

Bismillah Ar-Rahman Ar-Raheem

The Rules of Prayer (*Ahkam As-Salat*)

All praise is to Allah, the Lord of the worlds, and peace be upon the seal of the Prophets and Messengers, Muhammed (saw), and upon his family and his companions...

I have found the Muslims today worshipping Allah (swt) without clear knowledge and understanding of the Ahkam Shar'i (Islamic laws) related to them, and have found that they are in need of a book to make it easier for them to look into these Ahkam; a book which gathers the Ahkam needed for worship by the Muslims, supported by the Islamic evidences related to these Ahkam. For this purpose, I dedicate this book, titled "The Ahkam of Salat", to all the Muslims, asking Allah (swt) to make it useful for them and to guide them to the correct path.

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Chapter 1: Chapter of Purification (*Taharah*)

Purity [in the language] means cleanliness and freedom from contamination. As for the meaning established by the Fuqahaa' (Islamic scholars), it is the lifting of Al-Hadath (ritual impurity) and the removal of the impurity, or what they hold of meanings and realities. What is meant by 'what they hold of meanings and realities' is like performing *Tayammum* (dry ablution), *Ghusul* that is *Sunnah*, *Ghusul* that is obligatory (i.e. from Junub -major ritual impurity-), washing out one's mouth, and the like.

The lifting of Al-Hadath and the removal of the impurity is done using pure water. Pure water is water that, in its' bare form, does not necessitate any extra explaining to define it; or in other words, what is sufficient to simply be defined as water. This includes the water of the oceans, the skies and what pours out of the earth. As for the water of the oceans, the Messenger of Allah (saw) said regarding it: **"It (the ocean) is of pure water"** And the water of the skies, such as the water from rain and snow, Allah (swt) said regarding it: *"...and He caused rain to descend on you from the skies, to purify you therewith..."* [TMQ Al-Anfaal: 11] And what pours fourth from the earth, it was narrated of the Messenger of Allah (saw) that he (saw) once performed *Wudu* (ablution) from the well of Bidhaa'a.

Any fluids other than pure water, such as vinegar, rose water, spirits, or anything withdrawn from plants or trees, are not allowed to be used to lift Al-Hadath or to remove an impurity, for Allah (swt) said: *"...and if you do not find (pure) water, then (perform) Tayammum..."* [TMQ Al-Nisaa': 43] Here Allah (swt) makes *Tayammum* obligatory when one cannot find water, which is an evidence that it is not permissible to perform *Wudu* (ablution) with anything other than water and since removing the impurity is purification, and purification cannot be with anything other than water; Allah (swt) said: *"...and He caused rain to descend on you from the skies, to purify you therewith..."* [TMQ Al-Anfaal: 11].

The mixing of that which is pure with the water

If water became mixed with something pure and remained unchanged by it, due to the smallness of the amount added, this does not prevent purification, as the water remains in its pure state. If the water remained unchanged

by the substance due to its' similarity to the qualities of water in taste, colour and scent, such as unscented rose water, it is to be examined; where if the amount mixed in was large, such that it overwhelms the water, then it prevents purification. If it does not overwhelm the water, then purification with it is permissible.

If water became mixed with something pure that caused any one of its qualities to change, such as taste, colour or scent, it is to be examined; where if the substance is that which water cannot be protected from, such as water moss, or other substances that exist on ocean floors or in the path of running streams, then purification with it is permissible, since protecting water from them is impossible, and therefore is pardoned. If the water has become mixed with a pure substance which the water can be protected from, it is to be examined; where if the substance is such that it does not invalidate the use of the name 'water' on the water, such as dirt or water treatments (like chlorine), then it does not affect its' purity, since its' being mixed with the substance does not prevent it from being called water. If the substance was anything other than that, such as Saffron, dates or flour, etc., which the water can be protected from, it becomes impermissible to use it for purification, as it can no longer be called water.

The impurities that corrupt water

If an impurity fell into the water, causing it to change in taste, colour or scent, then the water is impure, whether the amount of water was small or large, and whether it was running or still. It was established by Ijma (consensus) that if the taste, colour or scent of water changes due to an impurity then it is impure. As for if the water did not change in taste, colour or scent, it is to be examined. If the water was less than two *Qillahs*, then it is impure, and if it was two *Qillahs* or more, then it is pure for the Messenger of Allah (saw) said: **“If water is (at least) two Qillahs, it does not carry refuse (*khubth*).”** Two *Qillahs* are (equivalent to) five water skins of water i.e. what is equal to 12 *tanakahs* (jerry cans) of water (i.e. 48 gallons?). This is regarding the impurities that can be seen by the eye. As for the impurities that cannot be seen with the naked eye, such as a fly landing on an impurity then landing on the water, this does not make the water impure and is pardoned; similar to clothing that have an impurity on them that cannot be seen with the naked eye, they are pardoned from it (the impurity).

Using/Utilising (*isti'mal*) water

Used water is of two types: that which is used to purify one's self from Al-Hadath, and that which is used to purify one's self from an impurity. As for the water used to purify one's self from Al-Hadath, it is pure and is not made impure by being used to lift Al-Hadath, i.e. if used for *Wudu* or *Ghusul*, from the narration of Jabir b. Abdullah (ra), who said: **The Messenger of Allah (saw) came to visit me while I was ill unconscious. He performed *Wudu*, then poured over me from his *wudu*.** This is an evidence of the purity (*aharah*) of used water but it is not purifying? (*mutahir*) and therefore cannot be used to lift Al-Hadath. This is due to what is narrated from Abu Hurairah (ra) that the Prophet (saw) said: **“Do not (perform) *Ghusul* in standing (*da'im*) water while he is Junub. They said: O Abu Hurayrah, how is that done? He said: He (*yatanawala tanawala*.)”** And due to the *hadith* of Muslim **“that the Prophet (saw) wiped his head with water other than the excess (which remained) in his hand”** and At-Tirmidhi extracted **“that the Prophet (saw) took for his head new water.”** And At-Tirmidhi and At-Tabarani extracted from a narration of bin Jariyah with the words **“take for your head new water”** so the Messenger's prohibition of performing *ghusul* in standing water is an evidence that already used water leaves being fit for purification since the prohibition here of mere washing, and the rule of wudhu is the rule of *ghusul*, and the Messenger command to take new water for the head and his own wiping of his head with new water, is an evidence that the first water that was used does not (*yajziu*) in purification. All this is if the water is less than two qillahs. If the used water reaches two qillahs and more, the rule of utilisation (*isti'mal*) water ceases therein because if water increases over two qillahs, it does not carry (*khubth*) so its not carrying utilisation is of greater precedence (*min bab awla*). As for used water in purifying filth/impurity (*najs*), it is considered. If it separated from the place (and) changed then it is impure. If separated from the place unchanged, it is considered; if the separated (water) but the place is impure then it is impure. However if the separated (water) and the place is pure, then it is pure.

The leftovers of Animals

The leftovers of animals are pure. They are what is left in the eating dish of an animal after they have eaten and drank, which is general for all animals, whether they are the leftovers of cats or otherwise. Hence, the leftovers

of all animals, such as horses, mules, donkeys, wild animals, mice, snakes and all other animals, the edible and the non-edible, their leftovers are pure. Similarly, their sweat and their saliva are pure and not offensive, according to the narration by Jabir of the Messenger (saw), who was asked: Can we perform *Wudu* with (water) left over by donkeys?" He (saw) replied **"Yes, as well as what was used by wild animals."**

Dogs and pigs are exempted from the animals for they are Najas (filth) due to his (saw) saying: **"If a dog lapped (drank) from a dish of yours, then you should wash it seven (times)."** And in another narration: **"...then you should pour it out, and wash it seven times."** The order to pour it out and to wash it is an evidence of its impurity.

Water, in origin, is pure; and since the leftovers of animals are pure, it is not sufficient to merely receive information that the water is impure for one to regard it as impure, rather it is necessary to know what has caused it to become impure. Therefore, if one were to approach water and another were to inform him that the water is impure, he would not accept this information until he was clear of what has made it impure, as it is possible that the he may have seen a wild animal drink out of it and thus consider it impure. If he became clear of the fact that it is impure, then he should accept from him the same as he would accept from one informing him of the direction of the *Qiblah*. If one was sure of the purity of the water and held doubts whether it was impure or not, he performs *Wudu* with it, as the origin is that it remains in its' state of purity. If he was sure of its' impurity and held doubts whether it was pure or not, he does not perform *Wudu* with it, as the origin is that it remains in its' state of impurity. And if he was not sure whether it was pure or impure, he performs *Wudu* with it, since the origin of water is purity.

Purity (*taharah*)

Purity is two types: purity from ritual impurity (*hadath*), and purity from filth (*najas*). Purification from Najas does not require Niyah (intention) to remove it, but purification from Al-Hadath, such as *Wudu*, *Ghusul* and *Tayammum* must have the Niyah present for them to be lifted, as the Messenger of Allah (saw) said: **"Verily, actions are according to intentions (Niyyaat), and verily, for every man is what he intended"** What is meant here of 'actions' is acts of worship, since transactions are verbal disposals (*tasrifat*) not actions; and

purification from Al-Hadath results from actions, so it is invalid without an intention. Thus, having the Niyah is an obligation, the same as the Niyah necessary for prayer, and one must make the Niyah in his heart, as the Niyah is the intended objective. The description of the Niyah is that the individual intends the lifting of Al-Hadath or purification from Al-Hadath; either one is valid, as he intended the objective, which is to lift Al-Hadath. It is best that one keeps the intention from the beginning of the *Wudu* until one is finished, so that he is continually linked to the Niyah. It is obligatory to make the Niyah at the beginning, upon washing his face, as it is the first part of the body that is obligatory to wash.

