the intention of fasting his fast is valid, whether his fast is mandatory or mustahab. However, if one wakes up in the afternoon, [without having previously made a niyyah], it would not be valid for the purpose of discharging one’s obligation to declare the intention of a mandatory fast.

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- e) If one fasts with the intention of the first of the month of Ramaḍān and one then learns that it is the second or third of the month of Ramaḍān, his fast is valid.
- f) If one declares the intention of fasting before the morning adhān and then sleeps and he does not wake up until after Maghrib, his fast is valid.
- g) If one does not know or forgets that it is the month of Ramaḍān, and then learns of this before noon, if he has not committed one of the *muḥṭirāt* (those that break or nullify the fast), then it is mandatory to declare the intention and his fast would be valid. On the other hand, if one commits one of the *muḥṭirāt* or realises that it is the month of Ramaḍān after noon his fast is invalid. However, he must, by obligation, refrain from committing any of the *muḥṭirāt* until Maghrib, and then perform the *qaḍā'* for that day after the month of Ramaḍān.
- h) If one is hired to perform *qaḍā'* fasting on behalf of a deceased, there is no objection for hired person to perform mustahab fasting for himself. However, he who is obliged to perform a *qaḍā'* fasting for a day that he has missed, is not permitted to perform mustahab fasting, and if he negligently performs a mustahab fasting and he realises this before noon, he should nullify his mustahab fasting, or alternatively, it is permitted for him to modify his intention and change it to that of the *qaḍā'* fasting that he has missed. However, if he realises this in the afternoon his mustahab fasting is invalid, but if he realises this after Maghrib his mustahab fast is valid.
- i) If one fasts a *qaḍā'* or a mustahab fast on the day which is doubted whether it is the last day of Sha'bān or the first day of Ramaḍān and suchlike, and then in the course of the day he learns that that day is the day of the month of Ramaḍān, it is mandatory for him to change his *niyyah* (intention) to that of the month of Ramaḍān.

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- j) If one hesitates as whether or not to nullify a time-specific mandatory fast – such as the fasting of the month of Ramaḍān – or if one makes the intention to nullify his fast, then his fast is null and void, as a precaution, even if one changes one’s mind and goes back on one’s intention, and does not commit any of the *muftirāt*. However if the hesitation is because of an event that one does not know whether or not that event nullifies the fast, then his fast is valid if he does not commit any of the *muftirāt*, provided of course that that does not cause a hesitation in the *niyyah* (intention) of fasting.

Invalidators of Fast

The invalidators or *muftirāt* of a Fast are ten:

1. Eating
2. Drinking
3. Sexual Intercourse
4. Masturbation
5. Ascribing lies to Almighty Allah, to the Prophet, peace be upon him and his pure family, and to his family, peace be upon them
6. Letting thick dust reach one’s throat
7. Immersing one’s head in water
8. Remaining in the state of Janābah, Ḥayḍ, and Nifās until the Fajr Adhān
9. Enema
10. Vomiting

1 – 2 eating and drinking

- a) if the fasting individual deliberately eats or drinks something his fast is nullified, regardless of whether that thing was a normal thing such bread or water, or an abnormal thing such earth/dust

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or liquid extract from a tree, and regardless of whether intake amount was very small or very large. The fast is nullified even by re-entering a wet toothbrush into the mouth after having removed it from the mouth and swallowing the moisture [from it], unless the moisture of the brush is faded away in the mouth such that it cannot be said that external moisture is swallowed.

- b) If the fasting individual negligently eats or drinks something, his fast is not nullified.
- c) As a mostahab precaution, the fasting individual should avoid using nutritional [saline] injections, but there is no objection to medicinal or local anaesthetic injections.
- d) If the fasting individual deliberately swallows food remnants that had remained between the teeth, his fast is invalidated.
- e) Swallowing the saliva that accumulates in the mouth, even by imagining sour things, does not invalidate the fast.
- f) There is no objection to swallowing the mucous from head and chest that does not reach the space of the mouth, but if it reaches the space of the mouth, it is mandatory, as a precaution, not to swallow it.
- g) Chewing the food to feed the child or a bird, or tasting it and suchlike which does not normally reach the throat does not invalidate the fast, even if it accidentally reaches the throat. However, if one knows from the beginning that the food will reach the throat, his fast would be nullified if it reaches the throat, in which case it would be mandatory to perform the *qada'* for it as well as giving the kaffarah.
- h) The fasting individual may not break his fast on grounds of weakness, but if the weakness was so much that one could not normally bear it, then there is no objection to breaking the fast.

3. Sexual Intercourse

Sexual intercourse invalidates the fast, even if the penetration has been not more than the penis glans, and no ejaculation takes place. However, if one doubts as to whether or not penetration up to the penis glans took place, the fast remains valid.

4. Masturbation

- a) If a fasting individual commits masturbation, his fast is null and void.
- b) If semen is discharged from him – without his control – his fast would not be invalidated, but if he does something that causes semen to be discharged from him without his control, his fast would be invalidated.
- c) If a fasting person engages in courtship and foreplay with the intention of allowing semen to be discharged, as a precaution, his fast will be invalidated even if no semen is discharged from him.
- d) If a fasting person engages in courtship and foreplay without the intention of allowing semen to be discharged, if he was sure that no semen would discharge from him, his fast is valid even if accidentally and unexpectedly semen is discharged. However, if he is not sure that semen would not be discharged, his fast would be invalidated if semen is discharged.

5. Ascribing lies to Allah, the Prophet and his family

If a fasting person deliberately ascribes a lie to Almighty Allah, or the prophets, or the pure imams peace be upon them, verbally, or in writing, or by implication, and suchlike his fast is invalidated, even if he immediately repents and goes back on his words and says ‘I lied’. As an obligatory precaution, ascribing lies to Sayyidah Fāṭimah al-Zahrā’ peace be upon her also renders a fast void.

If one quotes something as the word of Allah or the Prophet or the ma’soom imam with the belief that it is correct but then it becomes

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evident to him that its ascription to Allah or the Prophet or the Imam is not true, his fast is not invalidated.

6. Letting thick dust reach one's throat

- a) Letting thick dust reach one's throat invalidates the fast, regardless of whether the dust is of something that is permissible to eat such wheat flour or not permissible to eat like earth. As an obligatory precaution, one should not allow thin dust to reach the throat either.
- b) As an obligatory precaution, a fasting individual should not allow thick steam, the smoke of cigarettes, tobacco and suchlike to reach the throat.
- c) If one forgets he is fasting and does not prevent the dust from reaching his throat, or the dust and suchlike enters his throat involuntarily, his fast is not invalidated.
- d) The gas in the mouth-inhalers used by asthma sufferers does not invalidate the fast, as it is not thick dust.

7. Immersing One's head in water

If one deliberately immerses his entire head in water his fast is invalidated, even if the rest of his body is outside the water, but his fast would not be void if he immerses all of his body but some of his head remains outside water.

- a) If one doubts whether or not one immersed all of his head in the water, his fast is valid.
- b) If one falls in water involuntarily and all of his head is immersed in water, or if one immerses his head in water having forgotten that he is fasting, his fast is not invalidated.

8. In state of Janābah, Ḥayḍ, and Nifās until Fajr Adhān

If a jonob – i.e. one who is in the state of janābah – does not deliberately perform the Ghusl wash, until the Fajr adhān, or if his duty is to perform

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tayammum but deliberately does not perform tayammum until the onset of Fajr his fast is invalidated, regardless of whether this is in the month of Ramaḍān or the qaḍā' fasting. Furthermore, as an obligatory precaution, the fast will also be invalidated in the case of the "specific mandatory fast"⁴⁶, but not in the case of the "non-specific" mandatory fast⁴⁷, nor in the case of the mostaḥab.

- a) a jonob who wants to observe an obligatory fast such as the fasting of the month of Ramaḍān, if he deliberately does not perform the ghusl until time is very short, it would be obligatory for him to perform the tayammum and fast, and as a mostaḥab precaution he should also fast a qaḍā' for that too.
- b) One who wilfully causes himself to ejaculate in the nights of Ramaḍān at a time that is too short to perform ghusl or tayammum his fast is invalidated and it is mandatory to perform the qaḍā' for that as well as liability to kaffārah. However if he does so when there is time to perform tayammum, he must perform tayammum and fast, and as mostaḥab precaution he should perform the qaḍā' for that.
- c) He who becomes jonob – during the night – in the month of Ramaḍān and he knows that if he sleeps he would not wake up until the Fajr, it is mandatory for him to perform the ghusl before he sleeps, and if he sleeps and does not wake until the Fajr his fast is invalidated and he is obliged to perform the qaḍā' and give the kaffārah.
- d) If a jonob sleeps during the night in the month of Ramaḍān, and then wakes up, it is permissible for him to sleep again before performing the ghusl if he is habitually used to waking up again, but if he is not habitually used to waking up again, it is permissible for him to sleep again if he anticipates waking up again before the Fajr adhān, although, as a precaution, he should not sleep unless he performs the ghusl.
- e) He who becomes jonob – during the night – in the month of Ramaḍān and he is certain or is habitually used to waking up

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before the Fajr adhān, if after waking he had the intention to perform the ghusl and falls asleep with this intention until the break of Fajr, his fast is valid.

- f) If the jonob sleeps at night during the month of Ramaḍān, and then wakes up, and he is certain or is habitually used to waking up before the Fajr adhān if he sleeps a second time, and then he goes on to sleep a second time having made the decision to do the ghusl when he wakes up again, but if he does not wake up in time before Fajr, he is obliged to do the qaḍā' of the fast of that day. But if he wakes from his sleep a second time and then sleeps for the third time and does not wake up in time for the Fajr, then he is obliged to do the qaḍā' of the fast, as well as the kaffārah, as per mostaḥab precaution.
- g) If ejaculation takes place while asleep (iḥtilām) during the day, the fasting person does not need to rush to perform the ghusl.
- h) If the fasting individual wakes up to find himself moḥtalim – in the month of Ramaḍān after the Fajr adhān – his fast is valid even if he learns that iḥtilām took place before the adhān.
- i) If a woman becomes ṭāhir from ḥayḍ – the monthly menstruation period – or nifās – postpartum bleeding period – before the Fajr adhān but she deliberately does not perform the ghusl, or if she is obliged to perform tayammum and deliberately does not perform the tayammum, her fast is invalidated in the month of Ramaḍān. Rather, the same ruling applies, as per obligatory precaution, for the qaḍā' fast of the month of Ramaḍān, and for every “specific” mandatory fast too.
- j) If a woman becomes ṭāhir from the blood of ḥayḍ or nifās after the Fajr adhān, or if she notices the blood of ḥayḍ or nifās during the day, her fast becomes void even if it occurs just before Maghrib.

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- k) If a woman forgets to perform the ghusl of ḥayḍ or nifās, and remembers it after a day or two, her fast [during those days] remains valid.
- l) A woman who is going through istiḥāḍah, her fast is valid if she performs the required ghusls mentioned in the rulings of istiḥāḍah.
- m) If one touches the body of a deceased, it is permissible to fast without having performed the ‘deceased’ ghusl, and if one touches the deceased while fasting, his fast is not invalidated.

9. Enema

The use of liquid enema invalidates the fast, even if it were as a matter of necessity and required for treatment.

10. Vomiting

If a fasting person deliberately vomits, even if one were obliged to do so due to an illness and suchlike, his fast would be void but he does not have to give a kaffārah. However, if one vomits negligently or involuntarily, his fast is in order.

- a) If one negligently swallows something and before it reaches his throat remembers he is fasting, if it is possible to throw it out he must do so and his fast is valid.
- b) If one belches and something ascends up to his throat or to the space of his mouth, he must throw it out, but if he inadvertently swallows it his fast is valid.

Rulings of Muftirāt

If a fasting person commits one of the *muftirāt* deliberately and voluntarily his fast is void, but not if that occurs involuntarily. However, if a jonob person goes to sleep – as detailed in the previous cases – and does not perform the ghusl wash before the Fajr adhān his fast is void.

Kaffārah of Fasting

He who is obliged to give kaffārah of fasting of the month of Ramaḍān must:

- free a slave, or
- fast two consecutive months, as mentioned later on, or
- feed sixty paupers or give to each one of them one *modd* of wheat, barley, and suchlike [i.e. wheat or its bread, barley or its bread, or a *modd* of raisin or date].

If one cannot realise any of them, one has a choice between fasting eighteen consecutive days or feeding whatever number of paupers one can. If neither fasting nor feeding is possible for him, one must seek forgiveness [istighfār], even by saying once *astaghfiru-llāh*. As an obligatory precaution one must give the kaffārah if it became possible for him [later on] and financial ability becomes available to him.

- a) If one wishes to fast two consecutive months as a kaffārah for a fast of the month of Ramaḍān, he must fast 31 days consecutively, and then there is no objection if he does not fast the rest continuously. Furthermore, if an excuse comes across for one during the days the one must fast consecutively, such as ḥayḍ, nifās, or an urgent trip, one is not required to start fasting anew after one's excuse but perform the rest.
- b) If one invalidates his fast with a ḥarām thing – regardless as to whether that was inherently ḥarām such as liquor or adultery, or it became ḥarām for a reason such as a food that is prohibited to eat due to its extreme harm to the individual or sexual intercourse with the wife while she is going through her monthly menstruation period – as a precaution one should combine all the three forms of kaffārah, i.e. he must free a slave, fast two consecutive months, and feed sixty paupers / or give them each one *modd* of wheat or its bread, barley or its bread, or a *modd* of raisin or date. If one is unable to give all three forms of kaffārah together, one should give whatever one can.

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- c) If one ascribes a lie to Allah or the prophet or the imam, peace be upon them, one is not liable to the combined kaffārah, even though one has invalidated his fast with a ḥarām thing, which is ascribing a lie to Allah or the prophet or the imam peace be upon them.
- d) If the fasting person has sexual intercourse several times during the day in the month of Ramaḍān, he must give kaffārah for each time if the intercourse was ḥalāl, but if it were ḥarām for him – such as intercourse with the wife during her ḥayḍ – he is obliged to give the combined kaffārah, as a precaution, in some aspects of the case.
- e) If in the month of Ramaḍān a fasting man has sexual intercourse with his wife who is also fasting, and if he compels her to that, and she had not consented to that, it is obligatory for him to give the kaffārah for himself and his wife. But if she had consented to that it is obligatory for each one to give the kaffārah for oneself.
- f) If a fasting person commits an act that invalidates the fast during the day in the month of Ramaḍān several times, other than sexual intercourse, it would be sufficient to give one kaffārah for all.
- g) If one vows (makes a *nadhhr*) to fast on a particular day and if he deliberately breaks his fast on that day, he must free a slave, or fast two consecutive months or feed sixty paupers.
- h) One who is performing the qaḍā' fasting of the month of Ramaḍān, if one deliberately commits something to invalidate his fast in the afternoon, it is obligatory for him to feed ten paupers giving each one *modd* of food, and if he was unable to do that, he must fast three days.
- i) One who is able to identify the time of Maghrib but breaks his fast relying on the word of a person who is not reliable informing him that Maghrib has set in, but afterwards he learns

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that it was not Maghrib [when he broke his fast], he is obliged to perform the qada' as well as give the kaffarah.

- j) It is not permissible to be careless or slow in giving the kaffarah, but it is not mandatory to give it in haste.

Cases that necessitate qada' but not kaffarah

It is obligatory to perform the qada' of a fast but not give kaffarah in a number of cases:

1. If the fasting person deliberately makes himself vomit during the day in the month of Ramaḍān, or deliberately immerses his head in water, or uses enema.
2. If he becomes *jonob* during the night in the month of Ramaḍān, and he does not awake from his second sleep until the Fajr adhān.
3. If he does not commit a *muftir* that invalidates the fast, but he does not make the intention to fast, nor does he make the intention of not fasting or intend to commit that which invalidates the fast.
4. If one forgets to perform the janābah ghusl in the month of Ramaḍān and he fasts in a state of jonob one day or many days.
5. If one commits a muftir [that breaks the fast]
 - a. without investigating the time of the Ṣobḥ in the month of Ramaḍān and afterwards he learns that the Ṣobḥ has indeed set in,
 - b. after investigating the time of Ṣobḥ and believing the onset of the Ṣobḥ, and afterwards he learns that the Ṣobḥ has indeed set in,
 - c. after investigating the time of Ṣobḥ and doubting the onset of the Ṣobḥ and afterwards learns that the Ṣobḥ had indeed set in,

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it is obligatory perform the qaḍā' for the fast.

6. If an individual informs one that the Ṣobḥ has not set in and he commits a *muḥtir* on the basis of the word of the individual informing him and afterwards he learns that Ṣobḥ had indeed set in.
7. if an individual informs one that Ṣobḥ has set in but he does not trust the word of the individual informing him, or he thinks that the person is joking with him, and so he commits a *muḥtir*, but afterwards he learns that Ṣobḥ had indeed set in.
8. If a blind person breaks his fast on the basis of the statement of a person, and then he learns that Maghrib had not set in.
9. If one was certain of the onset of Maghrib in clear weather and on grounds of the darkness and breaks his fast but then learns that it was not Maghrib. However, if one was certain of the onset of Maghrib in cloudy condition he is not required to perform the qaḍā'.
10. If one rinses his mouth with water, to cool down or for no reason, and some water inadvertently is swallowed, or if one forgets that one is fasting and swallows some water, or if when rinsing one's mouth prior to wuḍu' some water is swallowed unintentionally and without one's control, qaḍā' is not required.

If one puts something other than water in his mouth and it is swallowed unintentionally and without his control, or if one inhales water through his nose and water gets into his throat with out his control, he is not required to offer qaḍā'.

Cases that necessitate qaḍā' and kaffārah

If one becomes jonob during the night and wakes up, as detailed in the case of remaining in the state of janābah, and then falls asleep again and does not wake up until the Fajr adhān, only qaḍā' is obligatory upon him. But if one deliberately commits another thing that invalidates the fast, and if one knows that that matter invalidates his fast, he is then

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obliged to offer the qaḍā' and the kaffārah. However, the kaffārah of deliberately ascribing lies to Allah, the prophet and the Ahl al-Bayt peace be upon them is as per obligatory precaution.

Rulings of Qaḍā' Fasting

- a) If an insane recovers from his insanity, he is not required to offer the qaḍā' of the fasting days he missed during his insanity.
- b) If an unbelievers becomes a Muslim he is not obliged to offer the qaḍā' of fasting for the fast he has missed during the days of his disbelief. However, if a Muslim becomes apostate and then reverts back to Islam, he is obliged to offer the qaḍā' of what he missed during his days as an apostate.
- c) If one is obliged to offer the qaḍā' of fasts of several months of Ramaḍān, it is permissible to offer the qaḍā' of any one of them one wishes to, but if time were short to offer the qaḍā' for the last month of Ramaḍān, for example if there are five days to the forthcoming of Ramaḍān, and he is obliged to offer five days of qaḍā' from the last month of Ramaḍān, then as a precaution one should give priority to offer the qaḍā' of the last Ramaḍān over any other.
- d) It is permissible for one offering the qaḍā' of fasts of the month of Ramaḍān to break his fast before noon [if one needs to do so for a reason], if the time is not short to offer the qaḍā' [before the onset of following month of Ramaḍān].
- e) If one misses fasting the month of Ramaḍān because of ḥayḍ, nifās, illness, and one dies before the end of the month Ramaḍān, it is not required to offer the qaḍā' on the deceased's behalf of what s/he missed in that month.
- f) If one misses the fasting of the month of Ramaḍān because of an illness and his illness continues to the Ramaḍān of the following year, it is not obligatory for him to offer the qaḍā' of fasting that he missed in that month, but it is obligatory for him

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to give to the paupers for each day [of fasting he missed] one *modd* of food, e.g. one *modd* of wheat or its bread, barley or its bread, raisin, or date. However, if one misses the fasting for a reason such as travelling and his reason continues to the following Ramaḍān, as an obligatory precaution, he must offer the qaḍā' of the fasts of the days he missed and give one *modd* of food to the poor for each day.

- g) If one misses the fasting of the month of Ramaḍān due to an illness and after the month of Ramaḍān he recovers from the illness but is faced with another reason that continues such that one can not offer the qaḍā' of what he missed until the following Ramaḍān, as per mostaḥab precaution, he should offer the qaḍā' of what one missed of the fasting and he must give one *modd* of food for every day he missed to the poor. Similarly, if one misses the fasting of the month of Ramaḍān for a reason other than illness and that ended after the month of Ramaḍān but one is unable to offer the qaḍā' of what he missed until the following Ramaḍān due to illness that he faced, then as per mostaḥab precaution, he must offer the qaḍā' of the fasts he missed and he must also give one *modd* for each day he missed to the poor.
- h) If the illness continues for many years, it is obligatory for him to offer the qaḍā' of the last Ramaḍān only, after having recovered from his illness, and gives one *modd* of food for every day he missed from the previous years.
- i) In the case of one who is obliged to give one *modd* to the poor for every day he has missed, one may give the kaffārah of several days to one pauper.
- j) If one delayed the qaḍā' of the fasting of the month of Ramaḍān by many years, it is mandatory for him to give one *fidyah* for each day he missed.
- k) It is mandatory for the eldest son to offer the qaḍā' of what his deceased father missed during his lifetime in terms of ṣalāh (the

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daily obligatory prayers) and fasting as detailed before. Similarly, he must offer the *qaḍā'*, after her death, of what his mother missed during her lifetime in terms of *ṣalāh* and fasting, as per obligatory precaution.

Rulings of fasting for traveller

The travelling individual who has to shorten his *ṣalāh* (the daily obligatory prayers) must not fast, and he is obliged to offer the *qaḍā'* for that. On the other hand, the travelling individual who must perform the *ṣalāh* in full, like one whose job and career is travelling, or if his travelling is in disobedience, he is obliged to fast.

- a) There is no objection to travelling in the month of Ramaḍān, but it is *makrooh* to travel if it is in order to evade fasting.
- b) If one does not know that travelling annuls the fast, and fasts during travel and if during the day he realises this ruling, his fast will be null and void, but if he does not realise this until Maghrib his fast is valid.
- c) If the fasting individual travels in the afternoon, he is obliged to continue with his fast, but if he travels before noon, he is obliged to break his fast when he reaches *ḥadd al-tarakhuṣ* (the limit of town) – which is when the walls / buildings of the city disappear from sight and its *adhān* becomes inaudible – and if one breaks his fast before reaching *ḥadd al-tarakhuṣ*, then he is liable to *kaffārah* as an obligatory precaution.
- d) If the traveller reaches, before noon, his hometown or where he intends to reside for ten days, if he has not committed any of the *muftir* until that moment which invalidates his fast, he is obliged to fast that day. But if he had committed an act invalidates his fast, he is not obliged to fast that day, but he must offer the *qaḍā'* for it.
- e) If the traveller reaches his hometown or where he intends reside for ten days in the afternoon he must not fast that day.

The Prohibited and the Discouraged Fasting

- a) It is ḥarām to fast on the days of Eid al-Fiṭr and Eid al-Aḍḥā, and also it is ḥarām to fast the day that is doubtful as whether it is the last day of Sha‘bān or the first day of the month of Ramaḍān if one fasts it as the first day of the month of Ramaḍān.
- b) It is ḥarām for a wife to offer a mostaḥab fast if that constitutes a denial of the husband’s right, and as a precaution she should not observe a mostaḥab fast without his permission even if that did not constitute a denial of his right.
- c) It is ḥarām for a child to observe a mostaḥab fast if that causes annoyance of the parents or the grandfather.
- d) It is discouraged (makrooh) to fast the day of Ashurā’, and also the fasting of the day that is doubtful as to whether it is the Day of ‘Arafah or the Day of Eid al-Aḍḥā.

The Mostaḥab Fasting

It is mostaḥab to fast on every day of the year except the aforementioned days that are ḥarām or makrooh to fast. Fasting on some of the days are particularly encouraged and emphasised upon, some of which are:

1. Fasting the first and last Thursday of the month, and the first Wednesday after the tenth day of the month.
2. Fasting the 13th, 14th, and the 15th day of the month.
3. Fasting all days of the months of Rajab and Sha‘bān, or some of the days of these months, even if one day.
4. Fasting the day of Nowrooz.
5. Fasting the 4th – 9th of the month of Shawwāl.
6. Fasting the 25th and 29th of the month of Dhil-Qa‘dah.

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7. Fasting the 1st – 9th of the month of Dhil-Ḥijjah, but if weakness caused by fasting may hinder one from observing the prayers and supplications of the Day of ‘Arafah – the 9th day – it would be *makrooh* [for one] to fast on that day.
8. Fasting the Day of Ghadir – the 18th day of the month of Dhil-Ḥajjah.
9. Fasting the Day of Mubāhilah.
10. Fasting the 1st, 3rd, and 7th day of month of Muḥarram.
11. Fasting the auspicious birthday of the Prophet – the 17th of month of Rabi‘ I.
12. Fasting the 15th of the month of Jomādi I.
13. Fasting the auspicious Day of Mab‘ath or the Prophetic Mission – the 27th of the month of Rajab.