The description of *Wudu*

Wudu is an obligation, from the saying of the Messenger of Allah (saw): **‘Allah does not accept the prayer of any one of you, if he had (Al-Hadath), until he performs *Wudu*.’** It is permissible for the one performing *Wudu* to have another help him to perform it, as it was narrated that Al-Mugheerah (ra) poured water onto the Messenger of Allah (saw) while he (saw) was performing *Wudu* one night in Tabuk. Also that Usamah (ra) poured water onto the Messenger of Allah (saw) while he (saw) was performing *Wudu* on the morning of *Hajjat Al-Wadaa’* (the farewell *Hajj*), after leaving Arafah, between it and Al-Muzdalifah. And it was narrated by Hudhayfah b. Abi Hudhayfah (ra) that Safwan b. ‘Assal (ra) said: **‘I have poured water on the Prophet (saw) for *Wudu*, during settlement and during travel.’**

One begins his Niyah by saying: ‘I make the Niyah to lift Al-Hadath’ or ‘I make the Niyah to perform *Wudu*’, and the Niyah is obligatory. It is Mustahab (recommended) to mention the name of Allah (swt) upon the *Wudu*, from what was narrated from Abu Hurairah (ra), that the Prophet (saw) said: **‘Whoever performs *Wudu* and mentions the name of Allah (swt) upon it, it will be a purification for his whole body. And if he forgot (the supplication) at the beginning of the *Wudu* and remembered it during, then he should come forth with it, so that the *Wudu* is not without the name of Allah (swt).’**

After the Niyah and the supplication (saying: Bismillah Ar-Rahman Ar-Raheem), one washes his hands three times, for ‘Uthman (ra) and Ali (ra) were describing the *Wudu* of the Messenger of Allah (saw): **‘...so they washed their hands three times’** and must move his ring around, if it is tight, to allow the water to reach its

position. Then one washes out his mouth three times, and snuffs water into his nostrils three times, washing out the mouth before the snuffing each time. Washing out one's mouth is to take water into the mouth, then to turn it around inside, then to spit it out. And snuffing is to take water into one's nostrils, then to draw it in himself (inhaling) until the water reaches the top of the nose, then to dispel it. It was narrated by 'Amr b. 'Abasah (ra), that the Prophet (saw) said: **“There is not one of you who approaches *Wudu*, then washes his mouth out, then snuffs (water up his nostrils) and dispels it, but will have the bad deeds from his mouth and nose pulled out with the water.”** It is Mustahab that one carries the water and snuffs with the right hand, then dispels with the left, from the narration of Ali (ra): “He (the Prophet (saw)) would make the prayer to begin *Wudu*, then wash his mouth out and snuff (water up his nostrils), then he would dispel (the water from his nostrils) using his left hand...” then said: “...this is how the Prophet (saw) purified (himself)”. It is also Mustahab to exaggerate these actions, from the saying of the Messenger (saw) to Al-Qayt b. Sabra (ra): **“Perform *Wudu* properly, and soak between your fingers (and toes), and exaggerate in snuffing (the water up your nostrils), unless you are fasting.”**

It is one's choice to either separate the acts of washing the mouth out and snuffing, or to combine them into one action. As for combining them, the evidence for this is the narration of Ibn Al-'Abbas (ra) that the Messenger (saw) took a handful of water and used it to wash out his mouth as well as snuff water into his nostrils; and the narration of Abdullah b. Zayd (ra): **“...washed his mouth out and snuffed (water up his (saw) nose) using the same hand (of water); he did this thrice.”** As for separating between washing one's mouth out and snuffing, the evidence for this is from the narration of Talha b. Masraf from his father, from his grandfather, who said: I saw the Messenger of Allah (saw) **“separate between the washing out of the mouth and the snuffing.”**

It is Mustahab to brush one's teeth with a stick of an **Arak tree**, or its equivalent, from the narration of Abu Hurairah (ra), that the Prophet (saw) said: **“Were it not that I would burden my *Ummah*, I would order them to use Siwak before every prayer.”** And in another narration: **“..before every *Wudu*.”** If the Siwak harms him causes him pain, he should use his finger from the narration of 'Aisha (ra) who said: **“O Messenger of Allah, if when a man uses Siwak his gums become damaged, should he continue to use it? He said: ‘Yes’. I said: How should he do it? He said: ‘He puts his finger in his mouth (to brush with)’.”**

Following this, one washes his face and this is obligatory, from the saying of Allah (swt): “...*then wash your faces*” [TMQ Al-Ma'idah: 6] And the face is what is between the hairline of the head to the chin and the end of the beard vertically, and from ear to ear horizontally. What is considered here is the normal hairline, but if the person is bearded, this is to be looked into; where if the beard is thin and does not conceal the skin, then washing the beard and skin is obligatory. If the beard is thick and conceals the skin, then only running water over the beard is obligatory, as all contact falls upon it, and it is not obligatory to wash what is underneath, from the narration by Ibn Abbas (ra) of the Prophet (saw): “...he performed *Wudu*, so he took one handful (of water) and washed his face with it.” And one handful of water is not enough to reach what is beneath the beard, due to its thickness. If the beard is thick, it is Mustahab to soak the beard, from the narration of 'Uthman (ra): “The Prophet (saw) used to soak his beard.”

This is followed by the washing of the forearms up to the elbows, and this is an obligation from the saying of Allah (swt): “...*and your hands (and arms) to the elbows*” [TMQ Al-Ma'idah: 6] It is Mustahab to begin with the right first, then the left, from the narration of Abu Hurairah (ra) that the Messenger of Allah (saw) said: “**If any of you perform *Wudu*, you should begin with your right (sides first).**” But if one began with his left, this is permissible, for Allah (swt) said: “...*and your hands (and arms)*” [TMQ Al-Ma'idah: 6]

Following this, one wipes his head and this is obligatory, from the saying of Allah (swt): “...*and wipe your heads*” [TMQ Al-Ma'idah: 6]. The head is what is covered by a normal hairline, as well as the two (sideburns), which are the two areas around the forelock, at the sides of the brows. The forelock is the hair that grows at the front of the head, followed by the face between the two (sideburns). The obligation of wiping the head is in the meaning in the word 'wipe'; no matter how small the area wiped, it is not measured, for Allah (swt) ordered us to wipe, and this applies to the much and the little. The least permitted is the smallest part of his finger to wipe the smallest part of his head, for this to validly be called wiping. It is Mustahab to wipe the entire head, where one would take the water into his hands and shake it off, then bring his fingertips together and place them at the front of his head, placing his thumbs on his temples, then run his fingers back to the nape of the neck and return them back to where he started, for it was narrated of Abdullah b. Zayd (ra) as he was describing the *Wudu* of the Messenger of Allah (saw): “...then he wiped his head with this two hands, so he brought them forth and back.

He began with the front of his head, then moved them back to the nape of the neck, and then returned them to where he started from.”

This is followed by the wiping of the ears, inside and out. It was narrated of Al-Miqdaam b. Ma'dayakrib: The Prophet (saw) wiped his head, and his ears inside and out, putting his fingers inside his ear holes.” It is preferred to use new water to wipe the ears, other than what was used to wipe the head, from the narration of Abdullah b. Zayd (ra) that he saw the Messenger (saw) performing *Wudu*, and took water for his ears other than what he used for his head.

This is followed by the washing of the feet and this is obligatory, from the saying of Allah (swt): “*...and (wash) your feet to the ankles*” [TMQ Al-Ma'idah: 6]. It was established in both *Sahih* Al-Bukhari and *Sahih* Muslim that the Messenger of Allah (saw) saw a group of people performing *Wudu*, and left their ankles untouched by water, and said: **‘Woe to the ankles from the Hellfire.’** In this is a clear indication that covering the entirety of both feet in washing them is obligatory. Also, what was narrated by ‘Umar b. Al-Khattab (ra) that a man performed *Wudu* and left a small area untouched by water on his feet, so the Prophet (saw) saw this and said: **“Go back and perfect your *Wudu*”** and what was narrated by Amru bin Shuaib from his father, from his grandfather, that a man came to the Prophet (saw) and said: **‘O Messenger of Allah, how is the purification? He (saw) called for some water in a bowl and washed his hand thrice...’** continuing the *hadith* until he said: **“...then washed his feet thrice then he said: This is how *Wudu* (is done), so whoever adds to it or takes away (from it) has done wrong and has done an injustice.”**

It is also obligatory to wash the ankles with the rest of the foot, from the saying of Allah (swt): “*...And (wash) your feet to the ankles*” [TMQ Al-Ma'idah: 6] and from what was narrated of ‘Uthman (ra) regarding the description of the *wudu* of the Messenger of Allah (saw): **“...then he washed his right foot until the ankles, and his left one the same.”** There are no narrations indicating that he (saw) did anything other than this, nor allowed otherwise, nor made a statement permitting anything other than this. The saying of Allah (swt) “*...to the ankles*” is an obligation to wash them, and the evidence for the obligation of the ankles since the goal (*ghayah*) enters into what is aimed for, and whatever is necessary to complete an obligation is an obligation.

It is Mustahab to begin with the right first, then the left, and to soak between the toes, from the saying of the Messenger (saw) to Al-Qayt b. Sabrah (ra): “**..and soak between your fingers (and toes).**” It is also Mustahab to wash above the wrists when washing the hands, and above the ankles when washing the feet, from the saying of the Messenger of Allah (saw): **‘My Ummah will come on the Day of Resurrection radiant and shining from the traces of Wudu, so whoever is able to extend his radiance, should do so.’**

And it is Mustahab to perform *Wudu* (on each body part) three times, from the narration by Ali (ra): **‘The Prophet (saw) would perform Wudu thrice, thrice.’** If one exceeded three times, it is Makruh (disliked), from the narration by Amru bin Shuaib, from his father, from his grandfather, that the Prophet (saw): **‘...performed Wudu thrice, thrice then he said: This is how Wudu (is done), so whoever adds to it or takes away (from it) has done wrong and has done an injustice.’** It is permissible to perform *Wudu* once for each part, or twice for each part, since it has been narrated by authentic narration’s that the Messenger of Allah (saw) performed *Wudu* on each body part once each, or twice each, or three times each.

This is how *Wudu* is to be performed, and it must be in sequence, where one first washes his face, then washes his arms, then wipes his head, then washes his feet; the evidence for this is that Allah (swt) placed the wiping of the head between the washing, i.e. between the washing of the arms and the washing of the feet, thus eliminating the Hukum of comparison, which therefore indicated the intent to make sequence an obligation. Furthermore, there is an abundance of *Sahih Ahadith* from groups of Sahaba regarding the description of the *Wudu* of the Messenger of Allah (saw), and they all described it in this particular sequence, despite their large numbers and the large number of lands that he (saw) was seen in, nor are there any evidences describing the *Wudu* of the Prophet (saw) which are not in this sequence. And the actions of the Messenger of Allah are the clarification of the method of performing *Wudu* as decreed by Allah (swt), where his (saw) keeping to only one single method is a Qareenah (conjunction) that indicates an obligation, and therefore the sequence is a *Fard*.

One must continue between the body parts. If he left a short period of time between them it is not a problem, but if it is a long period of time, which is the average amount of time needed for a body part to dry, this is not permissible since continuance is an obligation, based on what was narrated by Abu Dawud and Al-Baihaqi, from Khalid b. Ma’dan, from a number of the companions of the Prophet (saw), that the Messenger of Allah (saw):

“...saw a man performing Salat, and on the back of his foot was a small part, the size of a Dirham (coin), that was untouched by water, so he ordered him to repeat his *Wudu* and his Salat.” And from ‘Umar (ra) *mawquf* who said: “To whoever does this, repeat your *Wudu*.” Therefore, if continuance was not an obligation, then he (saw) would have sufficed with simply telling him to return and wash his foot again; hence, his (saw) ordering him to repeat the *Wudu* and the Salat is an indication of the obligation of continuance.

It is Mustahab (recommended) that when one completes *Wudu* to say: Ashhadu Anna Laa Ilaaha Illa Allah Wahdahu Laa Shareeka Lahu, Wa Anna Muhammadan ‘Abdahu Wa Rasooluh. (Translated: I bear witness that there is no Lord worthy of worship but Allah, alone, having no partners attributed to Him, and that Muhammed is His slave and Messenger.) This is due to what Umar (ra) narrated that the Messenger of Allah (saw) said: **“Whoever performs *Wudu* perfectly, then says: ‘Ash-hadu Anna Laa Ilaaha Illa Allah, Wah-dahu Laa Shareeka Lahu, Wa Anna Muhammadan ‘Abdahu Wa Rasooluh’ truthfully from his heart, will have eight doors to paradise opened for him, to enter through whichever one he wishes.”**

Wiping the Khuffain

Wiping the Khuffain (the two foot covers –like leather socks) in *Wudu* is permissible, based on the narrations that the Prophet (saw) wiped the Khuffain; but it is not permissible when washing from Junub (major ritual impurity) based on the narration of Safwan b. ‘Assal Al-Muradi (ra), who said: **“He, meaning the Prophet (saw), ordered us to wipe the Khuffain if we had put (our feet) in them in a state of (ritual) purity, for three (days and nights) if we were travelling, and one day and one night if we resided; and that we do not take them off (for *Wudu*) if we went to the Al-Ghaa’it (an area to relieve one’s self) or if we urinated or slept, and not to remove them unless we became Junub.”**

The one who is a resident wipes for one day and one night and the traveller wipes for three days and their nights, based on the narration by Ali b. Abi Talib (ra) who said: **“The Prophet (saw) allowed for the traveller three days and their nights, and for the resident one day and one night.”**

The beginning of the period for wiping is when one nullifies his *Wudu*, after putting on the foot cover, for the *Hadith* states: **‘He (saw) ordered us to wipe’** and the wiping begins when it is necessary, and the necessity of wiping begins when one nullifies his *Wudu*.

It is permissible to wipe any **footgear** that is **untorn**, pure and conceals the area of wiping, which is the bottom of the foot up to the **two ankles**. It also must be such that one can walk on it, whether it is made of leather, wool, cloth (**cotton**), or otherwise. It must be concealing since concealment is a condition based on Ijma (consensus), and what is meant by that it must be such that one can walk on it, is that one is able to use it to walk on in areas of dismounting (from a riding animal), setting down and setting off; also during one’s travelling back and forth to one’s home for different needs, as well as during one’s duties within the home, as was the daily practice of those who wore the Khuffain; and it is not a condition that one is able to use them to travel long distances.

The laws related to the Khuffain apply to socks in every way, where it is permissible to wipe over them if one can use them to walk with, regardless of whether they are thick or thin, accompanied by slippers or not, based on the narration of Al-Mughirah b. Shu’bah (ra) that the Messenger of Allah (saw) performed *Wudu* and wiped over his two socks and slippers. And it was narrated of ‘Umar (ra) and Ali (ra) that they permitted the wiping over the two socks, even if they were thin. But it is not permissible to wipe over the Kuffain or the socks unless one wore them in a state of full purity, based on the narration of Abu Baker (ra) that the Prophet (saw) allowed the traveller three days and their nights and the resident one day and its’ night, if they wore them in a state of purity, to wipe over them.

It is Mustahab (recommended) to wipe over the top face of the Kuffain, based on the narration of Al-Mughirah b. Shu’bah (ra), who said: **‘I saw the Messenger of Allah (saw) wipe over the top (face) of the Khuffain.’** And it is allowed for one to wipe the top face of the Khuffain as well as the bottom, where one would immerse his two hands in water, then place his left hand under the heel of one Khuff and his right hand on the top part of his toes, then draw his right hand back to his ankles and his left hand forward to the tips of his toes, based on the narration of Al-Mughirah b. Shu’bah (ra), who said: **‘I (assisted) the Messenger of Allah (saw) in his *Wudu* during the battle of Tabuk, where he wiped the top of the Khuff as well as the bottom.’** And it is not necessary that the wiping covers the whole area.

Tayammum (Dry ablution)

It is permissible to perform *Tayammum* to lift Al-Hadath Al-Asghar (minor ritual impurity), from the saying of Allah (swt): *‘If you are ill, or on a journey, or one of you come from Al-Ghaa-it (location to relieve one’s self), or you have been in contact with women and you find no water, then perform Tayammum with clean (sand or earth)’* [TMQ Al-Nisaa’: 43] and it is permissible to perform *Tayammum* to lift Al-Hadath Al-Akbar (major ritual impurity), which is Junub (after sleeping with one’s wife), the period of a female and post-natal bleeding, based on the narration of Ammar b. Yassir, who said: **‘I became Junub, so I covered myself in dirt, and (later) told the Prophet (saw) about this, where he said to me: ‘It was sufficient for you to do this’: and struck his hands on the ground, then blew on them, then wiped his face and palms.’**

Tayammum is done by wiping the face and the hands, including the wrists, with one strike of the palms of the hands on the earth, based on the words of Allah (swt): *‘If you are ill, or on a journey, or one of you come from Al-Ghaa’it (location to relieve ones’ self), or you have been in contact with women and you find no water, then perform Tayammum with clean (sand or earth) and wipe therewith your faces and hands’* [TMQ Al-Nisaa’: 43]

And from the narration of Ammar b. Yassir (ra): “The Messenger of Allah (saw) said: **‘In Tayammum, there is one strike (to the earth) for the face and the hands’.**” It is permissible to strike the earth twice, based on the narration of Abu Umamah (ra) and Ibn ‘Umar (ra) that the Messenger of Allah (saw) said: **“Tayammum is two strikes (to the earth): one for the face and one for the two hands up to the wrists.”** And from the *Hadith* of Jabir, of the Messenger of Allah (saw): **“Tayammum is a strike (to the earth) for the face and a strike (to the earth) for the two hands up to the wrists; and this is the most complete Tayammum.”** It is permissible to either keep to one strike or to perform two strikes to the earth, wiping the face and the hands up to the wrists, based on the previously mentioned *Hadith* of Ammar (ra), as well as the *Hadith* narrated by Ahmed and Abu Dawud, also from Ammar b. Yassir (ra), who said: **I asked the Messenger of Allah (saw) about Tayammum, so he ordered me to strike (the earth) once for my face and hands.**” It is not permissible to perform *Tayammum* except with earth, since the Ayah in the Qur’an specifies the use of: (in Arabic) *“Sa’eedan Tayyiban”*, and “Sa’eed” means earth (dirt or sand), and “Tayyib” means pure. It was stated in *‘Al-Qamoos’*:

“...‘Sa’eed’ is dirt and the face of the earth.” And the *Ahadith* came and specified a meaning for the word “Sa’eed”, which is earth. Al-Azhari said: “The opinion of the majority of the ‘Ulema is that the word “Sa’eed” in the saying of Allah (swt): ‘*Sa’eedan Tayyiban*’ means earth.” And in the book ‘*Fiqh Al-Lugha*’ by Al-Tha’alabi, he states: “*Sa’eed* is the soil/dirt on the face of the earth.” Ibn ‘Abbas said: “...‘*Sa’eedan Tayyiban*’ meaning pure earth.” It was also narrated by Hudhayfah bin Al-Yaman (ra) that the Messenger of Allah (saw) said: **‘We have been favoured over others in three (things): the (whole) earth has been made a mosque for us, its earth has been made purification for us, and our rows have been made (to resemble) the rows of the Angels.’** The specification of soil is indicated by the *Hadith* of Muslim from Hudhayfah: **“And its soil has been made purification for us.”** And in the narration by Ali b. Abi Taalib (ra): **“And He made the earth purification for me.”** This is specific, and therefore the general is taken according to it, which is the earth mentioned in the narration by Abi Umamah (ra): **“And the whole earth has been made a mosque and purification for me and my Ummah.”** This is supported by the narration by Hudhayfah: **“And the whole earth has been made a mosque for us, and its soil has been made purification for us if we cannot find water.”**

Furthermore, the words: “...*then wipe therewith...*” in the Ayah indicates that there is something to wipe with, and this cannot be with anything but what sticks to ones’ hands of dust after striking the earth. Therefore, the earth must have dust, for it to stick to the hands and then to wipe therewith the necessary body part. As for the gravel that has no dust, it is not permissible to perform *Tayammum* with it. Nor is it permissible to perform *Tayammum* except with the intention to do so.