If one observes a mostaḥab fast, it is not obligatory for him to complete it to the Maghrib, in that if a faithful brother invites him to a meal it is mostaḥab for him to accept his invitation and break his fast during the day.

Miscellaneous Rulings

On *Niyyah* or Intention

Q1. If one sleeps before the Fajr adhān without making the *niyyah* of fasting, if he wakes up before noon and makes the *niyyah* is his fast valid?

A1. The fast is valid for both the mostaḥab and the mandatory; equally for the “non-specific obligatory fast” and the “specific obligatory fast” such as that of the month of Ramaḍān.

Q2. If one fasts with the intention of fasting the first day of the month of Ramaḍān, but later learns that it was the second or the third, if his fast valid?

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A2. His fast is valid.

Q3. If the month of Ramaḍān is ascertained and established by one marje‘ or his *wakeel* (representative), but not by the marje‘ that I follow, do I make the *niyyah* to fast the month of Ramaḍān or do I wait until my marje‘ announces the onset of the month?

A3. Every *moqallid* follows his marje‘ in that matter, unless one sees the crescent himself, or if two just individuals give testimony to the citing, when one acts on the basis of citing or testimony.

Q4. There are two ways for the *niyyah* [of fasting] of the month of Ramaḍān; first for one to intend to fast the entire month from the onset of the month, and second to make intention to fast every night when the beginning of the month is established. I opted for the first way, but the following day I learnt that it was not the month of Ramaḍān yet. So what is the ruling of my fasting and what do I do with regards to my *niyyah*?

A4. You are not obliged to anything, and the *niyyah* is correct for both ways.

Q5. If one wakes up in the month of Ramaḍān after the [the time of] Duhr prayer, and he does not commit any of the *muftirat*, does he complete his fast? Or should he refrain from any of the *muftirat* and he should give *kaffārah*?

A5. If he had made the *niyyah* from the beginning of the month or if it was his intention to fast before he sleeps, then his fast is valid and he does not have to give *kaffārah*.

Travelling and distances in fasting

Q1. If one works in an area that is far from his home, and he travels the distance of the legal limit [i.e. eight parasangs] from the place of work to another location for a certain purpose and returns back to his place of work before noon, how does this affect his fast?

A1. It has no effect on it, i.e. it is valid.

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Q2. If one forgot that he is a traveller, or forgot that the fasting of the traveller is invalid, and fasted during travel, is his fast invalid?

A2. His fast is invalid.

Times of fasting

Q1. If one learns that Fajr has set in while he is eating what should he do?

A1. He should remove whatever is his mouth immediately, and if he swallows that deliberately his fast will be invalid.

Q2. In the holy month of Ramaḍān for the times [of Fajr and adhān] we rely on published timetables without exercising precaution at the time of ifṭār, is this permissible?

A2. If you are sure that the published timetables are accurate then there is no harm to that, but it is preferable to observe some precaution in that.

On the food remnants in the mouth and throat

Q1. Is it necessary for one who wishes to fast to pick his teeth?

A1. It is not mandatory if one is sure that the food remnant would not go down his throat during the day.

Q2. Does swallowing the saliva invalidate the fast?

A2. No it does not.

Q3. If a thick/dense dust is brought about by windy condition, and the fasting individual does not prevent the dust from reaching his throat despite his awareness, is his fast valid?

A3. His fast is invalidated.

Q4. Is the steam of the bathroom considered muḥṭir, i.e. invalidates the fast?

A4. No, unless it is too much.

Q5. If one doubts as to whether or not he immersed his entire head in water, does this invalidates the fast?

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A5. His fast is valid.

Q6. If one belches and something comes up to his throat or the space of his mouth, does this renders his fast void?

A6. In this case he must throw it out of his mouth, and if one inadvertently swallows it his fast is valid.

Q7. How is the thick dust distinguished from the non-thick dust?

A7. It is distinguished through common understanding.

Q8. What is the ruling concerning the reaching of the smoke of burning scents to the throat of a fasting person?

A8. If it is thick it invalidates the fast.

Q9. What is the ruling concerning a fasting person using toothbrush and toothpaste?

A9. There is no objection to that if it does not reach the throat.

Q10. Is the fast invalidated by the use of the inhaler?

A10. If there are particle of liquid drops it would invalidate the fast, but if it is only gas it would not.

Q11. What is the ruling concerning the usage of perfume in the month of Ramaḍān? And what about perfumed soap, and perfumed moisturiser?

A11. It is permissible.

Health and medical conditions and fasting

Q1. Is it permissible for a fasting person to break his fast on grounds of weakness?

A1. It is not permitted, unless weakness is too much such that it is not normally bearable for him.

Q2. What is the ruling of a fasting person if he breaks his fast believing that he will not be able bear the fast until the Maghrib?

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A2. If he was in a desperate/critical condition there is no objection, but is obliged to offer the qaḍā'.

Q3. If a fasting person vomited due to illness and suchlike, is his fast invalidated and does he have to give kaffārah?

A3. His fast is invalidated but he is not obliged to give kaffārah.

Q4. If one does not know whether or not one is able to fast, is it permissible for him not to fast on grounds of the advice of a non-believing physician?

A4. Yes it is permissible not to fast if the physician is trustworthy.

Q5. If the fasting person deliberately intends to break his fast and then an event takes place such as the occurrence of ḥayḍ, nifās, or an illness, will one be liable to a kaffārah?

A5. No it will not be obligatory.

Q6. Does the usage of any kind of injection – nourishing/saline, anaesthetising, or medicinal – invalidate the fast?

A6. It does not invalidate the fast.

Q7. If one presumes that fasting harms him, and he develops a fear from that presumption, is it obligatory for him to fast?

A7. It is obligatory for him not to fast, and if he fasts, his fast is not valid.

Q8. If one believes that fasting does not constitute harm to him, and he fasts and after Maghrib learns that fasting is indeed harmful to him, is he obliged to offer the qaḍā'?

A8. He is not obliged.

Q9. A person attempted fasting at the beginning of his adolescence but he could not due to severe weakness – such that he could not do his routine things and developing severe headache and dizziness – and thus he did not fast for a number of years on the grounds of his belief about

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his inability. Afterwards he attempted fasting and he found himself able to do so. What is the ruling of the previous years?

A9. If he is unable to fast, he should give one *modd* of food for every day, and if he is able to, then he should offer the *qaḍā'* and feed [the poor by giving one *modd* of food for every day he missed].

Q10. Is it permissible for the breastfeeding woman not to fast during the month of Ramaḍān if she fears drop in her milk, given that these days it is possible to feed the baby with formula milk?

A10. It is permissible for her not to fast.

Q11. A girl who is religiously obliged to fast the month of Ramaḍān in her first year of her adolescence, but fasting is unbearable for her, and she cries and asks for water, what is the is ruling concerning her?

A11. If fasting constitutes harm or difficulty, then it is not obligatory.

Q12. Those who have their reasons not to fast, is it permissible for them to openly eat in public during the month of Ramaḍān, given that it is imperative for the Muslim to keep the sanctity of this holy month?

A12. If that constitutes breaching the sanctity of the holy month of Ramaḍān, it is not permissible.

Q13. Does giving blood samples in hospital for the purpose of tests invalidates the fast?

A13. No it does not.

14. The use of nutritional (vitamin) injection is permissible for the fasting person, for any prohibition is related to eating and drinking and the injection is not commonly considered as one of them.

Kaffārah of Fast

Q1. If a fasting person deliberately breaks his fast one day in the month of Ramaḍān – with a ḥalāl thing – and wished to offer the *qaḍā'* for it, and so he fasted forty days before the following month of Ramaḍān, and finished the rest after it. Thus is he obliged to give a kaffārah?

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A1. He is not obliged to give another kaffārah.

Q2. What is the ruling of one who cannot give the three kinds of the kaffārah (compensation) in the month of Ramaḍān?

A2. If he cannot give that he should fast 18 days or give [food] what he can.

Q3. In my adolescence days I deliberately broke my fast one day in the month of Ramaḍān and I was ignorant of the ruling. Do I have any obligation?

A3. You are obliged to offer the qaḍā' and seek forgiveness (istighfār).

Q4. What is the ruling concerning one who deliberately breaks his fast in the month of Ramaḍān, and what is the ruling if one cannot give the kaffārah?

A4. If one deliberately breaks his fast with something that is ḥarām, such as if one breaks his fast with wine – God forbid – then one is obliged to offer the qaḍā' and, as a precaution, one should give the combined kaffārah, which is freeing a slave, fasting sixty days, and feeding sixty paupers. If the breaking of fast was with something ḥalāl, such as if one drinks water, then he is obliged to offer the qaḍā' and one of the three kaffārah's. If one is not able to give the kaffārah, then one should choose between fasting eighteen days and or feeding whatever number of paupers one can, and if one cannot do that either then one should seek forgiveness from Allah even if [by saying it] once, and offer the qaḍā' of that day. This is applicable to one who – at the time of breaking the fast – was aware of the ruling or a moqaṣṣir (negligently) ignorant. But if one was ignorant and unaware of the ruling, then no kaffārah is applicable to him and on is obliged to offer the qaḍā' alone.

Fasting of the prisoner

Q. What is the ruling of the prisoner who is not able to ascertain of the month of Ramaḍān?

A. He should act according to his guess, and if it is not probable for him to guess, it is valid for him to fast one month in a year.

Travelling and the Horizon of the Countries

Q1. What is the difference in the [local] timing with which it can still be said that they have the same horizon?

A1. The criterion [in the unity of horizons] is the proximity of the horizons of the two countries, which is about one-quarter of an hour.

Q2. If one travels from his hometown in the month of Ramaḍān around the time of the zenith of the sun (i.e. noon time), is he required to investigate whether or not the sun has declined [towards the west, i.e. past noontime], in order to establish the validity of his fast for the remainder of the day?

A2. As a precaution, yes he should.

Q3. What if one does not investigate, and travels without knowing whether or not it is past noontime, what is the ruling then?

A3. He should break his fast and offer the qaḍā'.

Q4. And what if one is not able to investigate, what is his duty then?

A4. As before.

Q5. If one travels after noon by air, and after being airborne for a while it is ifṭār time according to his hometown, does he break his fast while in the plane, even though he can see the sun, and the ifṭār time of the country he is going to is not until seven hours time for example?

A5. He should go by the horizon of the country he is going to, not the country he has travelled from.

Q6. if a traveller returns to his hometown during the month of Ramaḍān before noon, and he had refrained from breaking his fast until the time of his arrival, but believing that it is permissible for him to break his fast at that time, i.e. before noon out of his ignorance of the case, if he breaks his fast in these circumstances, is he required to give kaffārah as well as the qaḍā'?

A6. He is required to offer the qaḍā' only.

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Q7. What is your opinion with regards to big cities – such as Karachi – from the point of view of fasting and offering the ṣalāh in full?

A7. It is considered one city, and Allah is the Knower.

Q8. I work in a foreign company and the place of my work in the city of Dahrān. I get sent by my company to distant cities and sometimes I need to stay there for more than ten days, but the periods I spend in those cities differ from time to time. What should I do [in relation to praying and fasting]?

A8. If the company sends you away in a continuous manner and on permanent basis such that you do not reside in one place for ten days or more, then you should act as the frequent-traveller – which is to say the ṣalāh in full and fast while travelling – but if this is not the case, then you should make the *niyyah* of residence of ten days if you know you are going to stay for ten days, otherwise you should shorten your prayers (ṣalāh) and not fast during travel.

Q9. A group of college girls who reside in a city must attend exams for five days in another city, and the distance between them is 159 km, such that they are off for two days and attend for three days. What is the ruling concerning their ṣalāh and fast?

A9. If their permanent place of study is the same as city of their exam, then pray in full and fast, but if they go to the city for the purpose of the exam only, then they shorten their prayers and not fast.

Q10. I am sent by my company during the month of Ramaḍān to another city some 1000km away, and it is the first time I have been to the area, and it is only a visit of four days for the purpose of work and it is not permanent. Do I offer full or short prayers? And do I need to fast or not? And is there is a difference concerning this case between marāje'?

A10. You must shorten your prayers and must not fast, and there is no difference between marāje' in this case.

Case. If there are four hours to sunset in this country say, and if one travels to another country where there is one hour left to its sunset, it is

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permissible for one to break one's fast there after one hour, since the matter in fasting and *iftār* follow the horizon where the fasting individual is, and since “with the realisation of the matter of the Maghrib the ruling is executed” and in the ḥadīth, “you are obliged to your sunrise and sunset”⁴⁸.

Cafés and restaurants in the month of Ramaḍān

Opening a café, a restaurant and suchlike that constitutes a breach to the sanctity of the holy month of Ramaḍān is ḥarām, the monies that the owner gives to the local council or taking it is ḥarām, and also it is ḥarām for the council to give the permit to open, for they constitute a breach to the sanctity of the holy month of Ramaḍān, in addition to other ḥarāms. However if there is a case of urgency from the viewpoint of the travellers, and the *ḥākim al-shar'i (marje')* gives permission, it is permissible within the limitation of that permit. This should then be discrete and hidden from view and that one is not allowed there to break fast illegally, but only the traveller and those who are allowed such as the sick.

Fasting in the polar horizons

Q: If one liable to a *qaḍā'* fast, and goes to an area where it is day or night all the time – where if he fears he may die there, there is no objection to offering the *qaḍā'* there – but if he does not fear dying there and expects to go back to a place of normal horizon, is it permissible for him to offer the *qaḍā'* there?

A: there are two probabilities, though, as a precaution, he should delay the offering of the *qaḍā'* until he returns to regions of normal horizons.

Eid-al-Fiṭr and Zakāt-al-Fiṭrah

Zakāt-al-Fiṭrah

It is mandatory upon everyone who, by the sunset of the eve of the Eid-al-Fiṭr, is adolescent, sane, conscious, not poor, and not enslaved to anyone to give to the poor, on his behalf and on behalf of every one of

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his dependants, one ṣā' – which approximately is about three kilograms – of wheat, or barley, or date, or raisins, or rice, or corn, and suchlike; and if one gives the cash price of one of these it would be sufficient.

And he who does not have enough to meet his own expenses and those of his family and dependants through the year, and does not have a business which enables him to meet his expenses and those of his family throughout the year is considered pauper and he is not obliged to give Zakāt-al-Fiṭrah.

Dependants' Fiṭrah

It is mandatory to give the Fiṭrah on behalf of whoever is considered his dependants by the sunset of the eve of the Eid-al-Fiṭr; regardless of whether being young or old, Muslim or non-Muslim, their expenses being mandatory upon him or not, and living in the country of the giver or not.

After-Sunset Dependants

If a child is born after sunset on the eve of the Eid-al-Fiṭr, or one becomes one of his dependants after sunset, it is not mandatory to give Zakāt-al-Fiṭrah on their behalf, even though it is mostahab to give the Zakāt-al-Fiṭrah of every one who is considered his dependant after the sunset on the eve of the Eid-al-Fiṭr, and up to before noon on the day of Eid-al-Fiṭr.

Guest's Zakāt-al-Fiṭrah

Zakāt-al-Fiṭrah of the guest who arrives before sunset of the eve of the Eid-al-Fiṭr, with the consent of the host, and is his guest at the time of the citing of the crescent is mandatory upon the host. However, it is not mandatory upon the host if the guest arrives after sunset on the eve of the Eid-al-Fiṭr, even if the host had invited him before sunset and he has his ifṭār at the host's house.

Pauper's Zakāt-al-Fiṭrah

It is mostahab for the pauper who owns one ṣā' or more of wheat and suchlike only to give Zakāt-al-Fiṭrah.

If he is a man of [many] dependants and wanted to give Zakāt-al-Fiṭrah on behalf of all, it is mostahab to give that one ṣā' to a member of his family, and then that person gives it to another member of the family with the same intention – i.e. with the intention of giving Zakāt-al-Fiṭrah on his behalf – and so forth they give Zakāt-al-Fiṭrah round until each has give it on their behalf and they give it to a person outside the family. If a member of the family is a minor, then the guardian should take it on his behalf and, as a mostahab precaution, he should not give what he takes on behalf of the minor to anyone.

He who gives it on behalf of someone else

He whose Zakāt-al-Fiṭrah is obligatory upon someone else, and that someone does not give the Zakāt-al-Fiṭrah, it would not be obligatory upon this individual to give Zakāt-al-Fiṭrah on his own behalf.

He whose Zakāt-al-Fiṭrah is obligatory upon someone else, but this individual himself gave Zakāt-al-Fiṭrah on his own behalf, the individual upon whom Zakāt-al-Fiṭrah is obligatory to give will no longer be obliged to do so.

Q: if a person who is not obliged to give Zakāt-al-Fiṭrah pays it voluntarily, such as if a son gives it on behalf of his father, or a friend pays it on behalf of a friend, does this discharges the duty?

A: yes it does.

If one dies after sunset

If one dies after the sunset on the eve of the Eid-al-Fiṭr, it is mandatory to give Zakāt-al-Fiṭrah on his behalf and on behalf of his dependants from what he leaves behind, but if one dies before sunset, it would not be mandatory to give Zakāt-al-Fiṭrah on his behalf and on behalf of his dependants from what he leaves behind.

Disposal of Zakāt-al-Fiṭrah

It is sufficient to spend Zakāt-al-Fiṭrah in one of the eight cases mentioned in the section of Zakāh⁴⁹, but as a mostaḥab precaution, it should be given only to the poor of the Shi'a.

Criteria for Disposal Zakāt-al-Fiṭrah

1. It is not mandatory requirement to give Zakāt-al-Fiṭrah to a pauper who is just⁵⁰, however, as an obligatory precaution, it should not be given to one who drinks alcohol, nor to one who openly practices disobedience.
2. It is not permissible, as a precaution, for one who is not a Sayyid to give his Zakāt-al-Fiṭrah to a Sayyid, and similarly if his dependants were Sayyids, it is not permissible to give his Zakāt-al-Fiṭrah to a Sayyid either.
3. As an obligatory precaution, one should not give less than one ṣā' to each pauper, and there is no objection in giving him more than that.
4. If one gives Zakāt-al-Fiṭrah from a defected commodity, it would not fulfil [his responsibility].

Time of Giving Zakāt-al-Fiṭrah

It would not be valid if one gives the Fiṭrah before the month of Ramaḍān, and as a precaution, one should not give it during the month of Ramaḍān either, but if one gives money as a loan to a poor person – before or during the month of Ramaḍān – and afterwards when he is obliged to give Fiṭrah, it is permissible to adjust the loan against the Fiṭrah.

One who wishes to perform the Eid prayer, should, as a mostaḥab precaution, give the Fiṭrah to the poor before the Eid prayer, but if one does not wish to perform the Eid prayer, it is permissible for him to delay the payment until noontime.

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One who on the day of Eid has money but cannot access it, e.g. he has money in the bank but the bank is shut, the Fiṭrah is still obligatory upon him; he should either borrow to pay the Fiṭrah before noon, or he should delay its payment until he access the money.

Setting aside the Fiṭrah

If one sets the Fiṭrah aside from his money, then it is not permissible for him to use it and take it for himself and replaces it with another money for Fiṭrah.

Niyyat-al-Qurbah

It is mandatory to give the Fiṭrah with Niyyat-al-Qurbah (the intention of seeking nearness) that is, the intention of abiding by the command of Almighty Allah, and that at the time of payment one should make the intention of paying Zakāt-al-Fiṭrah.

If one does not pay Zakāt-al-Fiṭrah when it is mandatory to do so, and does not set it aside either, then it is mandatory to pay Zakāt-al-Fiṭrah afterwards without the intention of qaḍā' or adā'.

The Mostahab

When giving Zakāt-al-Fiṭrah it is mostahab to give priority to one's poor relatives over others, and then to one's poor neighbours, and then to the scholars who are poor. However, if there are priorities in others from other point of views, then it is mostahab favour the superior.

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Chapter Five: Hajj

Ḥajjāt-al-Islam is an obligatory act of worship that is mandatory upon every Muslim to be performed once in a lifetime, with immediate effect, and it is not permissible for a *mostate'e* – one who meets all criteria and ability for performing it and thus is liable to it – to delay or postpone its performance from the year of ability or liability.

The hajj falls in three categories:

1. Ḥajj of Tamattu‘

The Ḥajj of Tamattu‘ consists of two acts of worship:

- a. Umrah of Tamattu‘

- b. Ḥajj of Tamattu‘

2. Ḥajj of Qirān

3. Ḥajj of Efrād

The Ḥajj of Tamattu‘ is mandatory upon one who [lives] 16 parasangs or more away from Mecca. Every parasang is about 5.5 km.

The Ḥajj of Qirān and the Ḥajj of Efrād is mandatory upon the inhabitants of the holy city Mecca or whose hometown is less than 16 parasangs from Mecca.

One whose duty is to perform the [Ḥajj of] Tamattu‘, he is obliged to perform the Umrah before the Hajj, and he whose duty is to perform the [Ḥajj of] Qirān and the [Ḥajj of] Efrād, he is obliged to perform the Umrah after the Hajj, as a precaution.

The difference between the Qirān and the Efrād is that the Qārīn, i.e. the one performing the Qirān, declares his Iḥrām and accompanies his *hady* (the sacrificial animal) with him, contrary to the one who performs the Efrād, who has no *hady*.

Criteria for Ḥajjat-al-Islam Obligation

1. that one is *bāligh*, for it is not mandatory for the child, although it is *mostaḥab* if his guardian permits him,
2. that one is sane, for it is not mandatory for the insane,
3. that one is free, for it is not mandatory for the slave, although it is *mostaḥab* if his owner permits him,
4. that one is *mostaṭee'* or able to do it,

Thus if one does not meet one of the criteria for the obligation of the hajj but one performs the hajj, will this hajj be considered as the Ḥajjat-al-Islam, and his duty fulfilled? No, this hajj will not fulfil his duty and it remains mandatory for him to fulfil if one becomes *mostaṭee'* to perform Ḥajjat-al-Islam.

Ability (*istiṭā'ah*)

1. The Availability of Provisions and means of Transportation

One should have provisions and means of travel, or has the money to travel with.

2. The Physical Ability

One should be physically able to perform the hajj and carry out its rites.

3. The absence of hindrance

There should be not hindrances or obstacles on the way.

4. Availability of time

There should be enough time to perform the hajj rites.

However, it is *mostaḥab* for one who is not financially *mostaṭee'* to perform the hajj too.

Miscellaneous rulings

1. Not performing the hajj while able

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He who was *mostaṭee'* (i.e. able and meeting all the criteria of ability or *istiṭā'ah*) in the previous years and did not perform the hajj, it would be mandatory for him to perform the hajj in whichever way possible (at all costs) and even if he no longer has his *istiṭā'ah* (ability).

2. Hajj by proxy while non-*mostaṭee'*

If one is not *mostaṭee'*, it is permissible for him to be hired to perform hajj on behalf of someone else. But if he became *mostaṭee'* afterwards, it is mandatory for him to perform the hajj once more.

3. Obtaining money to become *mostaṭee'*

It is not mandatory for the individual to sell his belongings such as his house, vehicle, and furniture to go to the hajj.

4. Setting aside deceased's hajj cost

The *mostaṭee'* for whom the obligation of the hajj had become established, if he dies before performing the hajj, it would be mandatory to set aside the cost of hajj from the inheritance.

5. Parents' Permission for the hajj

For the purpose of Ḥajjat-al-Islam, it is not conditional for the son to seek the parents' permission nor the wife to seek husband's permission.

6. Agency from miqāt

It is sufficient for the agent to declare his agency for the deceased from the miqāt, and it is not required to declare the agency from his country. The same applies for the living who is disabled and wishes to appoint an agent to perform the hajj for him.

7. On behalf of Ahl al-Bayt peace be upon them

It is permissible, in the mostahab hajj, that one makes the niyyah of performing the hajj on behalf of the prophet or the imam peace be upon them, or others amongst the living or the deceased. Thus the thawāb (award) of the hajj will be written for him and for those he intended on their behalf.

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8. The thawābs of the hajj and giving to charity of its cost

It is mostahab to perform hajj every year; the thawāb of hajj is greater than that of giving the cost of hajj in the cause of Allah.

9. Performing the hajj according to the non-Shi'a.

If there was difference between the Shi'a and non-Shi'a on the issue of the crescent, and if it is not possible to perform the hajj according to the view of the Shi'a, it is permissible to perform it according to the view of the non-Shi'a and his hajj is valid.

10. Hajj by proxy

If one has ownership of hajj expenses but is not able to perform the hajj due to old age or illness, it is mandatory to appoint someone to perform hajj on his behalf during his lifetime.