When one wants to perform *Tayammum*, he says “Bismillah” as he would in *Wudu*, then he must make the N intention, and then strike the earth with **the palms of** his two hands, immersing his hands in the earth if it is fine; and if one did not strike the earth and merely placed his hands on the earth, **this is permissible**. Then he wipes his face, reaching all exposed skin on the face, as well as the **exposed hair on the face**. Then he would strike the earth again and place the inside of the fingers of his left hand on the outside of the fingers of his right hand and run his left hand over the back of his right hand **up to the wrist...** The *Fard* (obligatory parts) in all this is the intention, the wiping of the face, the wiping of the hands and wiping the face before the hands. The *Sunnah*’s in this are saying “Bismillah” and wiping the right hand before the left one.

Tayammum is not permissible unless water is unavailable or one fears using the available water. As for the one who has water available, it is not permissible to perform *Tayammum*, based on the words of Allah (swt): “...and you find no water, then perform *Tayammum*” [TMQ Al-Nisaa’: 43] and from the saying of the Messenger of Allah (saw): **‘Clean earth is the *Wudu* of the Muslim if he does not find water.’** Having water that is needed for thirst is considered as not having water available, since it is off-limits as it is obligatory to keep the water to satisfy ones thirst. And if water is not available, *Tayammum* is not permissible until one seeks water, based on what the Ayah of Allah (swt) indicates: “...and you find no water”. And the seeking is not valid unless one has entered the time of prayer, since he seeks to verify the condition for *Tayammum*, which is not being able to find water. Seeking water means for one to look to his right, to his left, before him and behind him. If he found in front of him a barrier such as a mountain or otherwise, he must climb it and look around. If he had a companion with him, he must ask him for water, and if the companion found water for him, one must accept it. If he offered it for sale at a reasonable price, and one has the price available with him, and is not in need of these funds (or goods) then it is obligatory to buy it. If someone showed him the way to water and he did not fear the passing of the time for prayer, or being cut off from his fellow travellers, or any danger to his self or his property, then it is obligatory to him to seek it.

A condition for *Tayammum* is the entering of the time of the Salat, and it is not permissible to pray with one *Tayammum* more than one obligatory Salat; this is based on the narration from Amru bin Shuaib, from his father, from his grandfather, who said: The Messenger of Allah (saw) said:

“The earth has been made a mosque and purification for me; wherever (I may be when) the time for Salat comes upon me, I wipe myself and pray.”

If one did not find neither water nor earth, where he was imprisoned in a place covered in impurities, or in a place made completely of cement, or was in a land that was muddy, then he must pray in his present state; and it is not obligatory for him to repeat the prayer if he later found water. This is based on the narration of A’isha (ra), where she borrowed a necklace from Asmaa’ (ra) and it was lost so the Messenger of Allah (saw) sent a number of his companions to bring her to him when the time for prayer came upon them. So they prayed without having *Wudu*. They later returned to the Prophet (saw) and told him about this, when the Ayat regarding *Tayammum*

were then revealed. Therefore, these men performed Salat without *Wudu* and the Messenger of Allah (saw) did not order them to repeat the prayer; this is also clarified in the *Hadith* of the Messenger of Allah (saw): **“Whatever I forbid you from doing, abstain from it, and whatever I order you, perform of it that which you are capable of.”** Therefore, the Muslim is ordered to perform Salat, including all its’ conditions and pillars, where if he found himself unable to perform some of them, he must come forth with the rest; such as, if one was unable to cover his *‘awrah* (nakedness), then he prays with his *‘awrah* showing, or if he was unable of knowing the direction of the *Qiblah*, then he prays in any direction he sees as being the most likely direction, or if he was unable to perform one of the pillars, such as standing while praying, then he prays sitting, or if he is unable to find water or earth (dirt), then he prays without any *Wudu* or *Tayammum*. Therefore, the one without either of the two purifications must still perform the Salat regardless. Not to mention the fact that Salat is an obligation in origin, and this obligation is not dropped if purification is not found, since purification is a condition of the correctness of the Salat, not a condition for it being an obligation.

As for not repeating the Salat, it would lead to obliging two *dhuhrs* or two *Asrs* etc and the Messenger of Allah (saw), in the previously mentioned *Hadith* of A’isha (ra), did not request from those who performed the Salat without *Wudu* to repeat the prayer, nor did he order them to do so.

If some of the body parts of the one needing to perform *Wudu* are broken and need to be placed in a cast, or a cut that needs to be wrapped in a bandage and a cast, or a bandage alone, then this must be looked into; where if one does not fear any harm from removing them, it is then obligatory to remove them and wash what is underneath them with water, if one does not fear any harm from washing it. But if one feared any harm from removing them or from washing what is underneath them with water, then it is not obligatory to remove them; rather, one would wash the body part and wipe over the cast or the bandages and perform *Tayammum*, based on the *Hadith* of Jabir (ra): **“A man was struck in the head with a stone which cut his head open. Then he had a wet dream, so he asked his companions: Do you find permission for me to perform *Tayammum*? they replied: We do not see any permission, and you are able to acquire water. So he performed *Ghusul* and died. So the Prophet (saw) said (regarding it): ‘It was sufficient for him to perform *Tayammum* and to wrap a cloth over his head, wiping over it, then to wash the rest of his body’.”**

What nullifies *Wudu*

Anything that exits from the front or the behind of a man or a woman nullifies *Wudu*, whether this is excrement, urine, gas, worms, blood, stones, or otherwise. There is no difference between what is normal and what is rare, or between gas that exits from the front of a man or woman, or their behind. Sleep also nullifies *Wudu*, as well as losing control of ones' mind outside of sleep, touching a woman, and touching ones' private parts. There is nothing other than these named things that can nullify *Wudu*.

As for that which exits from the two parts, this is based on the saying of Allah (swt): *'Or if one of you come from Al-Ghaa'it (location to relieve ones' self)'* [TMQ Al-Nisaa': 43] and the saying of the Messenger of Allah (saw): **"(One is not to re-perform) *Wudu*, unless (he hears) a sound or (smells) a smell."** And his (saw) saying: **"If anyone of you found something (moving) in his stomach and had doubts whether something came out or not, then he should not leave the mosque until he hears a sound or finds a smell."** And he (saw) said regarding *madhi* (pre-seminal fluid): **"He should wash his penis and perform *Wudu*."** And said: **"In Al-Wadi, (one must perform) *Wudu*."** And regarding Al-Madi and Al-Wadi Ibn 'Abbas said: "Wash your penis or vagina and perform the *Wudu* for Salat."

As for sleeping, it nullifies *Wudu* whether the one sleeping was lying down, leaning on something or **Munkaban** (sleeping on his stomach). If the one sleeping is sitting up, where the area from which the gas exits is pressed on the ground, then *Wudu* is not nullified here, even if the one sleeping was snoring. This is based on the what was narrated by Ali (ra) of the Prophet (saw), who said: **"The two eyes are the cover of the (?), so whoever sleeps should perform *Wudu*."** And on the narration of Anas (ra), who said: "The companions of the Messenger of Allah (saw) would wait for the *Ishaa'* (prayer), so they would fall asleep sitting up, then perform the Salat without re-performing *Wudu*." And in a narration by Al-Baihaqi: "I have seen the companions of the Messenger of Allah (saw) wake up for Salat, where I would even hear snoring (while they were sleeping); then they would rise and perform Salat without re-performing *Wudu*."

As for losing control of one's mind outside of sleep, this means to become insane, to faint, to become drunk, or to become sick where one would lose control of their minds and nullify their *Wudu*. The evidence for this is from Ijma as-Sahaba (consensus of the Sahaba) as was narrated by Ibn Mundhir.

As for touching a woman, the evidence for its' nullifying *Wudu* is the words of Allah (swt) in Surat Al-Nisaa' and Surat Al-Maa'idah: "...or one of you come from Al-Ghaa'it (location to relieve ones' self), or you have been in contact with women and you find no water, then perform *Tayammum*" [TMQ Al-Nisaa': 43] where He (swt) linked touching women to coming from Al-Ghaa'it, and ordered the performing of *Tayammum* when water cannot be found; this indicates that touching women is minor ritual impurity like the one coming from Al-Ghaa'it. Touching and contact is when a man touches the skin of a woman, or a woman the skin of a man, with no barrier between them, and hence the *Wudu* of the one who touched is nullified. This is based on the words of Allah (swt): "...or you have been in contact with women" [TMQ Al-Nisaa': 43], and in another reading of the Qur'an amongst the seven correct readings of the Qur'an: "*or...*" thus touching women nullifies *Wudu*. The word "Al-Lams" (i.e. touching) in the Arabic language is used for the touching of the hand, and is not used for intercourse unless there is a Qareena (conjunction) to indicate this particular meaning; nor does it become metaphorical (*majaz*) unless the apparent meaning (*dhahir*) is excused. Al-Haakim deduced that what is meant by the 'touch' is less than intercourse from the *hadith* of A'isha (ra): "There was no day, or scarcely any day, except that the Messenger of Allah (saw) would come to us. He would kiss and touch..." (the *hadith*). And Al-Baihaqi used the evidence narrated by Abu Hurairah (ra): "The fornication of the hand is by touching." And in the story of Maa'iz: "Perhaps you kissed or touched." And the *Hadith* by 'Umar (ra): "A kiss is a type of touch, so perform *Wudu* from it." All this shows that what is meant in the Ayah is real touching, which is to touch with the hand. This is also supported by the understanding of the Sahaba of this Ayah, where they said that "Al-Lams" means to touch with ones' hand; for Ibn 'Umar (ra) stated that whoever kisses his wife or touches her must perform *Wudu*, and in the narration of Ibn Mas'ud: "A kiss is a type of touch, and *Wudu* is obligatory (after it)." As for the *Hadith*, narrated by A'isha (ra): "The Prophet (saw) would kiss some of his wives, then pray without re-performing *Wudu*" all these narrations have a weak chain of narration. Furthermore, it contradicts the Ayah (in Surat Al-Nisaa'). And the other *Hadith* by A'isha (ra), where she says: "...until when

he wished to (pray) *Witr*, he would touch me with his leg” and in another narration: “... when he prostrated, he would touch me and I would pull my leg back, and if he stood I would stretch it out again”; this also contradicts the Ayah. So this *hadith* and the one before it are taken to mean that this is specific to the Messenger of Allah (saw), due to the existence of a verbal evidence contrary to that. And if a statement came in the Qur’an or a *Hadith*, then the Messenger (saw) acted contrary to it, this means that what he (saw) did was specific to him and it is not permissible to follow his example in such a matter, since the actions of the Messenger (saw) do not contradict the general statement in the Qur’an or in *Ahadith*. It cannot be said that the *Hadith* is an explanation of the Ayah and does not contradict it, and therefore the meaning that came in the *Hadith* is taken, as it is an explanation of it; this cannot be said since the word that came in the Ayah: “*laamastum*” or “*lamastum*” (touched) is not general for us to say that the *Hadith* came to make it specific, nor is it unlimited for us to say that the *Hadith* came to limit it, nor is it a conjoint word for us to say that the *Hadith* came to specify a particular meaning amongst its’ meanings, nor is it undefined for us to say that the *Hadith* came to define it, nor is it vague for us to say that the *Hadith* came to explain and clarify it; rather, it is a word that is clear in indication and has one real meaning so the existence of a *Hadith* that contradicts it is not accepted. It becomes inevitable (either) to reject the *hadith* or taking its meaning for which it came which is that it is specific to the Messenger. Based on this, the meaning of the Ayah indicates that touching a woman nullifies *Wudu*.

Only the one who touches has their *Wudu* nullified; as for the one touched, their *Wudu* is not nullified, since the Ayah indicates the nullification of the *Wudu* of the one who touches, and does not indicate the nullification of the *Wudu* of the one who is touched, neither by the stated text (*mantuq*), nor by understanding (*mafhum*), nor by indication. And because A’isha (ra) said: **‘I did not find the Messenger of Allah (saw) in bed, so I arose to search for him, when my hand fell on the bottom of his foot. When he finished his prayer, he said: ‘Your Shaytan came to you’”** and in another narration: “...my hand fell on the inside of his foot while he was prostrating and they -(his two feet)- were set (as one would in prostration), while he said: ‘O Allah, I seek refuge in Your pleasure from Your anger’.” This *Hadith* indicates that the *Wudu* of the one touched is not nullified, for if it did nullify *Wudu*, the Messenger of Allah (saw) would have discontinued his prayer when A’isha (ra) touched him. There is no difference whether the one touching is a man or a woman, only that the one

who touches nullifies their *Wudu*. As for **if the skin of both a man and a woman come in contact from an (intentional) movement from both of them at the same time, the *Wudu* of both of them is nullified,** since both of them touched. All this is when the skins of the man and woman meet; **however if one of the two touches the hair, teeth or nails or touches the other's skin with his hair, teeth or nails, this does not nullify the *wudu*** as this is not considered a touch. Similarly if he touches a **non-marriageable relative (*mahrem*) related by the womb or a young girl,** this does **not nullify his *wudu*** due to what was narrated that the Prophet (saw) **“prayed and he was carrying Umamah bint Zainab (ra). When he prostrated, he put her down and when he stood, he raised her.”** Umamah was small and she was a *mahrem* to the Prophet (saw). Included in *mahrem* related by the womb are like the mother, daughter, sister, brother's and sister's daughter, paternal and maternal aunt, just as is included in *mahrem* the *mahrem* by suckling (*ridha'*) or by marriage like the wife's mother, daughter and wife of the son, father and grandfather. As for the temporary *mahrem* like the wife's sister, paternal or maternal aunt, they are not included in the *mahrem* as she is not a permanent *mahrem*, so *wudu* is nullified by touching them.

As for touching the private parts, if it were with the inside of the palm of the hand (*kaff*) then it nullifies *wudu* due to what Yusras bint Safwan (ra) narrated that the Prophet (saw) said: **“If one of you touches his private part, let him perform *wudu*.”** If it were by the back of the hand, it does not nullify (*wudu*) due to what Abu Hurayrah narrated that the Prophet (saw) said: **“If one of you reaches by his hand to his private part without anything between them, let him perform the *wudu* of prayer.”** And due to what Yusras bint Safwan narrated that the Prophet (saw) said: **“Whoever touches his private part, he should not pray until he performs *wudu*.”** And in the narration of Ahmad and An-Nisai from Yusra that she heard the Messenger of Allah (saw) saying: **“And let the one who touches the private part perform *wudu*”** which covers his own private part and the private part of another. And due to what Abu Hurayrah narrated that the Prophet (saw) said: **“Whoever reaches by his hand to his private part without any veil in front of it, then *wudu* is obligatory upon him.”** Reaching by the hand cannot be except by the inside of the palm of the hand, and because the back of the hand is not an instrument/organ (*aalat*) of touch. Similar to one's own private part is the private part of another. Touching the pudenda/front part (*qubul*) or back-side (*dubur*) is like touching the private part and nullifies *wudu*. Accordingly if a man or woman touches his or her front part or of another, whether young or old, living or a corpse, male or

female, the *wudu* of the toucher is nullified due to what Amru bin Shuaib narrated from his father from his grandfather from the Prophet (saw) who said: **“Any man who touches his private part, should perform *wudu* and any woman who touches her private part, should perform *wudu*.”** Similar to his private part is another’s private part because it is a human’s private part so it is like his private part equally. This is contrary to the animal’s private part so if he touches it, it does not nullify *wudu* as it does not (*indaraja*) under the word **his private part**” which is specific to the human (private part). That which is nullified is the *wudu* of the one touching only. As for the one touched, his *wudu* is not nullified because the *hadith* explicitly states (regarding) the one touching and the one who reaches by his hand only; it does not state (regarding) the one touched, nor is the one touched understood from it which indicates that it does not nullify his *wudu*.

These are the nullifiers of *wudu*. If one of these five occurs to the man or woman, his/her *wudu* is nullified and he becomes ritually impure with a lesser ritual impurity. Whoever had performed *wudu* and was certain about his purity, then doubt entered into (*adkhala*) (i.e. occurred to) him whether or not he became ritually impure, there is no consideration as to what entered into him due to what was narrated from ‘Ibad bin Tamim from his paternal uncle that he complained to the Messenger of Allah (saw) (about) a man who imagined that something (nullifying *wudu*) existed in the prayer, so he replied: **“He should not turn away or divert from his prayer until he hears a sound or there exists a smell.”**

Whoever has become impure with lesser ritual impurity, prayer is forbidden to him due to his (saw) saying: **“Allah does not accept prayer with impurity”** and his saying: **“Allah does not accept the prayer of one of you if he becomes ritually impure until he performs *wudu*.”** The rule of the prostration of the recitation and of thanks is like the rule of prayer therein. *Tawaf* (circumambulation) is forbidden to him due to his (saw) saying: **“The *tawaf* of the House (Ka’aba) is like the prayer except that Allah permitted speech therein.”** It is forbidden to touch the *mushaf* (Qur’an) due to the Supreme’s saying: *‘None touch it except the purified’* [TMQ 56:79] because the pronoun in *“none touch it”* refers to the Qur’an: *“Verily it is a noble Qur’an. In a well-guarded book. None touch it save the purified. Revealed from the Lord of the worlds”* [TMQ 56:77-80] i.e. the Qur’an. The purified are those qualified/distinguished with purity. The one who has purity from lesser ritual impurity is called ‘purified’ (*mutahar*) and the one who has purity from greater ritual impurity is called

‘purified’ (*mutahar*); so none touches it except the purified whether it were purity from lesser ritual impurity or purity from greater ritual impurity. This is strengthened by the Prophet (saw) writing to the people of Yemen a book, and within it was: **“None touches the Qur’an except the pure (*tahir*).”** Touching the *mushaf* includes touching the Book, the skin and cover/enclosure (*hawashi*) and everything upon which is verified that it is of the *mushaf*. As for its dwelling (*bayt*), connection/attachment/suspensory cord (*‘alaqah*) and the like which are not of the *mushaf*; it is not forbidden to touch them.

RITUAL WASH (AL-GHUSUL)

That which obliged the *ghusul* is the insertion of the glans penis (*hashfa*) in the private part, the issuing forth of semen Menstruation, child-birth (*nifas*). As for the insertion of the glans penis in the private parts, it obliges the *ghusul* due to what Aisha (ra) narrated that the Prophet (saw) said: **“When the two circumcised parts (*khitan*) meet, *ghusul* is obliged”** The meeting of the two circumcised parts occurs with the disappearance of the glans penis in the private part because the circumcised part of the man is the skin remaining after circumcision, and the circumcised part of the woman is a skin like the (*‘urf ad-duk*) above the private part which is cut during circumcision. So when the glans penis disappears in the private part i.e. when his circumcised part overcomes her private part, and when they overcome each other then they have met. So whoever inserts in any private part, *ghusul* is obliged upon him/her whether it were a human or animal, dead or alive, and whether he ejaculated or not. *Ghusul* is obliged upon him due to what is narrated from the Prophet (saw) who said: **“When he sat between her four (*h’ab*) and the circumcised part unites (*alzaqa*) with the private part, *ghusul* is obliged even if he does not ejaculate.”**