Hajj by grant

The awarded hajj is that when one pays the expenses of the hajj to one who does not possess them, like saying, "I pay you your expenses and the expenses of your family so long as you are on hajj". Then the hajj would be obligatory for him, and if he performs the hajj under these circumstances, that would satisfy the requirement for his Ḥajjat-al-Islam, and it would no longer be obligatory for him when he meets all the criteria of the hajj again. But if he does not perform the hajj, he will be liable to hajj [unconditionally], and it would be mandatory for him to perform the hajj even if he does not have the provisions or means of travel, and even if with hardship.

Umrah of Tamattu‘

Rites of Umrah of Tamattu‘

The rites of Umrah of Tamattu‘ are five:

1. Iḥrām
2. Ṭawāf
3. Ṭawāf’s Ṣalāh
4. Sa‘y
5. Taqṣir or trimming

1. Iḥrām

a) The Time of Iḥrām

The time of [assuming the state of] iḥrām⁵¹ for the Umrah of Tamattu‘ is [during] the months of hajj – which are Shawwāl, Dhil-Qa‘dah, Dhil-Ḥajjah.

b) The Place of Iḥrām

The place of [declaring and assuming the state of] iḥrām, which is called *miqāt*, is one of the following:

1. Maṣjid al-Shajarah, which is the miqāt for the people of Medina, and those who come to hajj from the direction of Medina.
2. Wādi al-‘Aqiq, which is the miqāt of those who come to the hajj from the direction of Iraq.
3. Qirn al-Manāzil, which is the miqāt of those who come to the hajj from the direction of Ṭā’if.
4. Yalamlam, which is the miqāt of those who come to the hajj from the direction of the Yemen.
5. Juḥfah, which is the miqāt of those who come to the hajj from the direction of Egypt and the Shām.

c) The obligations of the iḥrām

The obligations of iḥrām are three:

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1. The **Niyyah**, in that one intends as follows:

“*ohrimu* – I assume and declare the state of *iḥrām* – for the Umrah of Tamattu‘ for the *qurbah*, i.e. seeking nearness to and abiding by the command, of Almighty Allah”. The meaning/implication of *iḥrām* is the resolution to abstain from certain matters, as mentioned later on.

2. The **Talbiyah**, which is to recite the four *talbiyāt*, which are:

<i>Labbayk Allahumma Labbayk.</i>	I heed to your call O Lord, I heed.	لبيك اللهم لبيك
<i>Labbayka lā Shareeka Laka Labbayk.</i>	I heed to You that You have no partner, I heed.	لبيك لا شريك لبيك
<i>In-nal-Ḥamda, Wan-Ne‘mata, Laka Wal Mulk.</i>	Truly, All the Praise, and the Blessing, are Yours and the Sovereignty too.	إن الحمد و النعمة لك و الملك
<i>Lā Shareeka Lak.</i>	There is no partner of Yours, I heed.	لا شريك لك

3. **Wearing** the two garments of the *iḥrām*

It is obligatory for man and woman to wear these two garments, and it is mandatory that they are *ṭāhir*, and that they are not made from silk, nor from the skin/leather of a forbidden meat animal. They should not be so thin through which the body may be seen.

d) Those that should be avoided during *iḥrām*

It is mandatory for the *muhrim* – the one in the state of *iḥrām* – to abstain from 24 matters:

1. Hunting of land [animals], executing it, giving assistance on it, killing it, eating it, except if it is a predatory animal that is permissible to repel its harm.

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2. Courting one's spouse whether through intercourse, or kissing, or looking at them with lust, or touching them with lust.
3. Performing the marriage contract for oneself or for others, bearing witness of it, or testifying to it.
4. Masturbation, by hand or otherwise.
5. Usage of perfume, fragrance, etc. such as Musk, Saffron, 'Oud (aloes wood), whether in eating, smelling, or for body lotion, etc. Also it is prohibited for the muḥrim to block his nose when there is bad smell.
6. Wearing sewn clothing – prohibition for men only – but it is permissible to wear *himyān* belt and suchlike in which one may keep cash and valuables, even if it were sewn. Similarly it is permissible to wear the hernia belt even if it were sewn.
7. Wearing kohl.
8. Looking into the mirror.
9. Wearing socks and suchlike that cover the surface of the foot, and if one wants to wear such things one should tear the top part so that it does not cover the foot.
10. *fusooq*, which is lying, swearing, and boasting.
11. *jadal*, which is to enter into arguments; saying such things as “no by Allah”, or “yes by Allah”, and as a precaution one should refrain from any kind of oath.
12. The killing or removing of the insects found on humans such as lice.
13. Wearing rings with the intention of adornment and, as per obligatory precaution, any kind of adornment and ornamentation should be avoided, even the use of such matters as of henna.

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14. Wearing jewellery for women, except for that which she normally permanently wears, provided that she does not make them visible even to her mahram persons.
15. Covering the head, completely or partially, or the ears – prohibition for men. Rather, it is ḥarām to cover even with henna, or immersing in water some of part of the head.
16. for a woman to cover her face with burqu‘ and suchlike, but it is permissible for her to place something in front of her face provided, as a precaution, that it does not touch to her face.
17. Plucking or removing hair from the head or other than the head, regardless of it being one strand or more. There is no objection to hair falling off during wuḍu‘.
18. Applying oils to the body.
19. Causing the bleeding of the body, even if by using the toothbrush – if one knows before hand that brushing causes gum bleeding.
20. Pulling the tooth if it would lead to bleeding, except if one is resorted to that as a matter of urgency.
21. Clipping the finger nails.
22. Sheltering in the shade while on the move/travelling – prohibition for men only. But there is no objection to this in the residence.
23. Uprooting the tree or any vegetation of the Ḥaram precincts.
24. Wearing arms such as gun, sword, and suchlike.

2. Ṭawāf

Having assumed the state of iḥrām for Umrah, the ḥājj (the person performing the hajj) enters the holy city of Mecca and performs the second act of the rites of the Umrah which is the Ṭawāf around the holy Ka‘bah.

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The process of ṭawāf is to make the Ka‘bah on one’s left-hand side, begin with al-Ḥajar al-Aswad – the Black Rock – and to finish by it seven rounds later [around the Ka‘bah].

The criteria of ṭawāf

1. The niyyah, by saying “*aṭoofu* – I perform the ṭawāf – for the Umrah of Tamattu‘ seeking nearness to and abiding by the command of Almighty Allah”.
2. to be ṭāhir from the major ḥadath – such as janābah, ḥayḍ, and nifās – and the minor ḥadath – i.e. one should be in the state of wuḍu’.
3. The body and clothing should be ṭāhir.
4. For the male individual to be circumcised.
5. The covering of the private parts; and everything that is required for the cover in the ṣalāh is required here too.
6. That the ṭawāf is performed between the holy Ka‘bah and Maqām Ibrahim, peace be upon him, as per obligatory precaution, except in the case of difficulty and hardship.
7. That Ḥijr Ismā‘el is enclosed within the circumference of the ṭawāf.
8. That one’s entire body is outside the holy Ka‘bah, and even his hand is outside the Shādhrawān of the holy Ka‘bah, as per mostaḥab precaution.

The Ṭawāf’s ṣalāh

The third act of the rites of the Umrah is to perform the two-rak’ah Ṣalāt al-Ṭawāf behind Maqām Ibrahim, peace be upon him, or by the side of it.

This ṣalāh is like the morning ṣalāh, and its niyyah is as follows:

“*oṣalli* – I perform two rak’ah ṣalāh of the ṭawāf of Umrah seeking nearness to and abiding by the command of Almighty Allah”.

3. The Sa'y

The fourth act of the rites of the Umrah is the Sa'y (the walk) between mounts Şafā and Marwah. In this rite, it is mandatory for the Ḥājj to cover the distance between Şafā and Marwah seven cycles beginning with the Şafā and ending with the Marwah.

The journey from the Şafā to the Marwah constitutes one cycle and the return one from Marwah to the Şafā constitutes another.

The *niyyah* for the Sa'y is: “*as'ey* – I perform the Sa'y – between the Şafā and Marwah for the Umrah of Tamattu' seeking nearness to and abiding by the command of Almighty Allah”.

4. Taqşeer or shortening/cutting

After the completion of the Sa'y, it is obligatory to perform the fifth act of the rites of the Umrah, which is the Taqşeer.

The Taqşeer means to cut some of the hair of the head, or the beard, or clipping the finger nail. The *niyyah* for this is: “*oqaşşiru* – I perform Taqşeer for Umrah of Tamattu' seeking nearness to and abiding by the command of Almighty Allah”.

After this Taqşeer, everything that was ḥarām for the *muḥrim* becomes ḥalāl with the exception of two matters – the prohibition of which is due to the sanctity of the Ḥaram and due to the iḥrām – which are:

1. Hunting, and
2. Uprooting the Ḥaram vegetations.

Ḥajj of Tamattu‘

Rites of Ḥajj of Tamattu‘

The rites of Hajj of Tamattu‘ are thirteen:

1. *Iḥrām*.
2. *Woquf* or standing in ‘Arafāt.
3. *Woquf* or standing in Mash‘ar.
4. *Ramy* or stoning of Jamarat al-‘Aqabah.
5. *Hady* or slaughter of the sacrifice.
6. *Ḥalq/taqṣir* or shaving of the head or trimming its hair.
7. *Ṭawāf al-Ziyārah*.
8. *Ṣalāt al-ṭawāf* or the *ṭawāf* prayer.
9. *Sa‘y*.
10. *Ṭawāf al-Nisā’*.
11. *Ṣalāt Ṭawāf al-Nisā’* or the *ṭawāf* prayer.
12. *Mabeet* or staying over night in Minā.
13. *Ramy* or stoning of the three Jamarāt.

a) Iḥrām of the Ḥajj

The rites of the hajj are thirteen – as mentioned above – and it is mandatory for the individual, having completed the rites of the Umrah, to declare iḥrām for Ḥajj for the second time, in the same way mentioned for the Umrah, except that the iḥrām for the Umrah is assumed and declared in one of the aforementioned miqāts, whereas the iḥrām for the Ḥajj is initiated in the holy city of Mecca, and it is mostaḥab that it is declared and assumed in the Maṣjid al-Ḥarām – The Sacred Mosque. One should say in declaring the *niyyah* for this act: “*oḥrimu* – I declare and assume iḥrām – for the Ḥajj of Tamattu‘ seeking nearness to and abiding by the command of Almighty Allah”.

The time of the iḥrām of the Ḥajj is from the time of completion of the Umrah until such time one can ensure to be in ‘Arafāt in time for the wuquof.

b) Wuquof in ‘Arafāt

The second act of the rites of the Ḥajj is the *wuquof* in ‘Arafāt, i.e. standing in the desert of ‘Arafāt from noontime on the day of ‘Arafah until the sunset of that day.

The *niyyah* for this rite is as follows: “*aqifu* – I stand – in ‘Arafāt for the Ḥajj of Tamattu’ seeking nearness to and abiding by the command of Almighty Allah”.

c) Wuquof in Mash‘ar al-Ḥarām

It is mandatory to go to Mash‘ar al-Ḥarām – also known as al-Muzdalifah – after sunset on the eve of the Eid and observe *wuquof* in the desert of the Mash‘ar until sunrise, as per precaution, on the day of the Eid which is the tenth day of the Dhil-Ḥajjah.

When it is close to the time of dawn of Fajr on that day, it is mandatory for the person observing the *wuquof* to declare the intention – *niyyah* – as follows: “*aqifu* – I stand – in the desert of Mash‘ar al-Ḥarām from the dawn of the Fajr to the rise of the sun [for the Ḥajj of Tamattu’] seeking nearness to and abiding by the command of Almighty Allah”.

d) Rites of Minā

1. Ramy or stoning,
2. Ḥady or sacrifice,
3. Ḥalq/Taqseer or Shaving/Trimming.

It is mandatory to go to Minā at the sunrise on the day of Eid and there one should perform three rites:

1. To perform the Ramy or stoning of Jamarat-al-Aqabah which is the greater Jamarah with seven small stones consecutively, and the *niyyah* for this is as follows: “*armey* – I hurl [stone] at – Jamarat-al-Aqabah in obedience to the command of Almighty Allah”.

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2. The sacrifice of a camel, or a cow, or a sheep, and the niyyah for this is as follows: “*adḥhey* – I sacrifice – in obedience to the command of Almighty Allah”. It is mandatory that the sacrificial animal is of complete and sound creation, and as per mostahab precaution, it should be of certain age as mentioned in detailed books on the Rites of Ḥajj. And as per mostahab precaution, the individual offering the sacrifice eats some from the sacrifice, gifts a third of it, and gives the other third to the poor.
3. Shaving the entire head – if it were one’s first Ḥajj, as per mostahab precaution – or [otherwise] trimming some of the hair of the head, moustache, or clipping some of his finger nail. [Shaving the head is not applicable to female Ḥājj.] The niyyah in shaving or trimming is as follows: “*aḥliq* or *oqaṣṣiru* – I shave / or I trim⁵² – for the Ḥajj of Tamattu‘ in obedience to the command of Almighty Allah”.

Mabeet in Minā

- a) There is no objection to remaining in Minā on the tenth day to fulfil its rites – of *mabeet* or staying and the *ramy* or the stoning of the [three] *jamarāt* – and then go to Mecca on the eleventh or twelfth day, or after the completion of the rites of minā, to perform the rites of Mecca.
- b) After fulfilling the rites of Mecca, everything that were made ḥarām to the Ḥājj because of the iḥrām becomes ḥalāl, even sexual intercourse, use of perfume, etc. except for two matters:
 1. Hunting,
 2. Uprooting the vegetation of the Ḥaram.And the prohibition of these two is due to the Ḥaram and not the iḥrām.
- c) It is mandatory for the Ḥājj to observe *mabeet* – spending the night – in Minā on the nights of the eleventh and the twelfth,

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and if one had engaged in intercourse with one's spouse, or engaged in hunting, it would be mandatory for him to spend the night of the thirteenth too. The niyyah of the mabeet is: “*abeetu* – I spend the night – in Minā for the Ḥajjāt-al-Islam seeking nearness to and abiding by the command of Almighty Allah”.

If the Ḥajj did not have intercourse with wife, and did not hunt, it is permissible for him to leave Minā after noon on the twelfth day, and if he stayed in Minā until the sunset of that day, it would then be mandatory for him to observe mabeet on the night of the thirteenth too.

If the Ḥajj does not observe *mabeet* in Minā, it would be obligatory for him to give kaffārah of a sheep for every day, and one is considered disobedient/sinful if one deliberately does not observe the *mabeet*.

Ramy or stoning the jamarāt

It is mandatory for the Ḥajj to stone the three jamarāt on the days of the night he observes *mabeet* in Minā; by stoning of the first, middle and the last jamarah with seven stones. [in Arabic the three jamarāt are known as al-Jamarah al-Oolā, al-Jamarah al-Wosṭā, and al-Jamarah al-Aqabah].

Rites of Mecca

Having finished with the rites of Minā, the Ḥajj goes to the holy Mecca on the Day of Eid itself or afterwards to perform five rites there, which are:

1. **Ṭawāf al-Ziyārah**, seven rounds, and the niyyah is: “*aṭoofu* – I perform ṭawāf – of Ṭawāf al-Ziyārah seeking nearness to and abiding by the command of Almighty Allah”.
2. **Ṭawāf al-Ziyārah Ṣalāh**, two rak‘ah, behind Maqām Ibrahim, peace be upon him, and the niyyah is: “*Oṣalli* – I perform the ṣalāh of two rak‘ah for the Ṭawāf al-Ziyārah seeking nearness to and biding by the command of Almighty Allah”.

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3. **Sa'y** between Şafā and Marwah, as mentioned before, and the niyyah is: “*as'ey* – I perform the Sa'y – between the Şafā and Marwah for the Ḥajj of Tamattu' seeking nearness to and abiding by the command of Almighty Allah”.
4. **Ṭawāf al-Nisā'**, which similar to Ṭawāf al-Ziyārah in the process, and the niyyah for this is: “*aṭoofu* – I perform ṭawāf – of Ṭawāf al-Nisā' seeking nearness to and bidding by the command of Almighty Allah”.
5. **Ṭawāf al-Nisā' Şalāh**, two rak'ah, and the niyyah is: “*Oşalli* – I perform şalāh – of two rak'ah for the Ṭawāf al-Nisā' seeking nearness to and bidding by the command of Almighty Allah”.

Miscellaneous Queries

1. Representation in hajj

Q1. Is it permissible for one who has not performed hajj for himself to be the agent of another for the Hajj?

A1. If he has not been mostaṭee' himself, it is permissible.

Q2. In the hajj by proxy, is it conditional that the agent must be free from the obligation of Ḥajjat-al-Islam?

A2. That is conditional. Of course it is permissible for the one who has not been mostaṭee' – and the obligation of the hajj has not been established upon him – to be an agent.

Q3. Is it permissible for a woman to represent a man and vice versa?

A3. Yes it is permissible.

Q4. Does the agent act according to the fatwa of his marje' or that of the one he is representing?

A4. The agent acts according to the fatwa of his own marje'.

Q5. If hajj becomes obligatory for an individual and he goes to hajj, assumes the ihrām, and enters the Ḥaram, but then dies before completing the rest of the hajj rites, does that meet his obligation

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towards Ḥajjat-al-Islam or is it mandatory to have the hajj performed on his behalf?

A5. That is sufficient, and it is not obligatory for the hajj to be performed on his behalf.

Q6. A man died between ‘Arafāt and Mash‘ar al-Ḥarām, is it obligatory for his inheritors to perform the hajj on his behalf?

A6. It is not obligatory, and that will count as the hajj.

Q7. Is it permissible to include or share others in the mostaḥab hajj and Umrah, by intending to represent them when he assumes the iḥrām, or to assume the iḥrām for himself and prays to Allah to give them a share of the act? How can one represent several others in the mostaḥab hajj and umrah?

A7. Yes it is permissible in the mostaḥab acts to intend to represent one more before the act, or gift the thawāb to them after the act.

2. Istiṭā‘ah and otherwise

Q1. Is it permissible not to go to hajj out of fear of fatigue and the hardship of the journey?

A1. No it is not permissible if one is mostaṭee‘.

Q2. If one has enough money to go to the hajj and return to his hometown, but he does not own a house, is the hajj of higher priority or buying a house?

A2. The hajj is mandatory, unless one would be in severe hardship by not buying a house.

Q3. If one is mostaṭee‘ for the hajj and he registered his name on the list of the pilgrims for the coming years, but then he became penniless, is the obligation of Ḥajjat-al-Islam established upon him?

A3. No.

Q4. What is the ruling of one who does not perform the hajj and he was mostaṭee‘ previously?

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A4. He should seek forgiveness from Almighty Allah, and he is obliged to perform the hajj after that.

Q5. What is the ruling of the hajj that leads to harm or conflicts with another wājib – i.e. an obligatory duty?

A5. If the hajj brings about a harm, then it is not obligatory, and if [performing] it necessitated abandoning a wājib or doing a ḥarām, then the one of higher priority from the viewpoint of Islam is identified [and therefore acted upon].

Q6. If a mostate‘ has the hajj established upon him, and if he dies before he performs the hajj, should the hajj expenses be taken from the bulk of the inheritance before it is divided or after?

A6. It is taken from the bulk of the inheritance before it is divided.

Q7. If one was mostate‘ in the previous years and he did not perform the hajj, is the hajj mandatory for him if his istiṭā‘ah – ability – is no more?

A7. It is obligatory at all costs.

Q8. It is mandatory for the *mokallaf* to endeavour in order to obtain the ability – istiṭā‘ah – for the hajj or not?

A8. No it is not mandatory.

3. Ṭawāf

Q1. Does the wife of the Ḥājj become ḥarām to him if he does not perform Ṭawāf al-Nisā’ out of ignorance of the ruling.

A1. Yes, until he performs the ṭawāf himself, if he can, and if he cannot the prohibition (of his wife to him) will continue until the ṭawāf is performed on his behalf.

Q2. An individual who is a “excessive-doubter” went to hajj, and during Ṭawāf al-Nisā’ he doubted as to whether he finished the first or the second round, and after some thought he came to the conclusion that he had finished the second round and he finished his ṭawāf and his hajj on that basis, and did not care about his doubt given his excessive doubts in

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his acts of worship, but when he returned to his hometown, his doubt about this came back to him again. So he does not know what to do. Should he go back to Mecca and perform Ṭawāf al-Nisā' in order to terminate his doubt or not?

A2. He is not obliged to do anything.

Q3. My finger bled during ṭawāf, and rendering it ṭāhir would take time, given the distance and the crowds. What is the ruling in this case?

A3. It is mandatory to make it ṭāhir. If one has finished three and a half rounds of the ṭawāf before the bleeding, then one would finish the ṭawāf after making the finger ṭāhir, and if one has not finished three and a half rounds of ṭawāf, then one should repeat the ṭawāf again after making the finger ṭāhir.

Q4. Is there any objection if one is driven to touch the Ka'bah during the ṭawāf because of the crowd?

A4. There is no objection even wilfully.

Q5. It is known that, in circumstances of hardship, you permit the ṭawāf to be performed at distances further from that the scholars have mentioned, which is between the Ka'bah and the Maqām. so the question is; does this mean that it is permitted for the ṭawāf to be performed in the arcades surrounding the Ka'bah where people perform their prayers, or should the ṭawāf be performed courtyard between the Ka'bah and these arcades?

A5. It is unconditionally permitted when there is hardship.

6. It is permissible to perform the ṭawāf further than 26 yards from the holy Ka'bah in cases of hardship. However, given the choice, or when there is no difficulty or hardship, it is not unlikely that it is mandatory to perform the ṭawāf at less than 26 yards from every side of the Ka'bah.

7. It is permissible to perform the ṭawāf, *sa'y*, *wuquof*, *ramy* [at a level] higher or lower [than that of] the Ka'bah, the *mas'ā* (the route of the *sa'y*), the *mawqif* (the sites of *wuquof*) and the *jamarah* (respectively) – but within the specified limits – and as a precaution these should be

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limited to the circumstances of hardship. Therefore, the *ṭawāf* may be done in piecemeal; i.e. some of it on the upper floor and some of it on the lower. The same applies for all other aforementioned sites, so long as common acceptance holds.

4. Obligations of *Ihrām*

Q1. What is the ruling about blocking one's nose in the presence of vehicles exhaust fumes while in the state of *ihrām* for the hajj? This is when these fumes contain poisonous ingredients and particles which cause health problems for the individual either later on or immediately such as headaches.

A1. It is permissible to block the nose in such circumstances.

Q2. Is it permissible for the muḥrim ḥājj to seek shelter in the shade such as riding in a roofed vehicle, without having reason for justification?

A2. It is not permissible while in the course of a journey travelling from one location to another, but when in the house of residence it is permissible.

5. The *niyyah* and the *miqāt*

Q1. given the construction development in the holy city of Mecca, there are now several new districts; is it therefore permissible to declare and assume the state of *ihrām* from districts such as Aziziyyah or from the old Ḥaram boundaries?

A1. It is permissible to declare and assume *ihrām* from all old and new districts of the holy city of Mecca.

Q2. If one wants to perform the hajj a second as a matter of precaution (*iḥṭiyāt*), even though he has performed the obligatory (*wājib*) hajj, what *niyyah* should one have?

A2. One should perform it with the *niyyah* of *iḥṭiyāt*.

Q3. I entered the city of Jeddah, where there is no *miqāt*, and I declared and assumed *ihrām* there without the *niyyah* of Nadhr – being ignorant

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of the particular ruling in this case – and I entered the holy city of Mecca during the day covering my head. In this case is the Umrah considered void, and I do not have to give kaffārah for covering my head? Or if the Umrah is considered valid, am I only obliged to give kaffārah?

A3. The Umrah is valid and you are only obliged to give the kaffārah.

Q4. For the mostaḥab umrah, or even for the hajj, there are two miqāts that the people of Bahrain go to for going to Mecca: al-Hadā and al-Sayl al-Kabir. Is it mandatory to go to both of them or is going to one of them sufficient.

A4. It is sufficient to wear iḥrām from the first, and if not should do so from the second, and as per mostaḥab precaution, one should do the iḥrām in the first and renew it in the second.

6. The sacrifice

Q1. Is it mandatory for the slaughterer of the sacrifice in Minā to be an Imāmi or it is sufficient for him to be non-Imāmi?

A1. It is sufficient for him to be non-Imāmi.

Q2. Is it conditional for the Imāmi Ḥājj to place his hand on the hand of the non-Imāmi slaughterer?

A2. It is not conditional.

Q3. What is the validity of the sacrifice of the hajj if it is from the Ahli Bank, where the sacrifice may have been allocated and it is probable – or most likely – that the slaughterer is non-Imāmi (non-Shi'a), and the place of the slaughtering is the new slaughterhouse outside Minā?

A3. If the sacrifice meets all the required criteria then it would be sufficient for the sacrifice, otherwise it is not. As for the place of slaughter in the new slaughterhouse, it is permissible to slaughter in it if one is not able to do so in Minā and cannot find a place nearer to Minā.

7. Bathing before iḥrām

Q1. What is the ruling of washing with perfumed soap before wearing the iḥrām garments or for the *ghusl* of iḥrām?

A1. As per mostaḥab precaution it should not be used.

Q2. What is the ruling of using perfumed soap or perfume before declaring the iḥrām by not more than an hour?

A2. If the scent remains until the time of declaring and assuming iḥrām it should not be used, as per mostaḥab precaution.

8. Women clothing at the time of iḥrām

Q1. Is it permissible for a woman to wear the traditional Abā'ah during the iḥrām?

A1. Yes it is permissible.

Q2. What is the ruling for wearing socks that cover the surface of the foot? This concerns a lady who thought that it was permissible, and performed the hajj rites on that basis?

A2. She needs to take no further action. Wearing socks is permissible for women, although, as per mostaḥab precaution, they should be slit the footwear such that the surface of the feet is not covered.

9. Sheltering in the shade for muḥrim

Q1. What are the limits of night for a muḥrim with respect to sheltering in the shade, is it from sunset until sunrise, or is it from sunset until Fajr?

A1. It is not permissible to shelter in the shade during day, or night.

10. Preferences in the obligatory and mostaḥab hajj

What are the preferred options for either Ḥajjat-al-Islam or the mostaḥab hajj in the following?

1. To perform the ṭawāf, as part of the hajj rites, between the Ka'bah and the Maqām or outside the Maqām when there is

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severe overcrowding in a bid to lessen the pressure upon the Muslims?

2. To perform the Sa'y between the Şafā and Marwah through the common route or through the upper one during the times of severe overcrowding in a bid to lessen the pressure upon the Muslims?
3. To offer a sacrifice sheep of 700 Rials, or to offer one of 300 Rials and give the rest in the cause of Allah?
4. For a woman to stone the Greater Jamarah or to do so by proxy, because in doing so she would come in physical contact with the non-maḥram due to the severe overcrowding, which is seen as something objectionable by some?

A1. It is permissible in Ḥajjat-al-Islam to perform the ṭawāf outside the Maqām, to avoid the harm or hardship of doing so within the Maqām. However, if the harm or hardship is not to the extent that is prohibited, it is preferable to perform the ṭawāf within the Maqām.

A2. With the possibility of performing the Sa'y on the ground level, without disturbing others, it is preferable and more prudent.

A3. If the sacrifice would not be used, and if there are particular needs by the believers, then giving the rest to charity is better, but if one does not want to give to charity, the higher price is better. Almighty Allah said, ﴿It is not their flesh or their blood that reaches Allah, rather it is your piety that reaches Him﴾ [22:37].

A4. it is permissible for her bring forward the stoning to the night [before] so that she is not caught up with the overcrowding, but given the scenario of the question, it is permissible for her to do so by proxy.

11. Wuquof in 'Arafāt

If the overcrowding during the hajj was such that it is not possible for the Ḥājj to observe the wuquof in 'Arafāt and the Mash'ar, it is permissible for one to pass through them for some of their prescribed times, but remain outside them, and as an obligatory precaution, one should remain at a place as close as possible to the sites of wuquof.

Chapter Six: Zakāh

[Zakāh or the purification of wealth may be divided in two categories:]

Part One: Khums

Khums⁵³ is obligatory on:

1. Minerals.
2. Gemstones obtained from diving in the sea.
3. Spoils of war.
4. Treasure troves.
5. The Land that a *Dhimmi*⁵⁴ purchases from a Muslim.
6. Profits and gains from earning and trade.
7. The Ḥalāl wealth that is mixed with Ḥarām wealth.

1. Minerals

If minerals – such as gold, silver, lead, copper, iron, oil, coal, rock, turquoise, agate (aqeeq), sulphate, salt, and suchlike are mined to the extent that the *ḥadd el-niṣāb* (the prescribed limit, or the threshold level) is reached, then it is mandatory to give khums, after deducting the mining/extraction costs and expenses.

The threshold for minerals

The threshold – or *niṣāb* – is [the market value of] 15 common mithqāl⁵⁵ of gold. That is, if the market value of the mined mineral – after deducting mining costs and expenses – reaches the market value of 15 mithqāl of gold, then it is mandatory to give the khums of the mined mineral, and as per obligatory precaution, one should take into account the amount of the zakāh of the two cash coins [gold and silver].

If a number of people cooperate to mine a mineral, and the share of each individual, after deducting the mining costs and expenses, reaches [the market value of] 15 mithqāl [of gold], then it is mandatory for each individual to give khums.

Sea Minerals

On the obligation of khums, there is no difference between mines on land and mines under the sea, in view of the lack of any qualification to the evidence. Thus, salt extracted from the sea falls into the same category any other mineral taken from the sea.

Industrial/Artificial Minerals

Industrial or artificial minerals are not subject to khums. So if it were possible to manufacture gold or silver, then it would not be liable to khums, because the measure is whether or not something has been *mined*, and manufactured [material] does not fall into that category, for it cannot be said to be “mineral”. The same applies to the artificial crops and other entities that are [normally] liable to zakāh, on the grounds that the liability of zakāh may not be applied to them.

Space Minerals

Khums is payable on stones, rocks, and minerals which descend to earth, if known to be from other planets, and to be minerals. Otherwise it is not [payable], even if they are similar to earth minerals such as iron, etc.

2. Gemstones obtained from diving

If precious stones such as pearls, corals, and suchlike are obtained through sea diving – regardless of whether they are vegetable or mineral in nature – and the market value of the extracted stones, after deducting mining costs and expenses, is equivalent to three-quarters of a common *mithqāl* of gold, it is mandatory to give khums on it, regardless of whether the stones are extracted in one dive or several, and regardless of whether the extracted stones are all the same or of different nature.

Sunk in the Sea

Ships, submarines, aircrafts, shipments and merchandise, etc. that sink in the sea are not subjected to khums if they are salvaged, for this is not deemed to be [extraction through] diving.

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However, in the case of gemstones sunk in the sea there are two possibilities, and the safer of the two is to pay khums, on the grounds that it would not be a stretch to categorise the recovery process as diving.

3. Spoils of War

If the Muslims fought the non-believers by the command of the ma‘şoom Imam, peace be upon him – or by the command of his representative even if [he is not one of the four specific representatives directly appointed by the imam, but] he is a fully qualified *faqih* who meets all criteria⁵⁶ – and in that battle they obtained spoils of war, it is mandatory, after deducting the costs of safekeeping and shipping the goods, and after deducting what the imam sees prudent/appropriate to spend, and after taking away what belongs to the Imam, peace be upon him, such as the Şawāfi⁵⁷, then the rest is subjected to khums.

4. Treasure Troves

A treasure trove is a property that is hidden in the earth, or in a mountain, or in a wall such that it is called a treasure trove.

If a treasure trove is found on land that does not belong to anyone, then it belongs to the finder and he must pay khums on it.

The *nişāb* or threshold of the treasure trove, regardless of whether it is gold or silver is the first of their *nişāb*, which will be explained in the Zakāh section, and if, after deducting the costs and expenses of its excavation, it reaches the limit of the *nişāb* its khums would be obligatory.

5. Ḥalāl wealth mixed with Ḥarām

If ḥalāl wealth is mixed up with ḥarām to such an extent that it is not possible to distinguish one from the other and the owner of the wealth does not know the ḥarām wealth and its amount, it is obligatory to give the khums of the total sum. After paying khums, the rest of the wealth becomes ḥalāl.

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Q: What is the ruling on buying and selling shares in interest-bearing banks with the intention of profiting from shares? And what is the ruling concerning the profits gained? Is it obligatory to apply khums to them to purify them from ḥarām, given that the profits may be from dealings of mixture of ḥalāl and ḥarām?

A: One may participate with the prior permission of the Ḥākim al-Shar‘ie (marje‘), and must apply khums to the profits.

Other cases of mixing up ḥalāl and ḥarām

1. If ḥalāl wealth is mixed with ḥarām wealth⁵⁸, and the amount which is ḥarām is known, but its owner is not, then it is mandatory to make a charitable contribution (*ṣadaqah*) in that amount on behalf of its owner.
2. If ḥalāl wealth is mixed with ḥarām wealth, and the amount which is ḥarām is not known, but its owner is known, then it is mandatory [for the possessor and the owner to settle this and] to come to an agreement acceptable to both.

But if the owner of the wealth is not satisfied [by the agreement], and if the person currently in possession learns that something in particular in his possession belongs to that [other] person, but is not sure whether or not the ḥarām wealth is restricted to that thing or not, it would be mandatory to give to the owner that which he is certain about, but as per mostaḥab precaution, he should give more than what he suspects is his.

3. If ḥalāl wealth is mixed with ḥarām wealth, the amount which is ḥarām is known, and one knows that the property belongs to one person out of known group, but does not know who in particular out of that group is the owner, as an obligatory precaution, he should satisfy all, and if they are not contented, then it would be mandatory to divide the wealth between those people equally.

Q1. Is it permissible for a Muslim to sell ḥarām products along with permissible ones, and then applies khums to the mixed profits so that his money becomes ḥalāl?

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A1. It is not permissible, and if one does that then he is not entitled to the proceeds of the sale of the ḥarām product. They are treated as part of *madālim*.⁵⁹

Q2. What is the ruling if one handles money that is mixed up with ḥarām money and it is all used up before applying khums?

A2. one must settle (moṣālahah) with the marje‘ concerning the khums.

6. The Land that a Dhimmi Purchases from a Muslim

If a Dhimmi purchases land from a Muslim, it is obligatory for the Dhimmi to pay the khums of the land itself or of his other wealth/property. However, if he buys a house or a shop and suchlike, then it is mandatory to pay the khums as per precaution.

If the Dhimmi sets a condition, at the time of purchasing the land from the Muslim, that he does not have to pay khums, his condition is not valid, and the Dhimmi is obliged to pay the khums, but if he sets a condition that the seller pays the khums, his condition is valid.

7. Profits and Gains from Earning and Trade

It is obligatory to give khums on annual income that is surplus to the needs and expenditure of the individual and those of his family, as detailed later. The income may be through trade, manufacture, etc. or even such means of earning as offering missed prayers and fasting on behalf of a deceased person.

Setting the beginning of the fiscal year

It is mandatory for the businessman, shop owner, professional, and suchlike to give khums – at the end of the fiscal year of their business – on [money] that is surplus to their annual expenses.

Similarly, it is mandatory for an unemployed person, who occasionally or unexpectedly makes a gain, to give khums on that which exceeds his annual needs, after a year has passed from the time he made that gain.

Zakāh

If a person, such as a businessman or a trader, who is required to set the start of his fiscal year, makes a gain during a year and then dies during that year, then it is mandatory to deduct his expenses up to the moment of his death, and then give the khums on the remainder.

Mahr

Khums is not applicable to Mahr.

Q1. If a husband, who has not paid khums, gives his wife the Mahr, is it the husband's duty to pay khums on the mahr, or the wife's?

A1. It is the husband's duty to pay khums on this wealth, and if he does not, then it is duty of the wife.

Inheritance

No khums is payable on inheritance.

If one inherits money and learns that the testator did not pay khums on it, then it is the beneficiary's duty to pay the khums. Furthermore, if the beneficiary learns that khums is not payable on the money which has passed to him, but learns that the *mowrith* – the testator from whom he has inherited – owed khums on property other than that which he inherited, then it is his duty to pay khums out of this money which has passed to him.

Q1. A man buys a piece of land with *khumsed* money – i.e. money out of which khums has already been paid – and after his death his son sells the land. Is the son required to pay khums on the proceeds?

A1. Khums is not payable on inheritance.

Q2. If a *mokallaf* dies, what is our responsibility towards him; firstly if he kept an annual account of khums, and secondly if he did not?

A2. If you do not know whether or not he used to give khums, then you have no duty to discharge. However, if you know that there is khums liability on some of his property or on all of it, then it is mandatory to pay khums [on his behalf].

Economising in spending

If one manages to save something through being economical in expenditure, then those savings are liable to khums, and [khums is payable on those savings].

Surplus to Expenses

A person with more than one job or source of income, for example one who rents properties, buys and sells commodities, and farms as well, has to pay khums on whatever is surplus to his annual expenses at the end of the year. If one makes a profit in one business and a loss in another, then he can offset the loss with the profit and pay the khums on the remainder.

Business overheads and expenditure – such as those paid for delivery or for the agent – may be treated as essentials.

Expenses of the year

The amount one spends – from the year's business gains and profits – on food, drink, clothing, household furnishings, house purchase, marriage, daughter's dowry if it cannot be provided at the time of her marriage, ziyārah, and suchlike are not subject to khums, if this expenditure is not beyond one's status and one has not been extravagant. Money spent on *nadhr* or *kaffārah* is treated as expenses of the year, as well as that which is given away to another person as a gift or as a prize, provided it is not beyond one's status.

Furthermore, money spent on hajj and other ziyārāt is treated as expenses of the year in which the journey begins, even if the journey continues into the following year.

If one makes a profit from business and trade, but has other money that is not liable to khums, then it is permissible for him to pay for his year's expenses out of the earned profit only.

Capital

If one does not make profit during the beginning of the year, and spends from the capital, but before the end of the year makes some profit, one may then deduct what he spent from his capital during the year from this profit.

If some of his capital is destroyed/lost-in-trade, but he earns off the back of his remaining profit in excess of his annual expenses, then it is permissible for him to offset his capital losses with his other profits.

If one is in partnership with another, and pays khums on his profits, while the other partner does not pay khums and he adds his profit on which khums has not been paid to the capital, then it is permissible for the partner who has paid khums to handle and deal with the capital (of the both partners). However, if the partner brings forth his share of the capital on which khums has not been paid and places it in the overall shared capital, then as an obligatory precaution [the partner who pays khums] needs the permission of a marje' to handle this capital.

Debts one is liable to

Q1. In Lebanon there is a house mortgage of a particular amount that one borrows from the government, and pays back in instalments over 20 years at an interest rate of about 9%. Is this permissible? And if yes, is khums payable on the money borrowed or that which is paid back?

A1. It is permissible in cases of urgent need for this kind of loan, and it is not liable to khums [i.e. there is no khums payable on it].

Q2. If money borrowed remains in its entirety at one's disposal at the end of the year, is it liable to khums? What if this money is converted into commodity for trade, or if one buys with it [i.e. the borrowed money] something that is surplus to needs for that year?

A2. Borrowed money is not liable to khums [and thus there is no khums payable on].

Money used to pay off debts

If one borrows money – at the beginning of one’s [financial] year – to pay for expenses, but before year end, makes some profit, one would be permitted – before the beginning of the following year – to use the profits earned to pay back the money borrowed at the beginning of the year.

Q1. Is khums payable on a sum that the borrower wants to use to pay back his debt?

A1. If one does not pay off one’s debts and the sum remains in one’s possession at the beginning of the new financial year, the strongest evidence indicates that khums is payable on that sum.

Q2. If one builds a house with borrowed money, and makes loan repayments in instalments, and then after a period of paying back the instalments, wishes to start giving khums for the first time, what are one’s obligations with respect to this house? Is he required to pay khums on the instalments he has already paid, or does one reach a settlement – *moṣālahah* – with the *wakeel* on this? And what about the remaining instalments?

A2. Khums is payable on the instalments which have already been paid, but not on the rest because they are [still part of the] loan.

Q3. If one builds a house with borrowed money, and makes repayments in monthly instalments, for example, and sells the house after having paid off some of the instalments, is khums payable on the entire property value?

A3. He should deduct his remaining debt from the [property] value and pay the khums on the rest.

Loans one has given

Q1. If at the beginning of the financial year one finds that some or all of his profits are loans he has given [to others], then is it one’s duty to pay khums on those loans he has given out?

Zakāh

A1. He has the option of either paying khums on them at the start of the [financial] year or to pay khums on them whenever they are given back to him.

Children's property

If a child extracts a mineral, or owns wealth/property that is mixed with Ḥarām wealth, or if s/he uncovers a treasure trove, or if s/he collects gemstones through diving, it is the duty of the child's guardian to pay khums on whatever comes into the child possession, as per obligatory precaution.

If a small child has capital and earns profit off the back it, his/her guardian should, as a precaution, pay khums on his/her behalf. Otherwise it is the child's duty to pay khums after *boloogh* [reaching the age of adolescence, maturity and accountability].

If one does not pay khums on his/her property/wealth from the time one becomes *bāligh* onwards, and buys non-essentials from the profits of one's business, it becomes one's duty to pay khums on them. However, if one purchases essentials proportionate to one's status; and does so in the same year one makes the profit, then there is no khums liability. If one does not know whether one bought it in the year one made the profit or after the end of the said year, one should, as an obligatory precaution, make a *moṣālahah*, or come to a settlement, with the Ḥākim al-Shar'ie.

Q1. Is khums payable on my five month old infant's property, such as nappies, creams, medical items, and clothing items which have not yet been?

A1. Khums is payable on a child's property and the guardian should pay it [on his behalf out of the child property].

Non-Mokallaf

Q1. If one becomes liable to pay khums before he goes insane, does his family have a duty to pay khums on his property/wealth [afterwards]?

A1. It is his guardian's duty [to pay khums].

Acts of Worship

Q2. If one loses one's senses and awareness due to old age or illness, is it the duty of one's eldest son to pay khums on one's wealth during this time?

A2. Khums is payable on one's wealth, and [one's son] should seek the permission of the marje' to pay the khums.

The less well-off

Q1. As is well known, an individual in the west receives monthly sum from the government in welfare benefit or monthly support as a refugee. Is it mandatory to pay khums even if this money is sometimes not enough?

A1. If there is anything left over after essential expenditure, khums is payable on that sum.

Q2. I am an employee and have a limited income which does not cover me for the whole month. I wish to pay khums for the first time. Given that khums is only payable on what is left over after essential annual expenditure, how do I pay khums if my income does not cover me for the whole month?

A2. If in the past, you did not have any amount left over after the essential expenditure, then you are not liable to pay khums.

Q3. Is it permissible for a Muslim to have a sealed money box which is not opened for over a year, knowing that khums will not be paid on the money saved in the box until after it is opened, and that this will be after the date that he has set as the beginning/end of the financial year for khums payment. The individual concerned is a poor person. He may eat one day but not eat another and he does not have a regular monthly income.

A3. He must seek the permission of the marje'.

Ruling on a person who does not pay khums

Q1. If a person performs prayers while wearing clothes that are liable to khums [and it has not been paid], then the prayers are invalid. Does this mean that the person must repeat his prayers?

A1. The prayer is valid if it is said with the permission of the marje' [or following settlement (moṣālaḥah) with him].

Q2. Is it true that prayer is invalid if performed in a garment on which khums has not been paid?

A2. Its validity is questionable unless a settlement has been reached with the marje' or his permission has been obtained.

Q3. If one's wealth/property is liable to khums, is it the case that every garment purchased with monies on which khums is payable is considered usurped, and wearing it and offering prayers in it is not permissible?

A3. It is not permissible, except with the permission of marje'.

That which is liable to khums

It is not permissible to handle and use the money one is certain it has not been khumsed [i.e. khums has not been paid on it]. However, if one doubts as to whether or not certain money has been khumsed [i.e. khums has been paid on it], then it would be permissible to handle and use it.

Q1. What is the ruling on using the wealth that has become liable to khums before deducting the khums from it?

A1. If the new (financial) year has begun, then it is mandatory to deduct khums from [the wealth], and khums must not be used except with the permission of the marje'.

Q2. If one rents a house and knows that the owner does not pay khums, is the prayer performed there valid?

A2. It is valid with the permission of the marje'.

Acts of Worship

Q3. Is it permissible to accept the invitation of one who does not pay khums on his wealth?

A3. Yes, but he should deduct the equivalent value of the khums of what he eats and so on – i.e. whatever he uses or knows that that in particular is liable to khums. Alternatively, he should settle with the *marje'* or his *wakeel* as a precaution.

Q4. What is the duty and responsibility of sons and daughters whose father pays for their expenses in terms food, drink and other expenses but he does not pay khums? They pay khums on their personal property and holdings.

A4. They should settle or do the *moṣālahah* for what they eat and drink and suchlike; whatever they specifically know to be liable to khums.

How to calculate the khums payable on your property

FIRSTLY: Decide on a start to your financial year

Q1. A lady is not in employment and receives no regular income, except for a small sum annually, once or twice a year. She only receives the sums she is in particular need for it, and she spends some of it on charity. Is she required to pay khums on this sum?

A1. It is imperative for her to set a date for the beginning of her financial year. Then when that time comes, if she has anything left over from the original sum then khums is payable on that.

Q2. Is it mandatory for one to set a particular date on which to pay khums, or is sufficient to allow a year to pass without using his property [before giving the khums]?

A2. One must set a specific day in the year [to pay khums]. Alternatively one is obliged to pay khums on everything immediately it comes into one's possession.

Q3. How does a *mokallaf* set date for the beginning of the financial year in order pay khums on his wealth?

Zakāh

A3. He can do so by choosing a day in the *hijri* calendar and setting it as the start of his financial year.

Q4. Is it obligatory for me to set a date for the beginning of [the financial] year if I wanted to calculate the khums payable on my wealth?

A4. Setting a particular date for the beginning of [one's] financial year is the easiest way for the *mokallaf* [to calculate and pay khums]; otherwise he would be obliged to pay khums on everything immediately it comes into his possession after deducting his costs from it.

Q5. If one pays for the expenses of others, is he obliged to specify a fiscal year start for himself in order to pay the khums of the surplus to his requirement?

A5. Yes it is obligatory.

Delaying the Khums

Q1. What is the ruling of delaying the [payment of] khums until a later date?

A1. It is not permissible except with the permission of the marjē⁴.

Q2. What is the ruling of one who delays the khums deliberately or negligently?

A2. In the deliberate case, it constitutes a ḥarām and also he remains liable to it, while in the case of negligence he remains liable to it even if he does not commit a ḥarām. In both cases he must settle – enter into *moṣālahah* – with the Ḥākim al-Shar‘ī.

Q3. if one does not pay the khums on the start of the year one has set for himself, and after a while he wishes to calculate and deduct the khums, should the value at the time of the year start be considered or that of the time of deducting the khums (regardless as to whether the wealth is cash or other commodities).

A3. That of the year start should be considered.

Changing the Khums Date

Q1. Is it permissible to bring forward the date of paying the khums?

A1. Yes it is.

Q2. Is it permissible to delay/put back the date of paying the khums?

A2. It is with the permission of the Ḥākim al-Shar‘i, or by giving the khums for the period between the start of the year and up to the time of postponement.

Q3. What is the ruling concerning one who has forgotten the date of his khums year start?

A3. He should set a new date close to the original one if he knew its proximity; otherwise he should observe precaution [by choosing the nearest date].

Khumsing for the First Time

Q1. When specifying the start of the fiscal year, for one who has never calculated and given khums before, is it mandatory to take into account everything in his possession?

A1. Yes through *moṣālahah* with the *marje‘* or his *wakeel*.

Q2. If one wants to calculate the khums for his property for the first time, is it mandatory for him to take into account every possession of his such as his house furniture, car, clothing, and suchlike in addition to his money and the monthly salary from which not much exceeds his expenses, and those are used for travelling and suchlike?

A2. It is mandatory to take into account all that, and then come to a settlement with the Ḥākim al-Shar‘ie on matters such as house furniture.

Q3. One who never paid khums throughout his life and wishes to subject his possession to khums will he be let off with respect to his house, his car, his clothes, and suchlike that are the belongings that he require and subject the remainder of his wealth to khums?

Zakāh

A3. He would come into settlement – *moṣālahah* – according to the view of the Ḥākim al-Shar‘ie.

Q4. One who has never given khums in his life, is it possible to forgive him on certain belongings such as his house, car, furniture, clothing, or is mandatory to subject everything he owns to khums because they are not khumsed?

A4. Should come into a settlement – *moṣālahah* – with a fully qualified faqih or his wakeel by paying one third of the khums or similar.

Q5. A married lady did not pay khums from the age of her adolescence until she was married, but set a date for her fiscal year without paying khums. How does she pay khums from now on, and how does she come into *moṣālahah* (settlement) with her marje‘?

A5. Should refer to the wakeel for *moṣālahah* [to settle past issues], and the new fiscal year begins after the khums has been carried out.

SECONDLY: Khums of Surplus Cash

Q1. If one receives cash sum, of one thousand Rials say, one week or one month before the start of his fiscal year, is it mandatory to subject the said sum to khums, or should he set a different year start?