As for the production of semen, *ghusul* is obliged upon the man and woman during sleep and wakefulness due to what Abu Said Al-Khudri (ra) narrated that the Messenger of Allah (saw) who said: **“Verily water (i.e. *ghusul*) for water (i.e. semen).”** *Umm Salamah* (ra) narrated and said: **“Umm Sulaym, the wife of Abu Talha, came to the Prophet (saw) and said: O Messenger of Allah, verily Allah is not shy of the truth. Is *ghusul* obliged upon the woman if she has a (wet) dream? He said: Yes, if she sees water/fluid.”** If she has a wet dream and does not see semen or she doubts whether semen was produced, *ghusul* is not obliged upon her. And if she sees

semen and does not remember a wet dream, *ghusul* is obliged due to what Aisha (ra) narrated: **‘The Prophet (saw) was asked about the man who finds wetness but does not remember the wet dream, and he said: ‘He performs *ghusul*.’ And he was asked about the man who saw he had a wet dream and did not find any wetness. He said: ‘There is no *ghusul* upon him’.**’ *Ghusul* is not obliged except for semen alone; *ghusul* is not obliged for (*madhiyy*) or (*wadiyy*). (*madhiyy*) is the fluid that comes with the least desire (*shahwa*), and (*wadiyy*) is what trickles during urine. This is due to what Ali bin Abu Talib (ra) narrated and said: **‘I was a man who frequently produced (*madhiyy*) so I would perform *ghusul* in the cold season/winter until my back was split. I mentioned this to the Prophet (saw) and he said: ‘Do not do that. If you see (*madhiyy*), wash your male private part and perform the *wudu* of prayer.’**

As for menstruation, it obliges the *ghusul* due to the Supreme’s saying: *‘They ask you about menstruation. Say: It is a hurt/harm (Adha) so separate from women during menstruation and do not approach them until they purify themselves. If they purify themselves then go in unto them’* [TMQ 2:222]. And due to his (saw) saying to Fatima bint Abu Habish: **‘When menstruation approaches, leave the prayer. When it goes, wash yourself and pray.’** As for the blood of childbirth (*nifas*), it obliges *ghusul* because it is collected menstruation. Similar to the (blood of) childbirth is childbirth (itself) in obliging *ghusul* even if she did not see blood because the coming forth of a child cannot be free from moisture even if it is hidden, so it is like the blood of childbirth.

Whoever has a sexual discharge (*junub*), prayer, *tawaf* and touching the *mushaf* is forbidden for him because all these matter are forbidden for the one with minor ritual impurity so forbidding them upon the one with sexual discharge is of greater precedence because it is greater ritual impurity hence it is more severe. It is forbidden to the one with sexual discharge to recite the Qur’an due to what ibn Umar (ra) narrated that the Prophet (saw) said: **‘The one with sexual discharge and the one menstruating do not recite anything of the Qur’an.’** Similarly it is forbidden upon the one with sexual discharge to delay/tarry in the mosque, but passing by is not forbidden to him due to the Supreme’s saying: *‘...not the one with sexual discharge except when travelling on the road/passing through’* [TMQ 4:43].

If a man wishes to perform *ghusul* from sexual discharge, he mentions the name of Allah and intends *ghusul* from sexual discharge and washes his hand thrice before inserting it in the vessel/receptacle. Then he washes

what is upon his private part of (*Adha*). Then he performs the *wudu* of prayer then he inserts his ten fingers in the water and dips a handful of water (*ghurfa*) penetrating with it the roots of his hair in his head and beard. Then he scatters three scattered handfuls then he pours water over the rest of his body and passes his hands over what he can of his body. Then he moves/shifts his place. Then he washes his feet. This is due to what Aisha (ra) and Maimuna (ra) describing the *ghusul* of the Messenger of Allah (saw) close to that. It was narrated from Aisha, the Prophet's wife, that **when the Prophet (saw) would perform *wudu*, he would begin washing his hands then would perform *wudu* just as he would perform *wudu* for prayer. Then he would insert his fingers in the water, penetrating thereby the roots of his hair. Then he would pour handfuls with his hands over his head and then pour water over his entire skin.** And from Maimuna, the Prophet (saw)'s wife, who said: **The Messenger of Allah (saw) performed the *wudu* of prayer except for his legs, wash his private part and whatever struck it of (*Adha*). Then he poured water upon it then he moves his legs.** This is the ritual wash of sexual discharge.

The obligatory in the *ghusul* is: Intention and covering the whole body with pure (*tuhur*) water. Everything else is *Sunnah*. The woman is like the man in performing the *ghusul* from sexual discharge in the preceding way. Similarly one can perform *ghusul* from a vessel, under a spout or from a tap, in the ocean, river, pond etc and in any description as long as the obligation of *ghusul* are fulfilled. It is preferred that one fulfils the *Sunnah* of *ghusul* together with the obligatory matters.

IMPURITIES/FILTH (*AN-NAJASAH*)

Impurities/filth are urine, stool/faeces, vomit, (*madhiyy*) and (*wadiyy*), non-human semen, blood, pus, the fluid of sores/wounds, (*'alaqah*), carrion, intoxicants (*khamr*) and wine (*nabidh*), the dog, pig, meat of the domesticated donkey/ass and whatever is made impure by that.

As for urine, it is filth due to what was narrated from Anas (ra) that a Bedouin urinated in a section of the mosque. The Prophet (saw) commanded a (*dhunub*) of water so it was poured over it.

As for stool, it is filth whether human or animal. As for the filth of human stool, the Ijma as-Sahabah has contracted upon that. As for the manure of animals and the dung of birds, this is due to what ibn Masoud (ra)

narrated and said: **‘I came to the Prophet (saw) with two stones and dung. He took the two stones, threw the dung and said: ‘It is (riks).’**”

As for the filth of vomit, it is established by Ijma whether human or animal vomit.

As for (*madhiyy*), it is filth due to what is narrated from Ali (ra) who said: **‘I was a man with frequent (*madhiyy*) so I mentioned that to the Messenger of Allah (saw) who said: ‘If you see (*madhiyy*), wash your male part.’**” As for (*wadiyy*), it is filth because it comes out of urine so its rule becomes the rule of urine. As for non-human, it is filth because it is produced from the place where urine comes forth. Human semen is exempted from that and it is specified with purity due to the coming of a text about its purity. It was narrated from Aisha (ra) that she **would rub off semen from the clothes of the Messenger of Allah (saw) and he was praying.** Were it filth, the prayer would not be contracted with it.

As for blood, it is filth due to what Asma (ra) narrated and said: **‘A woman came to the Messenger of Allah (saw) and said: The clothe of one of us is struck by the blood of menstruation. What do we do with it? He said: ‘Rub it then scratch it with water (i.e. by the ends of the fingers) then sprinkle it then pray in it.’**”

Similar to blood is the filth of pus because it is blood changed into something stinking (*natan*). As for the fluid of wounds/sores, it is considered. If it has a smell, then it is filth like pus; if it does not have a smell, then it is pure like the moisture of the body. Also, similar to blood is the (*‘alaqah*) because it is blood coming forth from the womb so it is like the blood of menstruation.

As for carrion, it is filth and the evidence of its filth is Ijma. Exempted from carrion are fish and locusts and the human corpse. They are pure due to what is narrated that ibn Umar said (*mawquf*): **“Allowed for us is two (types of) carrion and two (types of) blood. As for the two (types of) carrion, they are the large fish (*hawt*) and locusts. As for the two (types) of blood, they are the liver and spleen”** And due to his (as) saying: **“Verily the believer does not become impure/filth.”**

As for intoxicants (*khamr*), they are filth by Ijma.

As for the dog, it is filth due to what was narrated that the Prophet (saw) was invited to a house so he responded positively, and he was invited to a house and did not respond. This was said to him and he said: **‘In the house of so and so is a dog. So it was said to him: In the house of so and so is a cat, so he said: The cat is not filth.’**

And due to what was narrated from Abu Hurayrah that the Messenger of Allah (saw) who said: **If a dog licks the vessel of one of you, let him pour it out then wash it seven times**” which indicates that the dog is filth. As for the pig, it is filth due to the Ijma of the Sahabah about its impurity/filth. As for the meat of the domesticated donkey, it is filth due to what was narrated from Anas who said: **“We found the meat of the donkey on the day of Khayber. Then an announcer of the Messenger of Allah announced that ‘Allah and His Messenger prohibit you from the meat of the donkey for it is filth or impurity.’”**

As for what is made impure of the pure things from these impure things, they are made impure if they are struck by any of these impurities since it is attached to the filth upon it so the place which is attached becomes impure with the moisture. However, if the filth is not attached such as where a dry vessel with his hand then it does not become filthy contrary to where he strikes it when moistened or strikes it with his saliva wherein it becomes impure.

REMOVING IMPURITIES/FILTH

If a dog laps in a vessel or one of its organ enters and it is moist, the vessel will not be purified until it is washed seven times once with dust due to what was narrated from Abu Hurayrah that the Prophet (saw) said: **“The purification of a vessel of one of you if a dog laps it is washing it seven times, once with dust.”** Similar to the dog is the pig because it is a worse state than the dog so its takes its rule by greater precedence. Sprinkling is sufficient in the urine of a male child who does not eat food which is by wetting it with water, even if the water does not fall from it. Nothing is sufficient in the urine of a female child except washing due to what Ali (ra) narrated that the Prophet (saw) said about the urine of a nursing child: **“The urine of a girl is washed and the urine of a boy is sprinkled/moistened.”** As for other than that of the impurities/filth, it is looked into. Filthy things like carrion, droppings of hoofed animals and other than that are not purified by washing. Rather if it falls upon something pure and makes it impure, it is not possible to purify it until the essence of the filth is removed then its place is washed. If the filth it fluid such as the trace of urine. Blood, intoxicants and others, it is washed once due to what Al-Bukhari and Muslim narrated of the *hadith*: **“The Prophet (saw) commanded that a (dhanub) be poured over the urine of a bedouin.”** If filth strikes the bottom of the shoe/leather socks (*khuff*)

then he rubs it upon the ground, it is considered. If it were moist filth, it is not sufficient nor is it purified but remains filth. If it is dry, it is purified by rubbing and this is sufficient for it. This is due to what Abu Said Al-Khudri (ra) narrated that the Messenger of Allah (saw) said: **‘If one of you comes to the mosque, let him look at his shoes. If there is (*khubth*) upon them, let him wipe them on the ground then pray in them’** So the purity of shoes from filth attached to them is by rubbing if dry and washing if wet.

Filth is only removed by water among all other fluids whether the filth was blood or other than that. There is no difference between them by Ijma as they are all filth except if a text comes with something else so the text is specified in what it came with. Removing filth by water is established by the *Sahih ahadith*. From Asma bint Abu Bakr who said: **‘A woman came to the Prophet (saw) and said: The cloth of one of us is struck with the blood of menstruation, so what should we do? He said: ‘Rub it then wash it with the end of the fingers using water then sprinkle it then pray in it.’** And from Abdullah bin Umar that Abu Tha’laba said: **‘O Messenger of Allah, give us a *fatwa* regarding the vessels of the Zoroastrians if we are forced to (use) them. He said: ‘If you are forced to (use) them, wash them with water and cook in them’** And from Abdullah bin S’ad who said: **‘I asked the Messenger of Allah (saw) about water coming after water, so he said: ‘That is of (*madhiyy*) and every male creature produces (*madhiyy*). So wash your private part of that and testicles, then perform your *wudu* of prayer.’** These *ahadith* all indicate that filth is only removed by water and nothing else. However if there comes a text different to that, it is specific to that which it came for such as hide/leather which is purified by tanning due to there coming the text with it due to what was narrated from ibn Abbas who said: I heard the Messenger of Allah (saw) saying: **‘Any skin/hide that is tanned has been purified’**

THE PRAYER (AS-SALAT)

From Abdullah bin Umar (ra) who said: The Messenger of Allah (saw) said: **‘Islam is built upon five: The testimony (*shahadah*) that there is no god but Allah and Muhammad is the Messenger of Allah, establishing the prayer, giving the *zakat*, visiting (*Hajj*) of the House (Ka’aba) and fasting RamAdhan.’**

Verily these five are the basis upon which Islam is built, not that they are Islam. Their being the basis of

Islam comes from their covering the aqeedah and the actions whose performance is intended to bring one closer to Allah. And Islam has emphasised the Prophet, It is narrated from Jabir who said: **“The Messenger of Allah (saw) said: Between the man and disbelief (*kufir*) is leaving the prayer.”** And from Abu Hurayrah who said: I heard the Messenger of Allah (saw) saying: **“Verily the first for which the slave is accounted on the Day of Judgement is the prescribed prayers.”** Five prayers have been obliged. Talha bin Ubaidullah (ra) has narrated and said: **“A man came to the Messenger of Allah (saw) from the people of Najd (*ha’ir*) of the head. We heard the hum of his voice but did not understand what he was saying until he came closer and it turned out he was asking about Islam so the Messenger of Allah (saw) said: Five prayers in the day and night. He said: Is there anything obliged upon me apart from them? He said: No, except if you volunteer.”** The five prayers are obligatory upon each sane mature Muslim. As for the *kafir*; if he were (a *kafir*) originally, it is not obliged upon him, and when he becomes a Muslim he is not addressed to repay (*qAdha*) them due to the Supreme’s saying: *“Say to those who disbelieve: If you cease/desist (from kufir), they will be forgiven (over) what has preceded”* [TMQ 8:38]. If he were an apostate *kafir*, it is obliged upon him; and if he returns to Islam, he is compelled to repay it because the Shar’a rules are not annulled from the apostate but he remains requested by them since he was committed to the rules of Islam by his confirmation (*iqrar*) so they are not annulled by his denial. As for the child, it is not obligatory upon him due to his (saw) saying: **“The pen is lifted from the child until he matures, the one sleeping until he wakes and the insane until he recovers.”** As for the one whose mind departs due to insanity, unconsciousness or illness, it is not obliged upon him due to the previous *hadith* nor is it obliged upon him to repay them except if he recovers at a time which he attains purity and entry into prayer. Abdurrazaq has narrated from Nafi ‘that ibn Umar had an illness which overcame his mind until he left the prayer. Then he recovered and did not pray what he left of the prayers.’ And from ibn Jurajj from ibn Tawus from his father: ‘If a sick person becomes unconscious then gains sanity, he does not repeat the prayer.’ Nor is anyone not obliged by the action of prayer to perform it except the child. He is commanded to perform it while he is seven years old and is beaten for leaving it at ten years due to what Sirah Al-Juhni (ra) narrated who said: **“The Messenger of Allah (saw) said: Teach the child the prayer while he is seven years and beat them upon it at ten years’.”** And from Amru bin Shuaib from his father from his grandfather who said: **“The Messenger of**

Allah (saw) said: **“(marru) your children with prayer when they are seven years, and beat them over it when they are ten years. And separate between them in the beds’.”** Whoever is obliged to pray and refuses from performing it. If he denies its obligation, he is a *kafir* and is asked to repent like the apostate is asked to repent. If he acknowledges its obligation, he returns to Islam but if he insists upon denying it he is killed by the State. Whereas if he leaves the prayer through laziness together with his conviction (*itiqad*) in its obligation, he is punished with discretion i.e. punished with a discretionary (*ta'zeer*) punishment such as imprisonment until he prays. He is absolutely not killed because the Messenger (saw) says: **“The blood of a Muslim man is not allowed except for one of three: The married (*thayyib*) adulterer, a life for a life, and the one who leaves his *deen* separating from the group (*jama'ah*).”** And because the one who leaves prayer is a transgressor (*fasiq*) not a *kafir*, and it is conceivable (*yajuz*) that Allah forgives him due to the *hadith* of Ubadah bin As-Samit (ra) who said: **“I heard the Messenger of Allah (saw) saying: ‘Five prayers were obliged by Allah. Whoever perfects their *wudu* and prays them at their time, and completed their *ruk'uu* and humility, he had a promise from Allah that He will forgive him. Whoever does not, has no promise from Allah. If He will, He will forgive him and if He wills, He will punish him”**

THE TIMES OF THE PRAYER

The first time for *dhuhr* is when the sun moves from the zenith of the sky, and its last time is when the shadow of everything becomes equal to it (in length) due to what ibn Abbas (ra) narrated that the Prophet (saw) said: **“Jibril (as) led me in prayer at the door/gate (*bab*) of the House (Ka'aba) twice. He prayed with me *dhuhr* the first time when the sun was at midpoint (*zalat*) and my (*alf*) was like a sandal strap, then the last time when the shadow of everything was its equal.”** The first time of *asr* is when the shadow of everything becomes its equal and exceeded it with the least increase, and its last (time) is when the shadow of everything becomes its double due to what ibn Abbas (ra) narrated that the Prophet (saw) said: **“And Jibril prayed *asr* with me when the shadow of everything became equal to its shadow (i.e. length?), then prayed the last time when the shadow of everything became its double.”** Then the preferred time leaves and the permissible time remains until the sun sets. The first time of *maghrib* is when the sun sets due to what is narrated **“that**

Jibril (as) prayed *maghrib* when the sun sets and the fasting person breaks fast.” It does not have except one time then the preferred time leaves and the permissible time remains until the disappearance of the red twilight. The first time of *esha* is when the twilight disappears. The evidence for this is that Jibril (as) prayed the *esha* when the twilight disappeared. Twilight is the redness with the evidence of what Abdullah bin Amru bin Al‘As (ra) that the Messenger of Allah (saw) said: **“The time of *maghrib* is until the red twilight departs.”** As for the last time of *esha*, it is until the middle of the night due to what Abdullah bin Amru (ra) narrated that the Prophet (saw) said: **“The time of *esha* is what is between you and the middle of the night”** then the preferred time leaves and the permissible time remains until the appearance of the dawn. The time of *subh* is when the second dawn appears and it is the true dawn by which eating and drinking is forbidden to the one fasting, and its end is when it shines (*asfara*) i.e. when it becomes light due to what was narrated that Jibril (as) prayed *subh* when the dawn appeared and prayed the next day when it shone/became light. Then the preferred time goes and the permissible time remains until the appearance of the sun. All the times are clarified in what Ahmad, An-Nisai and At-Tirmidhi narrated on this subject which is: From Jabir bin Abdullah **“that Jibril (as) came to the Prophet (saw) and said to him: Stand. Then he led him in prayer. He prayed when the sun declined. Then he came to him at *asr*, and said to him: Stand. Then he led him in prayer. He prayed *asr* when the shadow of everything became its equal. Then he came to him at *maghrib* and said: Stand.**

Then he led him in prayer so he prayed *maghrib* when the sun fell down. Then *esha* came and he said: Stand. Then he led him in prayer so he prayed *esha* when the twilight disappeared. Then he came to him at *fajr* and said to him: Stand. Then he led him in prayer so he prayed *fajr* when *fajr* lightened—or he said: *Fajr* diffused itself/spread. Then he came to him the next day at *dhuhr* and said: Stand. Then he led him in prayer so he prayed *dhuhr* when the shadow of everything became its equal. Then he came to him at *asr* and said: Stand. Then he led him in prayer so he prayed *asr* when the shadow of everything was its double. Then he came to him at *maghrib* at one time which never changed. Then he came to him at *esha* when half the night had departed—or he said: A third of the night—and he prayed *esha*. Then he came to him when it had become very light and said: Stand. Then he led him in prayer so he prayed *fajr*. Then he said: The time is what is between these two times.” Prayer is obliged at the first time with an extensive

obligation with the meaning that it is for him to pray it at any portion of the time i.e. it is for him to choose to perform it from the beginning of its time to its last. And it is permitted for him to pray it until the entry of the second time due to the previous *hadith*. And also due to what Abu Hurayrah (ra) narrated that the Prophet (saw) said: **“Whoever attains a rak’at of the subh before the sun appears has attained the subh, and whoever attains a rak’at of asr before the sun sets has attained the asr.”** And due to what the two *Sahih*s narrated: **“Whoever attained a rak’at of prayer has attained the prayer.”** It is obliged to preserve the prayers at their times. The Supreme said: *“Preserve the prayers”* [TMQ 2:238]. It is not allowed for anyone of the people of the earth to delay the prayer from its time except the one who slept or forgot or the one who delays it to combine/join due to the excuse of travel or rain due to his (saw) saying: **“There is no neglect in sleep. Verily neglect is only in wakefulness.”** If he does not pray in its time until the time is missed, he is sinful due to his (saw) saying: **“The one who misses the prayer of asr, his deeds have become futile.”** And he said: **“My Ummah will not cease in goodness (*khayr*) as long as they do not delay maghrib.”** It is obliged upon the one whose prayer escaped him to repay it due to his (saw) saying: **“Whoever sleeps from a prayer or forgot it, let him pray it when he remembers.”** It is recommended that he repays it immediately; but if he delays (praying) it immediately it is allowed and there is no sin upon him for delaying not praying it immediately. However he is sinful for delaying praying it on time due to what Imran bin Husain (ra) said: **“We were travelling with the Prophet (saw) and we were travelling by night until we were at the end of the night. We (*waq’ah waqi’ah*) and there is no (*waqa’ah*) sweeter to the traveller than that. We were not wakened except by the heat of the sun. When the Prophet (saw) woke up, they complained to him that which befell them. He said: ‘No harm and no harming. Mount’ so they mounted. They proceeded not for then encamped. He called for *wudu* and made *wudu*. Then the prayer was announced and he prayed with the people.”** This *hadith* indicates that the Prophet (saw) missed the *subh* prayer and did not pray it until he left the valley; were it (to be performed) immediately, he would not have delayed it.