A1. Yes, it is mandatory to subject the said sum to khums.

Q2. Is it mandatory to subject to khums the sum one receives from insurance companies in accordance to the [insurance] contract with respect to damages or injuries?

A2. If that is at or near the time of the start of the fiscal year, then yes it is mandatory.

Q3. If one’s salary is delayed, and his new fiscal year starts, in this case is one required to khums the delayed wage (when he receives it), or can he consider it as the profit of the following year?

A3. He must khums it and it is considered as the profit of the previous year.

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Q4. Does receiving a cheque constitute receiving the cash itself as far as the obligation of the khums is concerned, as well as [the obligation of] repaying the debt, returning a deposit, paying the wage of a worker, etc.? Or are there details to the case?

A4. If the cheque is backed up by the balance in the account and it is due, then receiving it constitutes reception of the cash, and its rulings apply.

Q5. Is it mandatory to khums the interests of khumsed wealth?

A5. If by ‘interests’ it is meant ‘bank interests’, then it is mandatory to khums them as soon as they are credited to the account, and then to khums the rest of them at the end of the khums-year or fiscal-year. And if they are meant “other interests”, it is sufficient to khums them at the end of the fiscal year if they were surplus to the annual expenses.

Q6. The money that husband gives it to his wife, or the father to his son or daughter, regardless as to whether for their personal expenses or other than that, if the money of the father is khumsed, is it mandatory for them khums this money at the start of their khums-year?

A6. Yes it is mandatory.

The Money for Marriage or Travel

Q1. The money that a refugee, to Europe for example, saves to help him with his marriage or with travel to his country for example, is this money liable to khums?

A1. Yes, as per obligatory precaution, he should khums the money.

Q2. I am a young employee and I have some wealth, and I khums every year, and I am planning to marry, do I have to khums the surplus to my expenses now or can I delay it after my marriage?

A2. It is mandatory to khums at the start of the fiscal year, and if you cannot pay what is due in full, you may do so in instalments.

Q3. If one is planning to marry and is not able to acquire the necessary fund in a short period, and starts to save the fund gradually every month

Zakāh

say 2000 Rials, then at the end of the fiscal year is this fund that is being saved to go towards the marriage purpose liable to khums?

A3. Yes it is liable to khums.

Q4. If one puts aside some fund for optional hajj and suchlike, or deposits the money in the bank for hajj, or buys an air ticket before the onset of the new fiscal year, is this considered as amongst the expenses of the previous year?

A4. [No] but rather it is liable to khums.

Money for buying land and suchlike

Q1. I am saving money in order to buy a piece of land and build a house, and building the house may take several years. Is this particular saving liable to khums?

A1. Yes it is liable to khums as a precaution, with the exception of the expenses in the year the house is moved in.

Q2. Is the money that is being saved to buy land or build a house liable to khums on the start of the fiscal year, given that this saving is not used for other than the said purpose?

A2. Yes it is as per obligatory precaution.

Q3. My wife and I both work and we both save some of our money for investment and buying international shares over the internet and shares in IT. What is the ruling concerning the savings that we make in order to buy a house, and is the money saved for the purpose buying a house liable to khums?

A3. The surplus to expenditure is liable to khums as per obligatory precaution, and if you buy a house before the start of the fiscal year then that constitutes amongst your expenses. However, before buying the house, it does not constitute amongst the expenses, except for the year in which you move in to the house.

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Q4. If one needs a house, and it is not possible to buy or build one except from several years' profits, then are those profits liable to khums?

A4. The answer is as that of the previous case.

The Capital

Q1. Is it mandatory to khums the business capital whether one's affairs and livelihood depends on it or it does not, and regardless as to whether or not one needs to use the capital for his livelihood?

A1. Yes it is mandatory in either scenario.

Q2. If one trades in currencies, is it mandatory to khums the rise in the value of the currencies?

A2. Yes it is mandatory to khums the rise.

Shares

Q1. If one buys shares in a bid to rely on their value afterwards to build his house, but this needs several years, would they be liable to khums? What if one transfers these shares to another scheme where growth is greater in order to use the money for building his house? Would they be liable to khums?

A1. It is mandatory to khums in both cases, as per obligatory precaution.

The khumsed is not liable to khums

Q1. If certain money is khumsed, should one khums it again when he reaches the age of adolescence as part of the process of khumsing all his properties and possessions? It should be mentioned that the father of the individual concerned khumsed the sum and not the one who has just reached the age of adolescence.

A1. He should khums whatever that has not been khumsed from the time of being in his possession, and [his possession] that has been khumsed by his father is not liable to khums again, unless they rise in value.

Zakāh

Q2. I had one thousand Dinār and I khumsed it, and after some years I sold them and the value remained surplus to my annual expenses. Do I have to khums this sum?

A2. The khumsed is not liable to khums.

Account balance and khums

Q1. Is it true that at the time of working out the khums one should deduct the money one had at the beginning of the year and khums the remainder? For example if one had one thousand at the beginning of the year and at the time of calculating the khums he had two thousands, then he should deduct one thousand and pay the khums of the other thousand?

A1. If he had paid the khums of the first thousand, then he is only liable to pay the khums of the other thousand.

Q2. If one pays out the khums of his wealth and he has left say \$100 that is khumsed, and in the second year he has left \$50 only. For the purpose of khums calculation in the third year, is the khumsed amount that is not liable to khums \$100 or \$50?

A2. [The existing] \$50 only is not liable to khums.

Q3. If the khumsed sum is \$100 and this is exchanged to Yens and then the value of the Yen currency increases, is the increase in value liable to khums?

A3. Yes, it is liable to khums.

Q4. If the khumsed wealth is exchanged to another currency, and then its market value is increased, at the start of the fiscal year is the increase in value liable to khums or the entire sum? And is there a difference between if this is for business or not?

A4. At the start of the fiscal year the increase in value is liable to khums and there is no difference between the two.

Q5. If one khumsed 1000 [unit of currency] and remained 800 for him, then in the following year is the surplus that is liable to khums that

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which is over the 800 or over 1000? And is the criterion being surplus to expenses or that it is not needed in principle regardless of the saving of 800?

A5. The amount that is surplus to the previously khumsed wealth, i.e. the 800, is liable to khums. The criterion is to subject to khums all that is surplus to annual expenditure. If the surplus [amount] has been khumsed then it is not liable to khums, and if there is any amount that has not been khumsed then it is liable to khums.

Q6. If a number of individuals formed a “monetary group”, such that every one pays 1000 Rials [a month], and say there are 10 people in the group, resulting 10,000 Rials is paid every month to one of the group in turn. Thus if it is start of the fiscal year and one receives this sum, is one obliged to pay the khums for this entire sum, given that he will make monthly payment of 1000 Rials and therefore the sum would gradually be given back. All that there is that he uses the sum at a given time for investment, or for his annual expenditure, and suchlike.

A6. The instalments you have already paid are liable to khums, and they become your property.

Q7. If the start of one’s fiscal year is the month of Muharram and he has \$1,000, and the next Muharram he has \$800, and the third Muharram he had \$900, is he obliged to khums the extra \$100 or not? And if in the fourth Muharram he had \$1,100, does he pay the khums of the extra \$100 compared to the first Muharram or the extra \$300 compared to the second Muharram?

A7. The criterion is that [the sum] at the onset of every year is compared with that of the preceding year. In this case, in the second Muharram one is not liable to khums, in the third Muharram he should khums the extra \$100, and in the fourth Muharram the unkhumsed \$220 should be khumsed.

THIRDLY: khums of items surplus to requirement

Q1. A cleric normally needs various books, but some of them may remain unused for a year, would these be liable to khums, given that they are commonly considered as a requirement?

A1. Whatever is commonly considered as a requirement is not liable to khums.

Q2. If a student needs text books but he does not need them until the near future, are they liable to khums if one does not use them after a year has passed since the time of their purchase?

A2. One should give the khums as a precaution.

Q3. An individual wants to migrate to another country and so he sold all his belongings that he needs such as fridge, washing machine, etc. so that he could buy their equivalents in the country he is migrating to, and before he buys the goods his fiscal year begins, so is the furniture sale proceed liable to khums?

A3. In the given scenario they are liable to khums.

Q4. If the *mokallaf* buys something in the belief that he needs it, and then it turns out that he is not in need of it, is this item liable to khums?

A4. Yes it is liable to khums.

Q5. If the *mokallaf* buys something with the intention of keeping it to sell afterwards when its price has risen, is this liable to khums?

A5. Yes it is liable to khums.

Q6. Last year I deducted the khums from my wealth, and this year at beginning of the new fiscal year I deducted the khums too, but I am uncertain whether or not I subjected my mobile phone that I have had since last year to khums. Am I liable to anything?

A6. With most probability the mobile phone is a requirement and thus is not liable to khums.

Q7. If one's hobby is stamp or coin collection, then is one obliged to khums them?

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A7. If they are of a value such that they are bought and sold then they are liable to khums.

Gift

If one obtains some wealth not through working, but if it were given to him as a gift, and then if some of it remains surplus to his annual expenditure, he should give the khums of the surplus.

Q1. Is the [money-] gift liable to khums?

A1. If it is not consumed during the year then it is liable to khums.

Q2. Is the gift that remains unused for a year liable to khums?

A2. Yes it is mandatory to give the khums.

Q3. Is it mandatory to khums the gifts immediately or at the start of the fiscal year if it still remains intact?

A3. They should be khumsed at the start of the year.

Q4. If the *mokallaf* has less possession this year compared to the previous year, but he has gifts and items that he has bought but not used, are they liable to khums regardless of his capital?

A4. Anything that exceeds his khumsed property from his previous year and is khumsable is liable to khums.

Q5. What is the ruling of the gift or money-gift as far as khums is concerned? If one does not know its cost, does one evaluate its cost and give its khums?

A5. One should evaluate it and give its khums if it were not a necessary requirement.

Q6. Is it mandatory to khums the money-gift before the passing of one year on it? And what about a gifted item?

A6. It is not required to give the khums, and the criterion is the passing of one year.

Surplus of foodstuff and other goods

If the foodstuff one has bought and stockpiled for his needs for the year exceeds his needs, then it is obligatory for him to khums the surplus as a precaution. If one wishes to pay [the khums] in terms of the price of the surplus foodstuff, and that the price of the foodstuff has risen compared to the price it was bought on the day of purchase, then he must pay according to the current price at the end of the year.

If one buys furniture for his house from the profits of his trade before paying the khums and then he no longer needs that furniture, he must give the khums for that furniture.

The same goes for the case if one buys jewellery and other female adornments, and the lady no longer uses them, and they are no longer within her dignity to wear.

Q1. Is the gold jewellery that the wife uses them most of the time liable to khums or zakāh if some of the jewellery is gift and the other she bought from non-khumsed money?

A1. If she bought it with non-khumsed money⁶⁰ or if it were surplus to the annual need, she must give the khums.

Is a building liable to khums?

Q1. If the new fiscal year starts and the building of the house is not yet finished, is it correct that no khums is liable because this is part of the expenditure, or moṣālahah should be entered into, or is it liable to khums as the criterion [for khums liability] is the beginning of the new fiscal year?

A1. if one builds a house for his residence, if it is completed during the year then he is not liable to khums as this is considered as part of the expenditure, but if the new fiscal year starts [and the building is not complete] then he is liable to khums for it is not considered as part of the expenditure of the same year. If one is less well-off, then moṣālahah may apply.

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Q2. Building a house normally takes a year or more in our country, so if the foundations were laid in the first year, say, and in the second the columns and the roofs are completed, and in the third it is furnished with furniture and other necessities, does one have to calculate building expenses at the end of the fiscal year and pay the khums for them? Or are these costs considered as part of the expenses and therefore they are not liable to khums? Is there a difference between whether the house is for personal use or for renting and suchlike?

A2. It is considered as part of the expenditure if it was for personal residence and one took up residence in the same year. However, if it took more than a year then may do *moṣālahah* with the Ḥākim al-Shar‘i. If it were for letting and suchlike, then it is liable to khums.

Q3. If one borrows money to build his house – and it is known that this loan is not liable khums – but what is the ruling if this loan is not sufficient for the said purpose and that one resorts to using the annual profits of his business? Does one have to calculate the expenses he spends for the building project and pay their khums? Or are they considered as part of his annual expenditure and therefore they are not liable to khums? If khums is obligatory, is there a difference between the case of completing the building work and moving in the same year, and the case of the building work lasting into the second year before moving in?

A3. The answer is the same as the one to the previous question.

Q4. Members of my family own the house which they currently live in. Are they obliged to pay the khums of the house and its furniture, given that they do not own the foodstuff for the year?

A4. One must come to a *moṣālahah* with the Ḥākim al-Shar‘i if one were to pay the khums for the first time.

Is Land liable to Khums?

Q1. I bought a piece of land for 500 Dinār with the intention of it being an opportunity to provide some income. After a while I sold it and

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bought a bigger piece for 12,000 Dinār with the intention of building a house. When is it obligatory for me to pay the khums for that?

A1. When a year passes [since the purchase of the land] it becomes liable to khums.

Q2. Three people each bought a piece of land. The first built a house on the land and took up residence in it before the passing of one year [since its purchase], the second began building the house before the passing of one year, and the third left it as it was until a year had passed. What is the ruling of khums liability for each one of them?

A2. The first is not liable to khums, the second should give the khums as a precaution, and the third is liable to khums.

Q3. The land that the government grants to individuals to live/reside on, is it liable to khums and when?

A3. If one does not reside in it in the same year it becomes liable to khums.

Q4. If the father bestows a land to the son, but the latter is not able to build it and reside on it, after the passage of many years what is his khums liability? And if he is liable to khums after the passage one year [since being in his possession] but the son does not own the money to pay the khums, like he is a student or poor, what should he do?

A4. He is liable to khums, and he should pay when he can.

Q5. An individual used to own a land that he had bought in order to build a house for himself. But he moved to another country and therefore sold the land. However, he is still in need of a residence, and the price of that land constitutes only part of [the price of] the residence today. Is he liable to khums that sum or not?

A5. If he owns a land and then he sold it and bought a house and resided in it before the start of the khums year, then he is not liable to anything. Otherwise he is liable to khums. Of course if he is poor, it would valid for him to settle the case – *moṣālahah* – with the Ḥākim al-Shar‘ie or his authorised *wakeel*.

Work Equipments and Business Capital

Q1. The business premises that is bought freehold or leasehold together with the tools of trade, if the khums due is deducted in the first year, then will it be considered to be amongst the tools that are not required to be taken into account and valued as part of the business wealth for every year, and therefore khums would not be applicable to the increase in value unless after selling it and determining the profit from it, or should it be considered as part of the business capital that should be taken into account every year, thus its value should be noticed in order to work out the khums on that basis?

A1. Value increase is liable khums every year.

Q2. As far as the business asset is concerned, what value should be taken into account; the purchase value, the sale value or somewhere in between? (The question is how should the business capital be calculated?)

A2. The value of the day in which one wants to work out the khums should be taken into account.

Q3. One who wishes to begin khumsing, so does he enter moṣālahah – settlement – over the tools of the trade or should he subject them to khums?

A3. He should subject them to khums.

Q4. If at the time of working out his khums one has business tools that he has bought during the year, should these tools be considered as part of the capital or not? And if they are considered part of the capital, should they be valued at the purchase value or their current value?

A4. They are liable to khums at their current value.

Lost Items

Q1. If at the time of calculating the khums at the start of his fiscal year one has items that are surplus to his needs but he lost them before the day of working out the khums, and then he found them after the start of the new fiscal year, is he liable to their khums?

A1. Yes he is liable to their khums.

FOURTHLY: Bank Interest Khums

Q1. How should the interests that are added to savings in interest-bearing banks be handled?

A1. They are considered amongst the *majhool al-mālik*, and it is mandatory to khums them and then it is permissible to take the rest.

Q2. Is it permissible to deposit money in interest-bearing banks after the permission and agreement of your *wakeel* and how do we deal with the interest paid?

A2. See the answer of the previous question.

Q3. Is it permissible to deposit money in banks that give interest on deposits with my prior knowledge of this and even if I do not precondition that?

A3. See the answer of the previous question.

Q4. What is the ruling concerning the dealing with interest-bearing banks despite there being Islamic banks in my country, and what do I do with the interests paid, given that I do not seek them but they are added to the account without requesting them?

A4. If the banks were non-Islamic then it is permissible but the khums of interest must be paid immediately. As for the Islamic banks, if the interest is not a precondition, then one should similarly pay the khums.

Q5. I have an account in a private interest-bearing bank, and it pays me interest without requesting it, but in accordance with its regulations, what do I do with them?

A5. They are considered amongst the *majhool al-mālik*, and you are liable to their khums and the rest is permissible to take.

Q6. Is it permissible to deposit money in interest-bearing banks, and receiving interest paid by them, and khumsing those interests – on the basis Ḥalāl wealth that is mixed with Ḥarām wealth – as you are

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reported as saying – given that the interest is all ḥarām, or is it on another basis?

A6. It is on the basis of it being *majhool al-mālīk*, one should pay the khums in the case of government banks.

Q7. What is your opinion regarding bank interests, given that the banks in our country are of two types – international and private – and in some of the banks it is conditional that profit and loss are shared?

A7. One should pay the khums of the interest of the international banks.

Q8. If one wishes to deposit money in a bank and they ask him, “do you want the interest of the deposit or not?” can one ask for the interest without specifying its amount, as in the case of *majhool al-mālīk*, as in the case of accepting interest without precondition?

A8. It is permissible with [prior] permission of the *Hākīm al-Shar‘ie*.

Q9. A piece of land which is subject to *waqf* – endowment – is sold to buy another property instead, and the sale proceed is deposited in a bank account and its value increased. Is it necessary to give to charity some of the interest to the poor or is the interest considered part of the *waqf*?

A9. The interest should be khumsed to begin with – on the basis of Ḥalāl wealth that is mixed with Ḥarām wealth – and the rest of the interest is added to the main sum.

FIFTHLY: Matters in which Moṣālahah apply

Q1. In the case when I do not know the value of the khums I am liable to, is it permissible for me to do *moṣālahah* – settlement – with the authorised *wakeel* on the value I think I am liable to, and afterwards when it becomes evident the correct value I am liable to I will rectify the *moṣālahah* settlement?

A1. If the settlement is in lieu of all that one is liable to, then this discharges his obligation, and if it is about a particular quantity or entity and it turns out that his estimates are incorrect, then he should pay the khums of the rest.

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Q2. One who used to khums before but stopped doing so for a number of years, and wishes to begin observing the khums again what does he have to do? Should he khums on the basis of his old capital, or should he start anew as if he never khumsed before?

A2. He should start anew, and do moṣālahah with the Ḥākīm al-Shar‘īe.

Q3. Does the moṣālahah that is done for khums take into account the cash or other items such as the car, watch and suchlike as well? Is it applicable to additional things that are considered necessary personal items such as one’s TV set for one’s work and another for his house, or even two more TV sets for the house, in different rooms?

A3. Anything that is surplus to the needs of the household is liable to khums.

Disposal of Khums

The khums must be divided into two parts:

1. Sayyids’ Share

It is mandatory to give this share to the Sayyid who is poor, or the Sayyid who is orphan and poor, or to those Sayyids who are stranded without money in the course of a journey.

It is permissible to give the khums to the Sayyid who is not ‘*ādil* but it is not permissible to give it to non-Ithnā Ashari Imāmi.

If one is renowned to be a Sayyid in a country, it is permissible to give him the khums even if the giver is not certain of his Sayyidship.

It is permissible to give the khums to a poor Sayyid whose expenses are the liability of someone else, but that person cannot pay the expenses.

2. Imam’s Share

The other half of the khums is the share of the Imam, and during this era it is given to the fully qualified mujtahid who meets all criteria, or it is spent on matters that that mujtahid give permission to.

Miscellaneous

In Lieu of Khums

If one has given a loan to an individual who is qualified to receive khums, it is permissible for creditor to adjust his debt against the khums payable to him (and he may consider the khums he is liable to as paid).

Moṣālahah

Q1. Is it permissible for the wakeel at the time of the moṣālahah not to take any money from the mokallaf?

A1. [It is] if the paying person is poor and suchlike, and depending on the limit of the authority of the wakeel.

Permission of the Mujtahid

It is not permissible to deduct the khums without the permission of the Ḥākim al-Shar‘i – from a wealth of a person that one knows he does not give khums – and give it to the Ḥākim al-Shar‘i.

Q1. Is it permissible for the wife to deduct the khums of the salary of her husband, who does not pay the khums, on monthly basis, without his knowledge and agreement – given that he is aware of his liability to khums?

A1. It is imperative that the wife enjoins her husband to good and to apply khums to his wealth as much as possible, and she should seek his agreement, and she should not do that if that causes the creation of problems between them.

Q2. Is it permissible for one who does not have authority or permission to work out the khums on behalf of another and give the wealth to the wakeels, and determines the khums amount, the moṣālahah, the *radd al-maḍālīm*, add and deduct as if he has authority or directive?

A2. It is imperative to seek the permission of the Ḥākim al-Shar‘i or his wakeel.

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Q3. Is it permissible for the *mokallaf* to give the khums to another marje' other than his marje' whom he follows, or the wakeels of other marāje', or does he have to give it to his marje' or his representatives?

A3. It is permissible with the provision that its disposal is similar [to one's own marje'].

Q4. Is it permissible to dispose or manage the share of the Sayyids without the permission of the marje'?

A4. As a precaution one should seek permission.

Q5. It may not be possible to find Sayyids who qualify for receiving khums, is it then possible to use their share for other projects and charity organisations and suchlike?

A5. It should be sent to the marje'?

Q6. The faithful in our country have grown used to paying the Sayyids' share without considering their need – that is they pay to Sayyids who are rich. What is your opinion about this?

A6. It is not correct to do so.

Q7. Does the individual paying the khums have a say on how the khums is used? Can he request marje' or his wakeel to use it for a particular purpose? Can he make it conditional for the wakeel to spend it for a particular purpose? Or he has no such right?

A7. He has no say on the khums other than he is obliged to pay it. Yes it is permissible for him to make a request, and conforming to it will be the right of the marje' or the wakeel and he has no right to impose on them [his request].

Khums for Charity

Q1. What is the ruling concerning using *al-ḥoquoq al-shar'iyyah* (the legal duties) in setting up charity and business projects for the purpose of charity? And will the individual managing these funds be liable if they were lost or damaged?

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A1. If one does so with the permission of the Ḥākim al-Shar‘ie then one would not be liable.

Q2. Is it permissible for one to keep part of his khums – with the permission of the authorised wakeel – to put in the family’s money box where the fund of this money box is used for charity projects?

A2. It is permissible if it with the permission of the faqih (Ḥākim al-Shar‘ie) or his wakeel.

Q3. Is it permissible to pay our khums to the Iraqi nation?

A3. With the permission of the faqih yes it is.

Q4. Is it permissible to financially help the needy from amongst the relatives and adjusting that against the khums?

A4. It is permissible to use the Sayyids share for that purpose if they were Sayyids and with prior permission [of the faqih].

Khums Payment in Cash

It is permissible to pay the khums of an item in terms of the item itself or pay its value.

Q1. Is it permissible to khums using another item other than the one that is liable to khums?

A1. It is permissible to pay the khums using cash but not using another item. (If for example cloths and garments were liable to khums, then one may not give books in lieu of khums, but one may pay the value of the cloths that are liable to khums in cash.)

Wakeel and Receipt

Q1. What do you mean by “the right of disposal in the one-third” for the representatives or *wakeels*? Is it meant the third of the entire khums, or one third of the Imam’s Share?

A1. It is meant one third of the total.

Q2. When I pay the khums to the charity committee that is responsible to deliver the khums and the nadhr to the marje‘ I receive a receipt for

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that so that I am sure that khums reaches the marje‘, in this case is it permissible for me to request the receipt?

A2. It is mandatory to ensure that the khums reaches the marje‘, and you have the right to request the receipt.

Instalment

Q1. Is it permissible to pay the khums in instalments if one is not able to pay in one go?

A1. Yes it is permissible.

Q2. What is the ruling concerning one who comes to a moṣālahah for khums between him and an authorised wakeel to pay in small instalments, but despite that he could not pay them for four years because of his inability to pay, and after that he gain the ability to pay. Should he pay the same amount agreed upon previously or should renew the moṣālahah with the authorised wakeel, and what about his acts of worship during the past years?

A2. He should pay according to the same agreement, and his acts of worship are correct InSha’Allah.

Loss of the Khums

Q1. I am liable to khums and I deducted it in order to deliver it to the Ḥākīm al-Shar‘i, but in the process it was stolen from me or I lost it. Am I discharged from my responsibility?

A1. Until you deliver it to the faqih or his representative (wakeel), you will not have fulfilled your duty.

Profits of the Khums

Q1. If one deposits the khums sum in a bank account and some interest are added to the sum, to whom does the interest belong?

A1. They belong to the khums.

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Q2. If one deposits the khums sum in a bank account and as a result he qualifies for certain banking facilities or banking credit, is it permissible for one to use these facilities for himself?

A2. Yes, and Allah knows best.

Radd al-Maḍālīm

Q1. What is the meaning of *Radd al-Maḍālīm*?

A1. When one is liable to other people's wealth, and he does not know their owners, he should give it to the Ḥākīm al-Shar'ī, in order discharge himself from their responsibility and consequences.

Q2. An individual went to hajj from Denmark by a grant and because of his trip his benefit were stopped for a month. Because of the financial hardship he borrowed some money, as he does not have any other source of income. Is it permissible to give him from the *Radd al-Maḍālīm* fund to meet his needs for this month?

A2. If he was poor it is permissible, and with the prior permission of the *faqīh* or his wakeel.

Part Two: The Rulings of Zakāh

Items liable to zakāh

The zakāh is mandatory and applicable to nine items which are:

1. Wheat
2. Barley
3. Date
4. Raisin
5. Gold
6. Silver
7. Camel
8. Cow
9. Sheep

Criteria for the Liability of Zakāh

The *niṣāb* (threshold)

Zakāh becomes obligatory and liable if the zakāh-item reaches the limit of the threshold or *niṣāb*, as detailed later, and if its owner is adolescent, sane, free, and able to execute and dispose of.

The Year

If one owns cow, sheep, camel, gold or silver, for the period of eleven months, payment of their zakāh becomes obligatory for him from the first of the twelfth month, as a precaution, but he must calculate the beginning of the following year after the completion of the twelfth month.

The time of the liability of the zakāh for Wheat and Barley is when they can be called Wheat and Barley, and the zakāh becomes obligatory when the Raisin, as a precaution, becomes sour grape, and the zakāh becomes liable in the case of the Date when it becomes yellow or red, as a precaution. But the time of deduction of the zakāh in the case of the Wheat and Barley is that of their harvest and separating the chaff from the grain, and in the case of date and raisin when they are plucked.

Usurped Wealth

There is no zakāh liability on a usurped wealth that is not possible for the one whom it is usurped from to reclaim it.

Zakāh of the Four Crops

The Wheat, Barley, Date, and Raisin

The *niṣāb* (threshold)

1. The zakāh is not liable for the four crops unless their quantity reaches the limit of the threshold – *niṣāb*, which is the equivalent of 847.207 kg.

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2. If the owner dies after the liability of the zakāh to one of his four crops, it would be mandatory to give its zakāh from his wealth. But if he dies before the liability of zakāh, the zakāh would be mandatory for anyone of the heirs whose share reaches the limit of the threshold – *niṣāb*.
3. If one sells the plantation or the palm trees after the crops became liable to zakāh, then the seller would be liable to pay the zakāh.
4. If the weight of any of the four crops reaches the limit of the threshold – *niṣāb* – when they are fresh, but reduces when they are dry, they would not be liable to zakāh.

Irrigation

If the crops are irrigated by rain, stream, or if they benefited from the moisture of the land, then their zakāh is one-tenth (or 10%), and if they were irrigated by buckets, [pump] and other similar devices, then their zakāh is half of one-tenth, i.e. one-twentieth (or 5%).

If the crops are irrigated by rain, stream, or if they benefited from the moisture of the land to certain extent, and then they are irrigated by buckets and suchlike by an equal amount, then their zakāh of half of them is one-tenth, and the zakāh of the other half is half of one-tenth. Thus zakāh liability is 3 parts out of 40, [which is 7.5%].

Job Expenses

It is permissible to deduct the expenses incurred in the course of farming the four crops, even the depreciation in value of the instruments and the clothing because of farming, from the harvest, and after deducting these costs, if the rest of the harvest reaches the limit of the threshold – *niṣāb* – it would be liable to zakāh.

If the seeds used for sowing is from the plantation itself, it is permissible to deduct their amount from the harvest, and if one buys them, it is permissible for one to include their purchase value in amongst the costs incurred.

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If one incurs costs for ploughing the earth or for any other matter that concerns and benefits farming for many years (to come), it is permissible include these expenses in the expenditure of the first year.

Accelerating Crop Production

If it were possible to harvest wheat and the other four crops in a short period, or in a long one, the ruling would not differ as far as the liability of zakāh at the specified time is concerned – given the unqualified nature of the evidence to this effect, as this [multiple yield phenomenon] has now become norm in some industrial countries.

Implanting Wheat with another Cereal

If wheat implanted with another cereal, and a grain results from this, if it can be said it is wheat then zakāh becomes obligatory, and if it cannot be said it is wheat it is not liable to zakāh, and if one doubts as to whether or not it can be said so, in principle non-liability of zakāh holds.

Zakāh of the Two Cash Metals: Gold and Silver

***niṣāb* of gold**

Gold has two *niṣāb* (thresholds):

1. Twenty shar‘i *mithqāl*⁶¹, which is equivalent to fifteen common mithqāl. If the quantity of gold reaches this limit and the other criteria are also fulfilled, then it is obligatory to pay one-quarter of one tenth of the amount, i.e. one part in forty (2.5%), as zakāh. If the quantity of the gold does not reach this limit, it is not liable to zakāh.
2. Four shar‘i mithqāl, which is equivalent to three common mithqāl. If the quantity of gold exceeds the fifteen mithqāl by three mithqāl, then it would be mandatory to pay 1/40th (2.5%) of the total 18 mithqāl, but if the excess over the first threshold is less than three mithqāl, then it would be mandatory to pay the zakāh of the fifteen mithqāl – i.e. the first threshold – only, and whatever in excess is not liable to zakāh. And so forth for every increment.

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***niṣāb* of silver**

Silver has two thresholds:

1. 105 common mithqāl, and thus if the quantity of silver reaches 105 mithqāl and other [relevant] criteria are also fulfilled, then it is obligatory to pay one-quarter of one tenth of the amount, i.e. one part out of forty (2.5%), which is 2.625 common mithqāl as zakāh. If the silver quantity does not reach this limit, it would not be liable to zakāh.
2. 21 mithqāl. If 21 mithqāl are added the first threshold, and the total becomes 126 mithqāl, it would be obligatory to pay the zakāh of the total as mentioned before, which is one-quarter of one tenth of the amount. However, if an amount of less than 21 mithqāl were added to the first threshold, then the increment is not liable to zakāh and only the 105 amount would be liable to zakāh, and so forth. So if another quantity of 21 mithqāl were added to the second threshold, they would both be liable to zakāh, but if the increment is less than 21 mithqāl, then the increment would not be liable to zakāh.

Therefore if one pays one-quarter of one tenth (2.5%) of all the gold or silver one has, one has paid the zakāh one is liable to, and it could be more than that on some occasions.

Coins

Gold and silver are liable to zakāh if they are currency coins, and even if the faces of the coins were erased, they would still be liable to zakāh.

Gold and silver coins that are used by ladies as jewellery are not liable to zakāh.

The Year

Gold and silver are liable to zakāh if one owns them by the amount of niṣāb or threshold for a period of eleven months – as mentioned before – but if their amount were reduced from amount of the first threshold during the year, then they are not liable to zakāh.

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If – during the eleven months – one exchanges his gold or silver to [other] gold or silver, or another thing, or if one melts them, then they would not be liable to zakāh. However, if one does so in order to evade paying the zakāh, then as a mostaḥab precaution one should pay the zakāh.

Zakāh of the Three Cattle

Cow, Camel, Sheep

The zakāh of the three cattle has two other criteria in addition to the ones mentioned before.

1. that they are not from amongst the workers (used to do certain jobs) throughout the year,
2. that they have grazed the field/desert throughout the year. Thus if it are fed from prepared grass, or from owned pasture, or from someone else's pasture, then they are not liable to zakāh.

***niṣāb* of Camel**

The camel has twelve *niṣāb* levels (thresholds):

1. 5 camels – their zakāh is a sheep – and if the number of the camels does not reach this limit they are not liable to zakāh.
2. 10 camels – their zakāh is two sheep.
3. 15 camels – their zakāh is three sheep.
4. 20 camels – their zakāh is four sheep.
5. 25 camels – their zakāh is five sheep.
6. 26 camels – their zakāh is a camel that has entered the second year of its life.
7. 36 camels – their zakāh is a camel that has entered the third year of its life.
8. 46 camels – their zakāh is a camel that has entered the fourth year of its life.

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9. 61 camels – their zakāh is a camel that has entered the fifth year of its life.
10. 76 camels – their zakāh is two camels that have entered the third year of their lives.
11. 91 camels - their zakāh is two camels that have entered the fourth year of their lives.
12. 121 camels and above – they should be considered in quantities of forty and for every forty camel one should be given that has entered its third year. Or they should be considered in quantities of fifty and for every fifty camel one should be given that has entered its fourth year. One may also calculate in groups of forty and fifty.

In any case, one should perform the calculation such that none remains, as a precaution, and if, for the sake of argument, there were some to remain, they should not be more than nine. So if one had 140 camels, he should give two camels that have entered the fourth year [as zakāh] for the 100 camels, and one camel that has entered the third year for the [remaining] forty camels.

***niṣāb* of Cow**

The cow has two thresholds:

1. Thirty. If one has this number of cows, and other conditions are also fulfilled, one is liable to give a cow that has entered its second year.
2. Forty. The zakāh for this limit is a cow that has entered its third year. There is no zakāh liability [for the quantity] between thirty and forty, and so forth. Thus one should calculate the cows every thirty, or every forty, or in sets of thirty and forty, and pay the zakāh accordingly as mentioned.

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***niṣāb* of Sheep**

The sheep has five thresholds:

1. 40. The zakāh in this case is one sheep, and there is no zakāh liability if this limit is not reached.
2. 121. The zakāh in this case is two sheep.
3. 201. the zakāh is three sheep.
4. 301. the zakāh is four sheep.
5. 400 and above. For every 100 sheep, one is given as zakāh.

It is not mandatory to pay the zakāh from the same herd that is liable to zakāh, but it is sufficient to pay [for the zakāh] from one's other sheep, or pay its equivalent in cash or in other goods.

There is no zakāh liability to an intermediate number between the two thresholds, thus if the number of sheep were more than the first threshold – which is forty – and less than the second threshold, then only the forty sheep are liable to zakāh and not the rest, and the extra sheep [above forty] one not liable to zakāh. The same goes for the following thresholds.

Miscellaneous Queries

Cattle Variety

As far as zakāh is concerned, cow and buffalo fall in the same category, and so too the Arab and non-Arab camels. Also the sheep and the goat fall in the same category.

If one gives a sheep for zakāh, it is mandatory that it is not less than seven months old, and as per mostaḥab precaution, it has entered its second year. And if one gives a goat it must be not less than one year old, and as per mostaḥab precaution, it should have entered its third year.

Partnership and exchange

1. If there is a company of partners who own the sheep, then if every one's share reaches the prescribed threshold level, it is liable to zakāh, and if one's share does not reach the niṣāb level then he is not liable to zakāh.
2. If one exchanges one's cattle with other cattle before the conclusion of the eleventh month, or if one exchanges his niṣāb with another niṣāb of the same kind, for example he gives forty sheep and receives another forty sheep he is not liable to zakāh for them.

Overgrowing cattle

If it were possible to overgrow the cattle that is liable to zakāh – like for example if the sheep is grown until it became the size of a camel, or to miniature it, like if it were possible to have the cow the size of a goat – they would still be liable to zakāh, for the subject matter still applies.

If it is such that it is no longer applicable, then it is not liable to zakāh.

Is zakāh obligatory every year?

1. If the crops that have had their zakāh deducted remain with one for many years, they are not liable to zakāh again.
2. Gold and silver – of niṣāb quantity – are liable to zakāh every year, so long as they are not less than the niṣāb quantity by the year end, even if their zakāh was given previously.
3. One who is liable to zakāh for one's cattle, if he pays for them using cash, gold or silver, he remains obliged to pay the cattle's zakāh every year so long as the cattle's number does not fall below the niṣāb limit.

Disposal of Zakāh

Cases for Zakāh Disposition

The Zakāh is spent in eight cases:

- 1-2 the poor and the destitute
3. Collector of Zakāh
4. Those whose hearts are to be won
5. For buying slaves and setting them free
6. The debtors who are unable to pay their debts
7. For the Cause of Allah
8. The Stranded Traveller

1-2 the poor and the destitute

The poor is the one who does not possess the annual expenses for himself and his family, and the destitute worse off than the poor.

But if one possesses a capital, or a property, or a skill that guarantees his annual expenses, he is not classified as poor.

If the poor individual owns the house which he lives in, or has vehicle that he uses, and if he could not do without them, even if this was in aid of protecting his dignity, it is permissible for him to receive the Zakāh.

Similarly, if he has house furniture and fixtures, cutlery, summer and winter clothing, and other things one may need, he may receive the Zakāh.

The poor individual who does not possess these things and needs them, it is permissible for him to obtain them with the Zakāh money.

It is permissible for the poor individual to receive the Zakāh for the purpose of Hajj and Ziyārah, and suchlike, but if he has received from the Zakāh a sum sufficient for his annual expenditure, as a precaution he should use the Zakāh for Ziyārah and suchlike.

Those of Low Income

For those of a profession, business, or the owner [of house, shop, etc.] whose income is less than his annual expenses, it is permissible to receive the Zakāh to top up his annual expenditure, and it is not necessary for him sell his business tools, or his property, or his capital for his annual expenses.

3. Collector of Zakāh

He is the one who, on behalf of the Imam peace be upon him, or his representative collects the Zakāh, audits and protects it until he delivers it to the imam, peace be upon him, or to his representative, or to those who qualify to receive it.

4. Those whose hearts are to be won

They are:

1. Those disbelievers whom if they are given from the Zakāh they would incline towards Islam or help the Muslims in war and fighting.
2. The Muslims who are of weak faith and belief.

5. For buying slaves and setting them free

6. Debtors who are unable to pay their debts

Adjusting for the debt

1. If one is liable to pay the Zakāh, if he is owed money by a poor individual, it is permissible for him to adjust the debt from the Zakāh.
2. If the debtor is unable to pay back his debt, it is permissible for the claimant to adjust for the debt from the Zakāh even if the debtor is not classified as poor.

7. For the Cause of Allah

This covers those projects and initiatives that are of general religious benefit such as building mosques, ḥawzah, or of worldly benefits to the Muslims.

8. The Stranded Traveller

He is the one who is stranded in his journey and has no money to continue with his journey.

He whose money has run out or his vehicle has broken down, it is permissible for him to receive the Zakāh, provided his journey is not for the purpose of sin, and it is not possible for him to reach his destination by borrowing money or selling some of his belongings.

As a gift

It is not necessary for the payer of the Zakāh to inform the poor individual that the mount being given to him is Zakāh, if the poor individual would feel embarrassed to accept Zakāh, it would be mostahab to give him it as a gift, but it is mandatory to intend it as Zakāh.

Criteria of those qualifying for Zakāh

1. It is mandatory for the receiver of the Zakāh to be Ithnā Ashari [or believer in the authority of the 12 Imams appointed by the Prophet].
2. It is permissible to give the Zakāh to the poor individual who engages in begging, but it is not permissible to give the Zakāh to he who spends it in sinning.
3. It is not permissible [for the Zakāh payer] to give from the Zakāh to those individuals whose expenses are his responsibility. However, if he does not fulfil his responsibility by giving them their expenses, then it is permissible for others to give them the Zakāh.

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4. It is not permissible for a Sayyid to receive the Zakāh from a non-Sayyid, but if the Khums and other duties were not sufficient for him, and if he is urged by his needs to receive the Zakāh, then it would be permissible for the Sayyid – in this condition – to receive non-Sayyid Zakāh.

The Niyyah of the Zakāh

It is mandatory for the payer of the Zakāh to intend the *qurbah*, i.e. he gives the Zakāh seeking nearness to and abiding by the command of Almighty Allah.

It is mandatory, as a precaution, to specify in the *niyyah* whether the amount one is giving is the Zakāh of wealth or Zakāh of Fiṭrah, but in the case of wheat and barley, it is not mandatory to specify that the Zakāh one is giving is that of wheat or barley.

If the owner or his representative gives the Zakāh to the poor without making the *niyyah* of *qurbah*, and before the wealth is consumed the owner himself makes the *niyyah* of *qurbah*, that would be considered as zakāh for him.

Time of Paying Zakāh

As a precaution, the Zakāh should be given to the poor after threshing the wheat and barley from its chaff, and when the date and raisin dry up, or when one deducts the Zakāh from his wealth.

It is mandatory to give the zakāh of the two cash metals and the three cattle after the expiry of the eleventh month, or at least separate it (the Zakāh) from one's wealth.

However, if one was waiting for a particular poor individual or wished to give the Zakāh to a poor individual of certain merit, it is permissible for him to delay the paying of the Zakāh.

Miscellaneous Queries

Separating the Zakāh

If one deducts and separates the Zakāh sum from one's wealth that is liable to zakāh, then it would be permissible for one act freely with the rest of the wealth. If one deducts and removes that Zakāh sum from his other wealth [that is not liable to zakāh], it would then permissible for one to act freely with all the wealth.

It is not permissible to for one to use the Zakāh wealth that has been separated and replaces it with another wealth.

Mostaḥab in Zakāh Disposal

It is mostaḥab, when giving the Zakāh, to give priority to the relatives over the others, to the scholars and those of knowledge and virtue over the others, and to those who do not ask for the Zakāh over those who do. It is mostaḥab to give the Zakāh of the Three Cattle to the chaste and continent poor, but if there another one who is better in other sense, then it would be mostaḥab to give the Zakāh to the other.

It is better to give the Zakāh overtly, and to give the *mostaḥab sadaqah* covertly.

Shared Wealth

If two people share a wealth that is liable to Zakāh, and one of them pays the Zakāh of his share, and then they divided the wealth, then it is permissible for him to act freely with his share even if he knows that his partner did not pay the Zakāh of his share.

Priority of Zakāh and Khums over other things

If one is liable to Khums or Zakāh, but then he also becomes liable to *kaffārah*, *nadhr*, and suchlike, and he has debts to pay, if it is not possible for him settle and clear all of them, then if the wealth that is liable to Khums or Zakāh is available to him, then it is mandatory to pay the Khums and the Zakāh. But if the said wealth is not available to him,

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it would be permissible for him to pay the Khums, the Zakāh, the *kaffārah*, the *nadhr*, the debt and suchlike without any preference.

If one dies and has a debt and leaves behind a wealth that is liable to Zakāh, it is mandatory to deduct the Zakāh from the inheritance first before paying his debts.

Shari'ah Monetary Duties

It is not permissible to levy any kind of monetary taxes other than the Shari'ah duties which are the Khums, the Zakāh, the Jizyah, and the Khirāj.

Q1. What is the difference between the colossal statutory taxes we have today and the Islamic Monetary System?

A1. There are many differences some of which are that the Islamic Monetary System secures all the needs – with far greater and better freedoms – to the extent that it sees to the debts of the debtors and the deceased, contrary to the system of the statutory taxes today. A comparison between the history of Allah's messenger as well as Amir al-Mo'mineen during their reign and the world economic system today, as well as other matters between the two, reveal this truth clearly.

Q2. Are the Islamic economy and its fiscal duties able to see to modern day needs, and the massive requirements?

A2. Yes it is able to see to all that.

Q3. How can the Islamic economy see to all those needs and requirements?

A3. Because Islam devised a developing economy that develops according to the expansion and increase in the needs and requirements of society, for it has the principles that address fundamental issues and others that tackle the changing requirements.

Q4. If an exceptional situation arises such that the prescribed income set by Islam is not sufficient to see to the situation, for example if a war

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breaks out, and it is required to raise more funds than that prescribed by Khums, what is the way out then?

A4. It is obligatory to perform jihad “by the soul and the wealth”, and therefore in such circumstances, the wealthy should give freely to their utmost ability to address the exceptional situation, and that will be established by the Muslims’ *marāje’* who will discuss this between themselves directly or through their representatives.

Q5. It is said that the *fuqahā’* or the learned scholars of Islam should not be allowed to interfere in economic matters or call for Islamic economy, for they are scholars of jurisprudence and are not specialists in the economy. In fact they say that the most learned and knowledgeable must be followed, therefore how can they be referred to in economic matters when there are specialists who are more knowledgeable than them. What is your response to this claim?

A5. This claim is simply false and has nothing of truth in it, and we shall response as follows:

Firstly: the *fuqahā’* are specialists in the economy, for they study, research, investigate, and write about it throughout their lives, in the jurisprudence and its fundamentals (*fiqh* and *oṣool*) – one quarter of jurisprudence is related to the economy, and so they are engaged with the subject of economy for approximately fifteen years. Is this not enough to specialise in economy?

Secondly: let us assume – for the sake of argument – that the *fuqahā’* are not specialised in the economic sciences, and they are not allowed to draw up economic programs and agendas, how can it be that they have no right to present the teachings of Islam on the false and the true, on the correct and the deviant, and the on the ḥalāl and the ḥarām in economic matters?

Their status is like that of state leaders who confirm the policies presented to them by specialists in various sciences; for the leader chosen by the people may have no specialisation in the economy or the army, or in technology, but has the final word in all those matters.

Glossary

‘ādil	<p>Literally means to be just. A ‘Just’ individual is one who adheres to and acts upon the obligatory duties and refrains from the prohibited acts, such that if his neighbours, or his colleagues were asked about him, they would report of his good nature, commitment, and piety.</p> <p>Justness (<i>‘adālah</i>) is the observance of and discharging all the obligatory duties and refraining from all prohibited deeds. It is a nurtured inward aptitude or trait that prevents the individual from committing sin and disobedience. It is recognised through good sound appearance, which is revealed through one’s own knowledge or assumption, and it is confirmed by the testimony of two just individuals and through the widespread common knowledge.</p> <p>Justness (<i>‘adālah</i>) is one of the criteria of the congregational prayer leader.</p>
āyāt	Plural for āyah.
āyah	Literally means sign. All creation is a sign of Allah. With respect to the Qur’an, it is in reference to the Qur’anic verse, a collection of which forms a surah or chapter of the holy Qur’an.
‘abā’ah	All-encompassing veil-shroud that is worn by women as a complete hijab.
adā’	to perform a duty within its prescribed time; see also qaḍā’.
adhān	The call for ṣalāh.
adhkār	Plural for <i>dhikr</i> ; remembrance.

Glossary

aḥādīth	Plural for <i>ḥadīth</i> ; saying of the prophet or a <i>ma'ṣoom</i> individual.
al-Ḥamd	The name of the first or opening surah of the holy Qur'an.
amr bil-ma'ruf / nahy anil-munkar	promoting virtue / prohibiting vice
'Arafāt	An area near the holy city of Mecca, and of the three sites for observing <i>woquof</i> or 'standing' / 'being present' there as part of the hajj rites.
'Aṣr	After noon
bāliḡh	Adolescent.
bāṭil	False, void, invalid.
basmalah	<i>basmalah</i> is the short form or name for Bismillāh al-Raḥmān al-Raḥeem, which is "In the name of Allah the compassionate the merciful".
boloogh	Adolescence.
<u>d</u> ann	Means to belief or suspect that one has done certain thing. The difference between <u>d</u> ann and shakk is that in the case of <u>d</u> ann one assumes, or believes, that he has done (or is doing) a certain thing, whereas in the case of the shakk one is not sure whether or not he has done the thing, or is uncertain if one is doing the correct thing. See also shakk.
dhikr	Literally it means remembrance, in the case of ṣalāh, the utterance of rukoo' and sujood.
<u>D</u> uhr	Noon

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Efrād	One type of hajj applicable to the inhabitants of Mecca and its surroundings.
‘Eid-al-Fiṭr	The ‘Return’ or ‘Festival’ of breaking the fast at the end of the holy month of Ramaḍān, or the first day of Shawwāl.
‘Eshā’	Evening
Fajr	Break of dawn, or the onset of the sky beginning to brightening up, which is referred to as the ‘astronomical dawn’ when the sun is 18 degrees below the horizon.
fidayh	Atonement or redemption (for not performing an obligatory duty). This is normally in the form of donation to charity or the poor.
forādā	Solo.
Ḥākim al-Shar‘i	Literally the religious ruler/judge, who is the marje‘.
Ḥajjat-al-Islam	The obligatory hajj.
Ḥaram	The sacred precinct around a sanctified place. In the case of the holy city of Mecca it is in reference to the encompassing zone around it which is about 500 km sq.
ḥadath	The discharge of faeces, urine, wind, semen.
ḥadd al-tarakhuṣ	it means the “limit/boundary of town/city” (where one must perform the ṣalāh as qaṣr or in shortened form). It is the point defined as where the walls of the city [that one has departed] are not visible, and the <i>adhān</i> cannot be heard.
ḥadith	The saying or teaching of the prophet or a <i>ma‘soom</i>

Glossary

	individual.
ḥalāl	Permissible.
ḥarām	Prohibited, unlawful.
ḥayḍ	The monthly menstruation period.
ḥijāb	The dress code required by Muslim women to wear when in public or in the presence of men who are not maḥram to her.
hady	Sacrificial offering.
iftār	The break of fast.
iḥrām	<p>As the first of the hajj rites, the hajj pilgrim (Ḥājj) declares and assumes the state of iḥrām, or consecration, and subsequently a number of issues become prohibited for Ḥājj and he must refrain from them as long as he is in the state of iḥrām. One of the prohibited things is to wear sewn clothing, (applicable for men) and therefore the iḥrām clothing consists of two pieces of towels one of which is worn around the waist to cover the lower part of the body, and the other is worn around the shoulders to cover the upper body, and the two pieces cover almost the entire body with the exception of the feet and lower parts of the legs.</p> <p>One may not enter the holy city of Mecca or its sanctified encompassing zone without being in the state of iḥrām, and one is not able to leave the state of iḥrām except after performing certain rites, as given in the rulings of hajj.</p>
iḥtilām	The occurrence of ejaculation during sleep.
iḥtiyāṭ	Precaution. A ruling may be based on iḥtiyāṭ meaning a precautionary measure, to be on the safe

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	side, and thus not mandatory.
Imāmi	One who believes in the authority of the divinely appointed 12 <i>ma'ṣoom</i> Imams who were appointed by prophet Muhammad peace be upon him and his pure family on instructions from Almighty Allah, glorified be He.
iqāmah	The calling heralding the inauguration of the ṣalāh.
irtimāsi	Submergence or Immersion. This is in reference to a category of the ghusl bathing when the body is totally immersed in water.
istiḥāḍah	Undue menses.
istiḥālah	Transformation, the process which consequently results in change of ruling accordingly, for example transformation of wine into vinegar renders a ḥarām item into ḥalāl.
istisqā'	Seeking rain.
istiṭā'ah	Ability, in reference to the ability and liability to perform the hajj.
Ithnā Ashari	Literally Twelver, this is in reference to the Shi'a who believe in the twelve divinely appointed imams to lead the nation after the prophet Muhammad peace be upon them.
jallāl	An animal that subsists on najāsāt or najis things or human excreta.
jamā'ah	Congregation
janābah	A man or a woman who has engaged in sexual intercourse is said to be in a state of <i>janābah</i> , even if ejaculation does not take place. A state of <i>janābah</i> is also acquired if semen is

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	discharged or orgasm takes place, even if it does not involve penetration.
jonob	One who is in the state of <i>janābah</i> is referred to as <i>jonob</i> .
Ka‘bah	The cubical building at the centre of Masjid al-Ḥarām in the holy city of Mecca, which is referred to as Bayt al-Allah or the House of Allah.
kāfir	Literally means ‘coverer’, but normally used to mean ‘un-believer’.
kaffārah	Compensation, expiation, or atonement.
khums	<i>noun</i> – one-fifth. <i>verb</i> – subjecting a wealth to the levy of 20%, or paying to the marje‘ 20% of the wealth that is surplus to one’s annual expenses. Khumsed - Khumsable -
Khuṭbah	Sermon.
Kurr	A volume of water that is at least 3 shibr wide by 3 shibr long by 3 shibr deep (which is in total 27 cubic shibr). A <i>shibr</i> is the span of the stretched hand, or the distance between the tips of the stretched thumb and little finger, when the hand is fully extended. [In metric measurement, on average a shibr/span is nine inches or 23 cm, and therefore the minimum Kurr volume is about one-third of a cubic meter.]
layl	Night.
Ma‘ṣoom	Infallible. One who does not commit sin, does not err, does not forget, and suchlike.

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Ma'moom	Literally means follower of Imam. In the context of prayer, it means one who follows an imam in congregational prayer.
mabeet	Staying over night at location.
madālim	Liabilities to other peoples - due to wronging them or breaking promises etc. - which one must discharge from his responsibility.
Maghrib	The time after sunset (<i>ghuroob</i>) when the redness of sunset reaches mid-sky; and this is the time for the Maghrib adhān and thus the Maghrib prayer.
maḥram	<p>A maḥram man is an adult male in whose presence a woman is not required to wear ḥijāb such as her father, brother, uncle, son, nephew, son-in-law, etc.</p> <p>A 'non-maḥram' man is any adult male whom a woman must wear ḥijāb from, and this includes adult males such as cousins, and brothers-in-law as well all non-relative males.</p>
mahr	<p>“Dowry”, or material, money, article, donation, or endowment which according to the instructions of Islam is mandatory for the husband to give to his bride.</p> <p>Mahr al-Sunnah is the <i>mahr</i> that the Prophet Muhammad peace be upon him and his pure family, prescribed as <i>sunnah mahr</i> or the prophetic-tradition mahr, and accepted by Lady Fatima al-Zahrā', peace be upon her, on the occasion of her marriage to Imam Ali. The <i>mahr</i> was 500 dirham or silver coins. Thus Mahr al-Sunnah is equivalent to 1,262.5 grams of pure silver, which is just over 44.5 ounce of pure silver.</p>
makrooh	Despicable, discouraged, [but not ḥarām].

Glossary

Marje‘	<p>Religious authority to whom an individual who is not learned in Islamic law must refer to for all acts of worship and other matters to ensure compliance with the teachings of Islam in every aspect of life. As well as being a mujtahid (expert) in Islamic law a marje‘ must have other qualities which have been given by the imams of Ahl al-Bayt:</p> <p>“As for he who is amongst the <i>fuqahā’</i> who; *safeguards his self [against temptations, etc.], *protects his religion, *opposes his own desires, *obeys the command of his master; then it is for the general public to follow him, and that won’t be except for some of the <i>fuqahā’</i> of the Shi’a, not all of them”. Wasā’il al-Shi‘ah, vol 27, p131. Bihār al-Anwār, v2, p88.</p>
Masgid, or masjid	Masjid literally means the place of prostration, Mosque.
meetah	meetah it is the animal that has been killed contrary to the Islamic way, or that has died a natural death, or that has been savaged by a predator. In other words, a ḥalāl-meat animal that has not been slaughtered in the legal Islamic way is referred to as a meetah.
midnight	Midnight is midpoint between sunset and the Fajr – and not sunrise.
miḥrāb	a prayer niche in a mosque indicating the direction of the Qiblah.
Minā	An area near the holy city of Mecca, and one of the hajj pilgrimage sites.
miqāt	A miqāt is any one of the designated sites from where a person wishing to perform the hajj

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	pilgrimage must declare and assume iḥrām before going any further.
mithqāl	A common mithqāl is a unit of weight equal to about 4.8 grams or one-sixth ($\frac{1}{6}$) of an ounce. A shar‘ie mithqāl is equal to about 3.6 grams.
modd	A unit of weight equal to about 750 grams.
modhakkā	An animal that has been slaughtered according to the correct Islamic method and procedure.
moḥtalim	One who has experienced ejaculation during sleep.
mujtahid	A qualified jurist who is competent to deduct the rulings of any given case from related sources and evidences.
mokallaf	Mokallaf is the individual who is liable to the obligatory duties in the various aspects of religious duties and aspects of life in general.
moqallid	An individual who follows the opinions or decrees of a mujtahid is referred to as a moqallid.
moqaṣṣir	A person who is ignorant of the ruling of a case he has come across, and he is capable of learning or obtaining the ruling but fails to do so, and continues to remain liable as far as that case is concerned. See also qāṣir.
moṣālahah	Settlement.
moṣalli	the person performing the ṣalāh.
moṣḥaf	Bound copy of the holy Qur’an.
mostaḥab	Recommended, desirable. Not only ḥalāl but one is encouraged to do the mostaḥab thing.
mostaṭee‘	Able. This is in reference to such criteria as the physical, financial, security ability one must have in

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	order for an individual to be considered as “able” – and therefore liable – to go to the hajj pilgrimage.
moṭahhir, pl. moṭahhirāt	Purifier, something that renders a najis thing ṭāhir. The most common purifier is water.
moṭlaq	Literally means absolute, in the context of water, this is in reference to pure water.
mubāḥ	Free, Optional or Permissible. More or less mubāḥ and ḥalāl mean the same, with the difference that the term mubāḥ is used to categorise acts, whereas ḥalāl is used for stuff. mubāḥ is one of the five categories the status of an act or entity can be. The five are: <i>wājib</i> (Obligatory), <i>ḥarām</i> (Forbidden), <i>mustahab</i> (Recommended), <i>makrooh</i> (Reprehensible / Discouraged), <i>mubāḥ</i> (Optional).
muḍāf	Literally it means “added to”. Flavoured drinking water, squash drink, and suchlike are considered muḍāf.
muṭṭir, pl. muṭṭirāt	An act that ‘breaks’ and therefore invalidates the fast.
muḥrim	An individual who is in the state of iḥrām.
nāfilah, pl. nawāfil	Nāfilah literally means “extra”, and it is also in reference to the optional set of ṣalāh each of the daily obligatory ṣalāh has.
nadhr	Vow.
najis	Unclean.
najāсах	An inherently najis thing.
nifās	the postpartum blood seen after childbirth

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niyyah	Intention.
Niyyat-al-Qurbah	the intention of seeking closeness – that is – the intention of abiding by the command of Almighty Allah.
Parasangs, or farsang	Also known as farsakh, is a unit of length, equal to between 3 and 3.5 miles (or 5 to 5.5 km).
Qārīn	The individual performing the Qirān hajj, which is applicable to the inhabitants of the holy city of Mecca and its vicinity. See Qirān.
qāṣīr	A person who is ignorant of the ruling of a case he has come across, but he is either unaware of his ignorance or incompetent about seeking the ruling to the case. See also moqāṣīr.
qaḍā'	expired / in lieu of: to perform a duty after the expiry of its prescribed time. see also adā'.
Qiblah	The direction towards the Ka‘bah that the ṣalāh is performed in.
Qirān	The Qirān hajj, which is applicable to the inhabitants of the holy city of Mecca and its vicinity, when the individual performing this type of hajj – known as Qārīn – is accompanied with the sacrificial animal.
qiyām	Standing upright.
Quonoot	The act of supplication performed during the ṣalāh in the second rak‘ah by raising and holding the hands to the level of the face, with the palms of the hands facing upwards.
rak‘ah, pl. raka‘āt	A rak‘ah is a “unit” or “cycle” of a ṣalāh, which is for example the combination of the recitation of the al-Ḥamd and surah, rukoo, and sujood.

Glossary

Ramaḍān	The holy month of Ramaḍān the fasting of which is obligatory upon every mokallaf Muslim.
ramy	Hurling or throwing: in reference to one of the hajj rites of hurling seven small stones at the obelisks (jamarāt) the sites of which are the appearance of the Satan to prophet Ibrahim in an attempt to persuade him not to execute the command of the Almighty, when the prophet responded by hurling stones at the Satan to repel him.
riyāʿ	Boast, show off.
rukooʿ	The act of bowing, as one of the fundamental acts of ṣalāh.
rukn	Pillar or fundamental aspect.
ṣāʿ	a unit of weight measurement – one ṣāʿ is equivalent to 3 modds, and one modd is equivalent to 750 grams approximately.
ṣalāh	The prayer which normally consists of recitation of al-Ḥamd and surah, rukooʿ and sujood, etc.
ṣobḥ	Morning.
Saʿy	One of the hajj rites, which is to walk the distance between mounts Ṣafā and Marwah.
sahw	Oversight, omission, or lapse. <i>sujood as-sahw</i> and <i>sajdatay-as-sahw</i> are used interchangeably to mean the prostrations required to be performed after the ṣalāh for an inadvertent act or lapse during the ṣalāh.
sajdah	A single act of prostration: as one of the fundamental acts of ṣalāh, where the forehead is placed on earth and in the process the two hand palms, knees, and toes are also positioned on earth.

Acts of Worship

salām	Salutation, the final act of ṣalāh.
Sayyid	Descendent of the holy prophet Muhammad, Allah’s peace and blessings be upon him and his pure family.
Sha‘bān	The month in the Islamic calendar immediately before the month of Ramaḍān.
shakk	Doubt. It means to doubt whether or not one has done something. See also <u>dann</u> .
Shar‘ei	Legal (from the Shari‘ah viewpoint).
shibr	A <i>shibr</i> is the span of the stretched hand, or the distance between the tips of the stretched little finger and the stretched thumb. Using metric measurement units, on average a <i>shibr</i> is about 23 cm.
sujood	Prostration.
surah	Qur’anic chapter.
Ṭahārah	Cleanliness.
ṭāhir	Being ritually clean. ṭuhr is also used in the same context.
ṭawāf	One of the hajj rites, which is circumambulation or going round the Ka‘bah.
ta‘qeebāt	Follow-on. This is in reference to the recommended acts of worship and various supplications that an individual is encouraged to perform after any one of the daily obligatory ṣalāh.
Takbirat-al-Eḥrām	The declaration of “Allah_o Akbar” that heralds the commencement of ṣalāh.
taqiyyah	Literally, it means protection. In a bid to avert persecution or protect one’s life in the face of danger, one may need to conceal one’s faith and belief, and this practice is referred to as taqiyyah.

Glossary

	﴿And a believing man of Pharaoh's family, who hid his faith, . . . ﴾ [40:28]
taqleed	Following the opinion and decrees of a mujtahid concerning acts of worships, etc.
tasbiḥāt	This is in reference to the four-tasbiḥāt uttered during the third and fourth rak‘ah of ṣalāh, as well as to the tasbiḥāt of Fatima al-Zahrā’ peace be upon her performed after each and every ṣalāh as a recommended act of worship.
tashahhud	The declaration of faith stated during ṣalāh.
tasleem	salām and tasleem – the closing stage of the ṣalāh – are used interchangeably to mean the same thing.
Tayammum	Dry ablution. Tayammum is performed on earth instead of wuḍu’ when no water is available, or water is harmful for the individual, and suchlike.
thawāb	Reward.
Torbah	literally means earth, but in the context of the ṣalāh it is also in reference to solid baked clay made of ḥāhir earth. The torbah is used as the place of prostration (sujood) during ṣalāh. Performing prostration during ṣalāh on other than earth, or that which grows from earth, renders the ṣalāh bāṭil or void. It is valid to perform prostration on those things that grow from earth that are not used for eating or wearing. The torbah is sometimes made of the earth of the holy city of Karbalā’ where the beloved grandson of the Prophet Muhammad, Imam Husayn peace be upon them is buried, which is highly recommended to use for ṣalāh.
wājib	Obligatory.

Acts of Worship

wājib kifā'ei	<p>A <i>kifā'ie</i> obligation is a collective duty that is commonly obligatory on every Muslim until a sufficient number of people take up the duty and execute it, and therefore discharge the obligation of that duty. In that case the remaining members of the community would be absolved of the responsibility of that <i>kifā'ie</i> obligation.</p> <p>For example, if there is a community, town or village and there is not a single medical doctor whom the community need then it is the obligation of all in the community (as a wājib kifā'ei) to learn medical science and practice as a local doctor, but if a sufficient number of them commit themselves to the task of training as qualified medical doctors, then the obligation of others is absolved from this collective duty (wājib kifā'ei).</p> <p>An 'ayni obligation is an individual duty that is specifically obligatory on every individual adult Muslim regardless of how many others perform it. For example the daily prayer, fasting, and suchlike are 'ayni obligations.</p> <p>Another example, if in a village or a small town there is an injured person whose life is in imminent danger and there is only one medical doctor in town who can save his life, then it is that doctor's obligation in particular (wājib 'ayni) to save his life.</p>
wakeel	Representative.
waqf	Endowment.
waswasah	<p>in the context of discharging the obligatory duties, it means obsession, or excessive/habitual doubting. For example, whoever has a habit of excessively doubting the correctness of the prayer, and has made</p>

Glossary

	a habit of being doubtful, need not pay attention to such suspicion.
wuḍu'	Ablution. The ritual washing required for performing ṣalāh, etc. Wuḍu' consists of two washes and two wipes; the washes of the face and forearms, and the wipes of the head and feet.
wuquof	Literally means standing or staying, it is one of the rites of hajj, that one observes rite by engaging in supplication and prayer during specific periods in specific locations.
Zakāh	Literally it means purification, and in terms wealth and property, it is meant the purification of wealth, which is attained through giving a certain percentage of the total wealth.
ziyārah, pl. ziyārāt	Visitation to shrines and other sacred places and locations. The term also applies to the salutations that are remotely recited when addressing the prophet, his divinely appointed successors, or other members of the Ahl al-Bayt.

1 *shar'ie* Dinār = 1 mithqāl of pure gold

1 mithqāl = 18 *ḥummuṣah* (*ḥummuṣah* = carat = 0.2 grams)

1 mithqāl = 3.6 grams

A common mithqāl is a unit of weight equal to about 4.8 grams or one-sixth ($\frac{1}{6}$) of an ounce.

Transliteration

In the Arabic language, there are a number of letters that do not have a corresponding equivalent in the English language. As a result the sound or pronunciation of those letters would be unfamiliar to the English reader who has not come across them before. Some of them may easily be pronounced by the English reader, whereas s/he would find others difficult to pronounce, unless he has already been exposed to the sounds of the Arabic alphabet.

The Arabic consonant characters are given below along with their equivalent English characters or sounds.

b = ب	z = ز	f = ف
t = ت	s = س	q = ق
th = ث	sh = ش	k = ك
j = ج	ṣ = ص	l = ل
ḥ = ح	ḍ = ض	m = م
kh = خ	ṭ = ط	n = ن
d = د	ḏ = ظ	h = ه
dh = ذ	ʿ = ع	w = و
r = ر	gh = غ	y = ي

This presentation is an effort to describe the sounds of these letters, and endeavour to explain how their sounds are generated, so that the reader may obtain some idea about these particular characters, when they appear in some Arabic terms used in this work.

To distinguish these letters, either a combination of two letters is used or, in the case of the some of the difficult letters, a normal Latin letter is used together with a diacritic – dot or a line above or below the letter as shown in the table above. Furthermore there are also a couple of letters in the Arabic alphabet which are represented using the symbols: ' and ʿ.

Beginning with the easy ones, there is the letter that is symbolized as:

th, which sounds like the ‘th’ in the word ‘three’. The other letter is:

dh, which sounds like the ‘th’ in the word ‘there’.

As for the more difficult ones, they are as follows:

Gh or **gh**, the nearest sound for this is that of the French ‘r’.

H or **h**

The sound of this letter resembles the sound of ‘strong, breathy’ H. The sound for **h** is generated from the proximity of the throat that the normal **h** is, but from an area slightly further up the throat, with more tension in the local throat muscle, with the back end of the tongue closing in against the roof of the throat immediately before the uvula.

Kh or **kh**

The sound for this is perhaps somewhere between of that of ‘h’ and ‘k’, as far as the location of mouth where it is generated is concerned. It is generated at the back of the mouth, by pressing the back end of the tongue against the soft palate whilst forcing the air through in the outward direction, causing the uvula to vibrate.

The example of the sound of ‘kh’ found in English or that the English reader may be familiar with is *Loch*, the Scottish for lake, where the ‘ch’ in loch is pronounced as the designated ‘kh’ in Arabic.

Ş or **ş**

The sound of this letter resembles the sound of ‘strong’ S. It is generated by involving the main trunk of the tongue, by slightly curving the centre of the front half of the tongue in the downward direction. In aid of pronouncing the sound of the ‘strong’ S, it would be helpful if you consider saying the normal letter ‘S’, when the front upper and lower teeth are brought closer together reducing the airflow, thus producing the sound of the letter ‘S’. The opposite process is used to generate the sound of the ‘strong’ S, i.e. the sound is produced when

slightly moving apart the upper and lower teeth, thus pronouncing the ‘strong’ S.

Ḍ or ḍ

The sound of this letter is somewhere near the sound of the normal D. Whereas the sound of a normal D is generated by placing the front end of the tongue at the front end of the hard palate or the roof of the mouth adjoining the top teeth, the sound of ḍ is generated by touching, to the same location, more of the front trunk of the tongue while caving in the middle part of the tongue.

D or d

The best description of this sound is that it could be the strong version of the sound of ‘dh’ as in the word ‘*there*’. Whereas ‘dh’ is generated by placing the tip of the tongue between the upper and lower front teeth, whilst pressing against the upper front teeth, the sound for d is generated by pressing more of the front end of the tongue between the upper and lower front teeth, whilst pressing against the upper front teeth, and the centre of the tongue is curved downwards.

Ṭ or ṭ

The sound of this letter resembles a ‘strong’ T. Whereas a normal T is generated by involving the front end of the tongue, the ‘strong’ T is generated by pressing the front end of the trunk of the tongue against the front end of the hard palate or the roof of the mouth. Also when the normal T is pronounced, the lower jaw does not move, whereas in the case of pronouncing the strong T, or Ṭ, the lower jaw moves outwards.

Q or q

The sound for this letter is a short and sharp version of the letter ‘gh’ or the French R. Whereas in the process of generating the sound of ‘gh’ the back end of the tongue is pressed slightly against the uvula, allowing some air to flow, in the case of the sound of the Arabic alphabet represented by Q, the same process takes place with the difference that the passage is completely blocked, and the sound is actually generated by the sudden release of the passage.

’ or the hamzah; which is the character representing the glottal stop.

ˆ also shown as ʿ

This symbol is used to characterize an Arabic alphabet that represents the sound of a strong ‘throaty’ A. Just as the sound for A is generated at the back of the throat, in the same proximity, the sound for ˆ or ʿ is also generated with the difference that the entire throat back is engaged in the process by a stroke of contraction in the muscle there. In this process more of the throat is blocked, which also involves the back end of the tongue, than when pronouncing the normal A. Just in the case of the normal A, the sound is actually generated at the time of the release of the contraction of the muscles involved.

‘Long’ a

There are also cases when there is a diacritic or a small horizontal line above the letter, like ā: this is to represent ‘long’ a, an alternative to writing aa. The nearest example for the long a, or ā, in English words is the case of “far” as opposed to the word “fat”. In the case of “far”, the ‘a’ is elongated, whereas in the case of “fat”, the ‘a’ is short.

‘Double’ consonant letters

In the Arabic language, there are many instances where a letter in a word has double pronunciations with a very slight pause between the two. The first pronunciation is always the sound of the letter itself, and the second is the sound of the letter together with that of the following letter. For correct pronunciation of the word, it is important that there is a very slight pause between the sounds of the double letters. Some examples are as follows:

Allāh, where the presence of ‘ll’ indicates the requirement of the double pronunciation of the letter ‘l’. It may help if the word is considered as Al-lāh, with the pause due to the hyphen being very slight. Another example is Muhammad.

N.B.

To emphasise the correct pronunciation of some Arabic words, the transliteration characters are normally used for words like Allāh, Qur'ān, Muḥammad, sūrah, āyah, etc. On the other hand, to adhere to simplicity it has been decided that diacritics and other transliteration characters are to be avoided where possible – in common words – where it is assumed that reader is familiar with the pronunciation of those words, and that such characters are only used for less common and unfamiliar words only. So for such words as the above-mentioned, they would be written simply as Allah, Qur'an, Muhammad, surah, ayah, etc.

o-o-o-o-O-o-o-o-o



The Author

A brief biography of the eminent Islamic authority Grand Ayatollah Sayyid Şādiq Shirazi:

He was born on the 20th Dhil-Ḥajjah 1360 H, *circa* January 1942 CE, in the holy city of Karbala, Iraq. He was raised and cultured in a family that was renowned for its history of learning, strive, sacrifice, and morals.

He received his specialist education of Islamic sciences at the hands of eminent scholars of the ḥawzah until he acquired a distinguished degree of ijtihād.

Through his relentless endeavours he developed in himself the quality of continually seeking knowledge along with unremitting observance of piety; tirelessly promoting the teachings of Ahl al-Bayt, peace be upon them, disseminating their culture, and defending their sacred laws and shari'ah.

He has written numerous works in various fields and on different levels, ranging from politics, economics, history and ethics to specialist works for ḥawzah studies on such topics as Fiqh and Oşool (jurisprudence) that total more than eighty.

Sayyid Şādiq has been teaching at the ḥawzah for more than 40 years.

He is distinguished for being accessible to the people; directly dealing and meeting with various sectors of members of society, listening to diverse views from different spectrum of the community.

Equally, he is distinguished for his humility; respecting the young and old, and also for his tolerance in responding to insult or evil with kindness and courteousness.

He is renowned for his independence and for his policy of boycotting despotic governments.

He oversees hundreds of organisations and institutions throughout the globe; for example those that address social issues such as marriage services and social reforms, those that address humanitarian matters such as clinics, orphanages, financial organisations giving interest-free loans (*Qard al-Ḥasanah*), intellectual institutions such as centres for research and studies, universities, ḥawzahs, libraries, as well as religious centres such as mosques and hussainiahs.

o-o-o-o-O-o-o-o-o

1. *Fundamentals of Islam*

In the first part of this brief discourse the author outlines and briefly discusses *Oṣool al-Deen* (the fundamental principles or beliefs of Islam), which are *Tawḥeed* (the indivisible Oneness of Allah), *‘Adl* (the Divine Justice of Allah), *Nobowwah* (the belief in Prophethood), *Imāmah* (leadership of mankind), and *Mi‘ād* (resurrection or belief in the hereafter). The author also addresses the subject of the Prophet’s eternal miracle – the glorious Qur’an.

In the second part of this publication author goes on to address *Foroo‘ al-Deen* (the essential principles and practices of Islam), which are not only the well-known ten acts of worship such as prayers, fasting and hajj but also other aspects of the teachings of Islam that are significantly relevant in modern times; issues such as the human community, social order, politics, the economy, the armed forces, the justice system, culture, media, education, health, and social freedoms. Through this discussion the author establishes that a government based on the teachings of Islam would provide the most favourable system of government for mankind.

In the third and final part of this work, the author discusses the third component that a Muslim is required to adhere to, namely the Islamic morals and etiquettes (*Akhlaq*) and (*Ādāb*). Here, the author briefly outlines and discusses the ‘four pillars’ of Islamic ethics and the ‘two pillars’ of its etiquettes. The author then lists conducts and behaviours that Islam prescribes as one of obligatory, forbidden, unethical, or the recommended moral conduct. This basic yet concise book serves as a good introduction to Islamic beliefs and principles.

2. *Islamic Beliefs for All*

In this book the author discusses the five fundamental principles of Islam in some details. These principles are *Tawḥeed* (the indivisible Oneness of Allah), *‘Adl* (the Divine Justice of Allah), *Nobowwah* (the

belief in Prophethood), *Imāmah* (leadership of mankind), and *Mi'ād* (Resurrection). The unique aspect of this book is the author's subtle approach in addressing the issues concerned and the simple examples given to illustrate the discussion. This authoritative work is not only important to Muslims, but it would also be of interest to those non-Muslims who seek to explore Islam and its doctrine. The simplicity of this book makes it a valuable resource for Religious Education.

3. *What is Islam? An introduction to principles and beliefs*

To attempt to summarize the Islamic faith in a book of this size is a tremendous challenge. This was the aim of the late Grand Ayatollah Muhammad al-Shirazi, one of the most eminent Islamic authorities of modern times. Through the use of clear and concise language within a "question and answer" format, the author has sought to convey the richness and profound spirituality of the Islamic message in all its aspects to the widest possible audience. The late Sayyid Shirazi covers all the main aspects of Islam, from the fundamental beliefs such as the Oneness of God and His justice and Prophethood to topics such as ablutions, praying, fasting, and performing the Hajj pilgrimage. In addition, the text also discusses a selection of diverse subjects such as Islamic law, economics, politics, the Islamic view of society, the issue of freedom in Islam, and so forth. This work serves as a useful resource for Muslims who want to learn more about their religion, and also for non-Muslims who seek a concise introduction as to what Islam is all about.

4. *The Family*

In this book the author highlights the problems he sees primarily in Islamic societies and particularly in the West today from the phenomenon of unmarried young men and women through to birth control and contraception. He surveys the idea of marriage in various religions, cultures and schools of thought while also discussing the issue of polygamy from the Islamic perspective. In his endeavours to provide practical solutions to today's social problems, the author calls for

simplicity in the process of marriage and draws our attention to the Islamic teachings and laws in this pivotal aspect of life.

As well as being a call to the Muslim world to revert to the true teachings of the Qur'an and the Prophet Muhammad, peace be upon him and his family, this book also serves as a preamble to others who seek answers to the some of the social problems of today. Islam promises success in every area of human life from individual to social levels, the practicality of which has been historically proven.

5. *The Qur'an: When was it compiled?*

In this book the author addresses the issues concerning the timing of the compilation of the Holy Qur'an, on what and whose instructions and authority this task was carried out, and ultimately who accomplished its compilation in the form that it is available today. In this work the author presents undisputable evidence to address these crucial questions. Through historical, methodical and logical analyses, the author establishes how and when the compilation of the Holy Qur'an was achieved. In Part two of the book the author presents Prophetic traditions (*hadith*) on the virtues of reciting and learning the Holy Qur'an.

6. *War, Peace and Non-violence: An Islamic perspective*

In this work the author addresses three significant issues, which have come to be associated with Islam. Through his extensive knowledge of the teachings of Islam, the author presents the Islamic stand on war, peace and non-violence, as found in the traditions and teachings of the Prophet of Islam, which could serve as exemplary models for mankind. Detailed accounts of the traditions of Prophet in his dealings with his foes during times of war or peace are presented in this book, giving the reader a clear insight into the way and basis upon which the Prophet of Islam conducted his socio-political affairs.

7. *The Islamic System of Government*

In this introductory book the author outlines the basic principles of government based on the teachings of Islam. The author begins with the

aim and objectives of the government according to Islam and the extent of its authority in that framework. He then addresses, from the Islamic viewpoint, the significance and fundamental nature of issues such as the consultative system of government, judicial system, freedoms, party political pluralism, social justice, human rights and foreign policy. The author concludes by outlining the socio-political policies of a government such as education, welfare, health, and crime, as well as matters such as the government's system of income distribution, and authority.

8. If Islam Were To Be Established

This book may serve as the Muslim's guide to the Islamic government. If an Islamist opposition group has a plan for an Islamic government, this book would help to check various aspects of the plan. In the absence of such a plan, this book serves as a useful outline. To the non-Muslim, the book presents a glimpse of the typical Islamic system of government while also serving as a yardstick for all who wish to check the practices of any government that asserts to have implemented an Islamic system of government.

9. The Bible and Christianity: an Islamic view

Part one of this book presents some of the encounters there have been between Muslims and Christians. In the second part of this work the author presents some of his discussions with fellow Christian scholars in gatherings at his residence in Karbala, Iraq. The debates concerned their understanding of Islam and its doctrine as well as their own religious beliefs. In this presentation the author demonstrates how he invited non-Muslims to Islam through a calm yet rational and intellectual medium through the use of simple arguments.

Presented in part three of this book is the author's brief research and analysis into the Bible. Through his findings he states his contention with various biblical stories, particularly those in relation to past Prophets. In his discussion, the author uses reason and sound evidence to validate his arguments. Part Four of this work presents some of the

Qur'anic verses about Jesus Christ and his noble mother Mary (may peace be upon them).

This book makes an interesting read, particularly given the simple yet thought provoking arguments, which are put forth at various stages.

10. The Rights of Prisoners according to Islamic teachings

In general, Islam considers imprisonment as a case of last resort. According to Islamic teachings there are only a few offences that would lead to imprisonment. Any chastisement prescribed by Islamic teachings may only be implemented if the relevant criteria and the preconditions are met. If the criteria are not met, then the prescribed punishment may not be executed.

In this book the author addresses issues such as the fundamental nature of freedom, the rights of a prisoner, and the harmful effects of imprisonment on the individual as well as on society in general. The book goes on to discuss the kind of offences that would lead to imprisonment under an Islamic system. The author also cites a few cases from Islamic History in order to demonstrate the attitude an Islamic ruler should take towards an offence, which may have been committed, and identify possibilities of waiving relevant punishments. This work also discusses the issue of torture and mental and physical ill treatment that is often carried out under the guise of interrogation or for the purpose of extracting confession from a detainee or a suspect.

This brief work presents the teachings of Islam with respect to the rights of those when imprisoned, and shows that the teachings of Islam are designed, by the designer and maker of mankind, for the benefit of mankind wherever he may be.

11. Ḥusayn - The Sacrifice for Mankind

This is a collection of articles about a unique individual who, through his remarkable sacrifices, managed to change the course of history and the direction that mankind was heading toward. He is none other than Ḥusayn, the grandson of the Prophet of Islam, Muhammad, peace be upon him and his family. Imam Ḥusayn stood up to tyranny and

oppression and gave everything he had, including his life and the lives of his most beloved sons and brothers as well as those of his closest allies, in order to awaken the masses, reform society, and rectify the distortion that had been inflicted on Islam.

The articles in this work cover some aspects of the aims and objectives of Imam Ḥusayn's movement, the difference between his strategy and that of his brother Imam Ḥasan in facing tyranny and despotism, the examples he set, and the lessons that are learnt from the events that lead up to the tragedy of Karbala fourteen centuries ago. Above and beyond the benefits of his movement, the personality of Imam Ḥusayn peace be upon him as reflected by the many narrations and teachings of Prophet Muhammad is also discussed. Included in this work are a number of questions and answers about the commemoration ceremonies observed by the Muslims around the world on the occasion of Ashurā'.

12. The Guide to Ḥajj Rites

This handbook is a comprehensive but easy to follow companion that guides the reader through all the stages of the Ḥajj pilgrimage. It addresses all aspects of the Ḥajj programme and the rites that must be observed during the pilgrimage. It is a must for anyone who intends to go to the Ḥajj pilgrimage.

13. Aspects of the Political Theory of Imam Shirazi

The author, Muhammad G. Ayyub is a well-known Islamist political activist within the Iraqi circle who has established a long history of political struggle over the past four decades. He was attracted by the views of the Imam Muhammad Shirazi in the fields of social and political science. Prompted by the endeavours and views of Imam Shirazi, the author chose to write this book in order to introduce the reader to views that have remained relatively unknown amongst Muslim activists and reformists. This work covers aspects of Imam Shirazi's views on politics such as freedom of expression, party-political pluralism, social justice, peace and non-violence, human rights, the concept of consultative system of government, as well as the issue of the concordance of the various sects of the Muslim community.

14. The Qur'an Made Simple

The Noble Qur'an is the final and greatest of the books of God. It is not merely a compilation of chronicles of an ancient people, nor a group of Prophets. Nor is it solely a book of morals. It is certainly not a simply a book of science, and it is not solely a book of rules and laws. Rather, The Noble Qur'an it is a set of arguments in the Divine dialect setting out exactly why the reader should recognise Allah, glorified be He, submit to Him, and follow the Divine religion. These arguments are rational, addressed to the mind, and spiritual, addressed to the heart.

In the Divine words the Noble Qur'an is a book 'of guidance', guiding man from darkness to light, from evil to good, from ignorance to knowledge, from uncertainty about the origin and the end, and about man's role in the world, to certainty and conviction.

This volume that has been published is the translation of the last three parts or *juz'* of the Noble Qur'an, and the associated commentary by the late Imam Muhammad Shirazi, elucidating the Qur'anic text to produce a clear, succinct, and easy to follow explanation of the divine scripture.

15. The Prophet Muhammad, a mercy to the world

This book offers an easy introduction to the life and teachings of the Prophet Muhammad. It endeavours to convey a glimpse of those illuminating moments in the life of the Prophet that helped bring about one of the greatest transformations in the history of mankind. The book highlights what kind of person the Prophet was, and how his conduct with friends and foes, in peace and war, provided an impeccable example for generations to come.

16. The Shi'a and their Beliefs

Shi'a Muslim beliefs and practices in various aspects of the Islamic doctrine and religion are presented in this work. The Shi'a Muslims' primary concern is to be in total harmony with the teachings of both the holy Qur'an and the Prophet Muhammad peace be upon him and his

pure progeny. It is therefore paramount that every aspect of their belief and practice is inline with those teachings.

In presenting and discussing the Shi'a belief and its origin, this work also shows the precise compatibility of every single aspect of the Shi'a belief and practice with the Book and the *Suunah*. Extensive references are given citing major references such as the *sihah* and *masanid*. In this way it can be seen that none of the Shi'a beliefs deviate from any one of the teachings of the holy Qur'an or of the Prophet.

17. Ghadir Khum

Seventy days before his demise, the Prophet Muhammad delivers an historic sermon at Ghadir Khum. In his speech to the nation, the Prophet addresses the issue of his succession, and alludes as to who can succeed him and why. In the most defining action of his mission, and on specific instructions from the Almighty, the Prophet then goes on to formally appoint his successors and the leaders of the nation after him. The prophet points out that his divinely-chosen successors are twelve in number. Prophet Muhammad stresses that under the leadership of his divinely-appointed successors, mankind would attain happiness and prosperity in this life and in the hereafter, but without the guidance of the prophet and his appointed successors mankind would not attain eternal salvation. The Prophet Muhammad then goes on to seek legally binding pledge of allegiance from those present for his first successor.

The full text of the Prophet's sermon of Ghadir Khum is presented.

There were those, however, who had drawn up other plans and they had their own agenda. They swore to do anything possible to undo whatever the prophet has done.

An insight is presented into the circumstances that followed the momentous event of Ghadir Khum.

18. Islamic Law – Acts of Worship

Islam is a complete way of life that addresses every aspect of the human life ranging from personal and family matters to social, economic,

political, and spiritual issues. The teachings of Islam are devised to aid mankind attain prosperity in this life and in the hereafter.

Based in the traditional works of *Risalah Amaliyyah* or *Tawzih Masa'el*, this work is a compilation of rulings and Q&A on various issues that a Muslim individual comes across during his or her adult life. An adult Muslim needs to conduct one's affairs, behave and respond according to the teachings of Islam in every aspect of life. These issues range from matters concerning acts of worship to other matters such as family, culture, current affairs, financial transactions, etiquettes, ethics, and suchlike.

An adult Muslim therefore has a duty to learn all the teachings of Islam on those issues that he or she might come across in life. Some of those teachings may be readily available and if not, he or she must learn or seek the answers to one's queries.

In part one of this series of compilations, matters concerning "acts of worship" are presented. Although every conduct that an adult Muslim does according to the teachings of Islam constitutes an act of worship, no matter whatever aspect of life it may concern, traditionally by 'acts of worship' it is meant issues such as *taqleed* or emulation, ritual cleanliness, prayers, fasting, hajj, and *zakah*.

Teachings of Islam

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A site dedicated to the cause of Islam, Muslims and Mankind

Islam aims to bring about prosperity to all mankind. One of the leading authorities on Islam today, Imam Shirazi, calls upon all Muslims to adhere to the teachings of Islam in all domains in order to regain their former glory and the salvation of mankind. These teachings include:

- PEACE in every aspect.
- NON-VIOLENCE in all conducts.
- FREEDOM of expression, belief, etc.
- PLURALISM of political parties.
- CONSULTATIVE System of Leadership.
- The RE-CREATION of the single Muslim nation - without geographical borders, etc. between them, as stated by Allah:
“This, your community is a single community and I am your Lord; so worship Me.”
- The REVIVAL of Islamic brotherhood throughout this nation:
“The believers are brothers.”
- FREEDOM from all the man-made laws, and restrictions as the Qur'an states:
“... and (Prophet Muhammad) releases them from their heavy burdens and from the shackles that were upon them.”

English queries may be emailed to the website of Imam Shirazi at:
www.imamshirazi.com.

Notes

- ¹ This refers to *Imamah* or leadership of the Muslim nation after the Prophet Muhammad by the 12 infallible Imams, as appointed by Allah's Messenger during his lifetime on instructions from the Almighty.
- ² Mokallaf, literally meaning "one who is under obligation", is in reference to religious obligations that are applicable to a sane individual from the age of adolescence.
- ³ A Mujtahid is a fully qualified scholar/jurist, who is competent to deduce rulings and legal matters from the holy Qur'an and the teachings of the Prophet and Ahl al-Bayt about issues and developments on which there is no expressed text available, and thus is qualified to issue verdicts and judgments (fatwā) on relevant issues so that the rulings are in accordance with the teachings of Allah, the Prophet, and the ma'ṣoom imams of Ahl al-Bayt peace be upon them.
- ⁴ A Moqallid, or follower, is one who fulfils his religious duties in accordance with the verdicts of a Mujtahid.
- ⁵ A Muḥtāt is one who always takes precautions and act on such precautions (Iḥtiyāt) in order to assure himself that he has fulfilled his religious obligations. By being on the 'safe side' he always take the 'more cautious' route of the possible ruling concerned.
- ⁶ al-ghaybah al-kubrā.
- ⁷ i.e. the Marāje' of Taqleed who adhere devotedly and conscientiously to the ḥadith of Ahl al-Bayt.
- ⁸ Biḥār al-Anwār, vol.53/p180. al-Ghaybah, of Sheikh al-Ṭousi, p290. Kashf al-Ghummah, of Ali ibn 'Esa al-Erbili, v2/p531. Kamāl al-Deen, of al-Sheikh al-Ṣadouq, v2/p483.
- ⁹ *fiqh* is jurisprudence, *faqih* jurist or jurist, pl. *fuqahā'*.
- ¹⁰ The fully qualified *mujtahid* who assumes the office of leadership or *marja' iyyah* is referred to as Marje' al-Taqleed.
- ¹¹ This is another term for Tawḍeeh al-Masā'el.
- ¹² The terms Faqih and Mujtahid are interchangeably used to mean the same thing.
- ¹³ Fatwā is to do with rulings such as the obligation of fasting, but Ḥukm is to do issues such as declaration of the beginning of the first of the month of Ramaḍān.

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- ¹⁴ *tab'eed* or 'opting out' is to act according to the opinion of another mujtahid when one's own *marje'* has not given a *fatwā* on the matter concerned.
- ¹⁵ A *jallāl* animal is that which has got used to consuming human faeces.
- ¹⁶ A span of the extended hand is the distance between the tips of the stretched thumb and little finger. Using metric measurement units, on average a span is about nine inches or 23 cm and thus the Kurr water volume is about 330,000 cubic centimetres (cc), 0.33 cubic metres, or one third of a cubic metre.
- ¹⁷ *Meetah* is the animal that has been killed contrary to the Islamic way, or that has died a natural death, or savaged by a predator.
- ¹⁸ Of course there is no objection if a person helps another by pouring the water from a vessel into the other person's hands to perform the *wuḍu'* himself.
- ¹⁹ For example, if one performs the *janābah* ghusl that one is required to do, but it is a time that one is not required to perform the *ṣalāh* then performing the ghusl is *mostaḥab* in itself.
- ²⁰ 'Azā'im surahs are those surahs that contain verses the recitation or listening of which mandate *sujood* or prostration. The surahs are: surah al-Sajdah (Prostration) #32, surah Fuṣṣilat (Explained) #41, surah al-Najm (Star) #53, surah al-'Alaq (Clot) #96.
- ²¹ Wasā'el al-Shi'a, vol. 4, p34.
- ²² i.e. not say the *mostaḥab* acts normally performed in the *Ṣalāh*, which would otherwise makes the *Ṣalāh* take longer to finish.
- ²³ The person performing the *ṣalāh* is called *moṣalli*.
- ²⁴ The *moqāṣṣir* ignorant is one who does not know the ruling of a case but is capable of seeking and learning it, but has not done so or does not do so, and thus remains ignorant of the ruling. It could be termed as "ignorance through negligence". This is as opposed to the *qāṣir* ignorant who is not only ignorant of the ruling of a case but does not know how or where to find out about ruling of the case and is not capable of doing so.
- ²⁵ *Meetah* is any animal that has not been slaughtered according the *shari'ah* law. *Meetah* also applies to animals that die naturally, or those that are savaged by a predatory animal.
- ²⁶ *Taqṣiri*.
- ²⁷ See above footnote about *moqāṣṣir* ignorant.

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- ²⁸ but there is no harm in doing so though.
- ²⁹ The raising and lowering of the hands should be done just before uttering the phrase of Takbirat-al-Ehrām (i.e. Allāho Akbar), such motionlessness is established during the uttering.
- ³⁰ *basmalah* is short for *Bismillah al-Raḥmān al-Raḥeem*, which is the first āyah of every surah of the holy Qur’an, with the exception of surah al-Tawbah (9), and the *basmalah* is recited at the onset of every surah in the ṣalāh.
- ³¹ The seven masājīd or elements of prostration are those parts of the that come in contact with the ground when performing the sajdah or prostration, i.e. the forehead, the two palms, the two knees, the two big toes.
- ³² i.e. one may read al-Tawḥeed [once after al-Ḥamd] in all [eight rak‘ah of the night prayer].
- ³³ In *al-shaf‘* prayer it is recommended to recite al-Nās [after al-Ḥamd] in the first rak‘ah, and al-Falaq in the second. In the *al-witr* prayer, which is one rak‘ah, it is recommended to recite [after al-Ḥamd] al-Tawḥeed three times and then al-Nās and al-Falaq, and then Qunut.
- ³⁴ The minors should be prayed for on top of the forty adult individuals. Ed.
- ³⁵ Mostadrak al-Wasā’el, vol.6, p331
- ³⁶ Wasā’el al-Shi‘ah, vol.8, p150, Mostadrak al-Wasā’el, vol.3, p281
- ³⁷ Wasā’el al-Shi‘ah, vol.8, p152
- ³⁸ Wasā’el al-Shi‘ah, vol.8, p158
- ³⁹ i.e. if there is not enough time to finish reciting al-Ḥamd before the imam goes for rukoo‘.
- ⁴⁰ A ‘Just’ individual is one who adheres to and acts upon the obligatory duties and refrains from the prohibited acts, such that if his neighbours, or his colleagues were asked about him, they would report of his good nature, commitment, and piety.
- ⁴¹ The Truth or the true guidance as taught by the prophet and his pure Ahl al-Bayt, and anything other the Ahl al-Bayt is false or bāṭil.
- ⁴² *fisq* is the opposite of ‘*adl*, and ‘*adl* is “the observance of and discharging the obligatory duties, and refraining from prohibited deeds”.
- ⁴³ unless one makes the intention to stay there for at least ten days.

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- ⁴⁴ If one remembers this before the rukoo‘ of the third rak‘ah, then one should immediately sit in the tashahhud position and perform the salaam, and after the completion of the salaam, one should perform the sajdātay as-sahw.
- ⁴⁵ One *modd* is a weight measurement unit equivalent to 750 grams approximately.
- ⁴⁶ Such as time-specific mandatory fast like the fasting of the month of Ramaḍān, or a fast that has become obligatory on a specific day through a vow.
- ⁴⁷ One that is not tied to a specific day.
- ⁴⁸ Wasā‘el al-Shi‘ah, vol.4, p198.
- ⁴⁹ 1-2 The poor and the destitute, 3. Collector of Zakāh, 4. Those whose hearts are won, 5. For buying slaves and setting them free, 6. The debtors who are unable to pay their debts, 7. For the Cause of Allah, 8. The Stranded Traveller.
- ⁵⁰ One who adheres to the commandments of Islam, and does not insist on disobedience or sins.
- ⁵¹ One may not enter Ḥaram (sanctity) of the holy city of Mecca without iḥrām, and that one can only get out of the state of iḥrām by performing the rites of Mecca in terms of ṭawāf, sa’y, etc.
- ⁵² One of them should be said depending on which one the individual is doing.
- ⁵³ Khums literally means one-fifth and it is the rate levied on incomes as given in the holy Qur’an: ﴿Know that whatever thing you may come by, a fifth of it is for Allah and the Apostle, for the relatives and the orphans, for the needy and the traveller, if you have faith in Allah and what We sent down to Our servant on the Day of Distinction, the day when the two hosts met; and Allah has power over all things﴾ 8:41.
- ⁵⁴ A *dhimmi* is a non-Muslim living under the protection of the Islamic Government.
- ⁵⁵ A mithqāl is a unit of weight. One common (*ṣayrafi*) mithqāl is 4.8 grams approximately. [There is also the shar‘ie mithqāl which is 3.6 grams approximately.]
- ⁵⁶ Amongst those criteria are those set by the Imam peace be upon him: “As for he who is amongst the *fuqaha* who; * safeguards himself [against temptations, etc.], * protects his religion, * opposes his own desires, * obeys the command of his master; then it is for the general public to follow him,

and that won't be except for some of the *fuqahā'* of the Shi'a, not all of them". Wasā'il al-Shi'ah, vol 27, p131. Biḥār al-Anwār, v2, p88. Those who meet the criteria are representatives by general authority during the greater occultation, as stated by the Imam, may Allah hasten his reappearance, "they are my ḥujjah upon ye, and I am the ḥujjah of Allah", Biḥār al-Anwār, v2, p90.

⁵⁷ The Ṣawāfi is that part of the spoil that is specific to the Imam.

⁵⁸ For example as a result of dubious business dealing or any other questionable or ḥarām conducts.

⁵⁹ *madālim* are 'liabilities' to other peoples - due to wronging them, breaking promises, etc. - which one must discharge as his responsibility.

⁶⁰ that was liable to khums.

⁶¹ A Shar'i mithqāl is equal to 3.6 grams, and a common mithqāl is equal to 4.8 grams.