THE CONDITIONS FOR THE VALIDITY OF THE PRAYER

When one intends prayer, purity (*taharah*) from lesser ritual impurity (*hadath*) and purity from filth (*najas*) is obliged. As for purity from minor ritual impurity, it is a condition for the prayer's validity due to his (saw) saying: **"Allah does not accept the prayer without purity"** and its rule has passed beforehand in the subject of purity. As for purity from filth, it is the purity of the body, what he prays in and what he prays upon. The purity of the body is a condition of the prayer's validity due to his (saw) saying: **"Keep away from urine as most of the punishment of the grave is from it."** The purity of the clothes he prays in is also a condition of the prayer's validity due to the Supreme's saying: *"And your clothes purify"* [TMQ 74:3]. And due to what is narrated from Jabir bin Abdullah who said: **I heard a man asking the Prophet (saw): Can I pray in the clothe in which I have relations with my wife? He said; 'Yes, unless you see something in it so wash it.'**

Similarly the purity of the place he prays upon is a condition for the prayer's validity due to the *hadith* of the urine of the Bedouin, and the Prophet (saw)'s saying: **'Pour upon it a portion (*dhanub*) of water.'**

Covering the *'awra* (nakedness) is obliged when one intends prayer due to what is narrated from Aisha (ra) that the Prophet (saw) said: **"Allah does not accept the prayer of one who menstruate except with a veil/head-cover (*khimar*)."** If any of the *'awra* is uncovered with the ability to cover it, the prayer is invalid. The meaning of the menstruating woman in the *hadith* is the one who has attained puberty. Covering the *'awra* is a condition for the prayer's validity for the man and woman equally except that the man's *'awra* differs from the woman's *'awra*. The man's *'awra* is what is between the navel and the knees. The navel and knee are not of the *'awra* due to what Abu Said Al-Khudri (ra) narrated that the Prophet (saw) said: **"The *'awra* of the man is that which is between his navel to his knee."** And from Muhammad bin Jahsh who said: **"The Messenger of Allah (saw) passed by Mu'ammarr whose two thighs were uncovered, so he said: 'O Mu'ammarr, cover your two thighs for the two thighs are *'awra*.'" As for the *'awra* of the free woman, it is all her body except the face and two hands due to the Supreme's saying: *"Let them not reveal their adornment except that which appears thereof"* [TMQ 24:31]. Ibn Abbas said: 'Her face and two hands.' And due to what was narrated from ibn Umar (ra) that the Prophet (saw) said: **"The *muhrim* (person on pilgrimage) woman should not veil her face nor wear****

gloves.” And due to his (as) saying: **“Allah does not accept the prayer of the menstruating person (*haidh*) except with a head-cover (*khimar*).”**

The (*haidh*) here is the one who has attained the age of menstruation not the woman involved in menstruation, and the head cover (*khimar*) is that which covers the head of the woman.

Covering the ‘*awra* is obliged with that which does not describe the colour of the skin of a thick cloth and other. Covering that which appears of the colour of the skin of a thin cloth is not permitted because the covering is not achieved by that.

It is obliged when intending prayer to face the *qiblah* due to the Supreme’s saying: *‘Then turn your face towards Al-Masjid Al-Haram and wherever you are turn your faces towards it’* [TMQ 2:144]. It is a condition of the prayer’s validity. If one were in the presence of the House (Ka’aba), he must direct himself towards it itself due to what Usama bin Zaid (ra) narrated that the Prophet (saw) **‘entered the House and did not pray. Then he left and prayed two *rak’at* towards the Ka’aba, and he said: This is the *qiblah*.’** And if he entered the House and prayed therein, it is permitted because he is facing to a section of the House. If he is not presence of the House, it is considered. If he know the *qiblah* he prays to it, and if he is informed by someone whose information from knowledge is accepted then his statement is accepted nor does he perform *ijtihad* just as the ruler/judge accepts the clear statement (*nass*) from the trustworthy person (*thiqqah*) and does not perform *ijtihad*. If he sees mosque niches (*mihrab*) (excepted to face the Ka’aba) in a country, he prays to it and does not perform *ijtihad* because that is of the status of information. If there is nothing of that: If he were of those who knows the signs/indications and he was hidden/away from Makkah, he performs *ijtihad* in seeking the *qiblah*. The obligation at that point in facing the *qiblah* is the direction due to the Supreme’s saying: *‘Turn your face towards Al-Masjid Al-Haram and wherever you are turn your faces towards it’* [TMQ 2:144] and due to his (saw) saying: **‘What is between the east and west is the *qiblah*.’** If he were in Makkah but there were a (*ha’il*) between him and the Ka’aba, then he is like the one far away (*ghaib*). If there is no (*ha’il*) between him and the Ka’aba, he is like the one in the presence of the House so he prays towards the Ka’aba itself.

And if he is of those who do not know the signs, it is upon him to follow (*taqleed*) one who knows the *qiblah* nor should he attempt to perform *ijtihad* as he is like the ignorant follower (*‘aami*) in the *Shari’ah* rules. It is

recommended for the one praying to place a *sutra* in front of him and to draw close to it due to what is narrated from Sahl ibn Abi Hatmah (ra) that the Prophet (saw) said: **‘If one of you prays to a *sutra*, let him draw near to it. Satan will not interrupt his prayer.’** And due to what Sahl bin S’ad As-Saidi narrated **‘between the prayer place of the Messenger of Allah (saw) and the wall was the passing place of a sheep’** And he (as) would, at times, select as the most suitable (*yataharra*) the prayer at the pillar of his mosque.

THE DESCRIPTION OF THE PRAYER

If one intends to pray, he stands up straight. Standing (*qiyam*) is *fard* in the obligatory prayer due to the Supreme’s saying: **“And stand before Allah with piety/obedience”** [TMQ 2:238]. And due to Imran bin Husain (ra) narrated that the Prophet (saw) said: **“Pray standing and if you cannot, then sitting and if you cannot, then upon the side.”** And due to what is narrated that the Prophet (saw) would stand up straight in the obligatory and voluntary (prayers).

As for standing in the supererogatory (*nafla*) (prayers), it is not *fard* because the Prophet (saw) **‘would perform the *nafla* upon his camel/mount while sitting.’** From Jabir who said: **I saw the Prophet (saw) praying the *nafla* while he was upon his mount in all directions, but he would lower the prostration more than the *ruk’uu* and (*yawmiu imai*).** And from ibn Umar who said: **The Prophet (saw) would praise Allah (*abbaha*) upon his mount towards any direction he faced and perform *witr* upon it, except that he never prayed the prescribed (prayers) upon it.”** It is a condition of the standing to stand erect until it is correct to use the name ‘standing’ thereupon.

Then he makes the intention: The intention is one of the *fard* of prayer due to his (saw) saying: **‘Verily actions are only by intention’** and because it is a pure worship (*qurbah*) whose method is actions. It is obliged that the intention be linked with the *takbir* as it is the *fard* of prayer so it must be linked with it. If the prayer is *fard*, he must specify the intention so he makes intention for *dhuhr* or *asr* to distinguish (it) for other(s). If it were an arranged (*ratiba*) *Sunnah* (prayer) like *witr* and the *Sunnah* of *fajr*, it is not valid until he specifies the intention to distinguish it from others. If it were a non-arranged *Sunnah*, the intention of prayer is sufficient. If he enters into the state of ritual consecration (*ihram*) then doubts whether he made the intention then remembers that he

made the intention before initiating anything of the actions of the prayer, it is sufficient for him. If he remembers after doing anything of that, his prayer is invalid because he did an action while having doubt in his prayer. If he intends to leave the prayer or that he will leave, or doubts whether he left or not, his prayer is invalid because the intention is a condition in the whole prayer so it is invalidated by the intention of leaving it or the indecision regarding whether he left or still remains (in prayers) as this contradicts the decisiveness of the intention. As for whispers/suggestions/delusions (*wiswas*) which is what occurs in the thought, it does not invalidate the prayer. The continuity of the intention that he intended is necessary. So if he entered into *dhuhr* then the intention diverts to *asr*, *dhuhr* is invalidated by this intention because he cut its intention nor is *asr* valid because he did not make its intention during *ihram*.

The linking of the intention with the *takbir* is a condition so one makes the intention and the *takbir* of *ihram*. The *takbir* is one of the *fards* of prayer just as it is narrated from Ali (may Allah ennoble his face) that the Prophet (saw) said: **“The key of the prayer is wudu, its ritual consecration (*tahreem*) is the *takbir* and its dissolution (*tahleel*) is the salutation (*tasleem*).”** The *takbir* is that one says ‘*Allahu Akbar*’ because the Prophet (saw) would enter with that into the prayer and he said: **“Pray as you see me praying.”** If there is in his tongue confusion (*khabala*) or dumbness, he moves it as much as he is capable over it due to his (saw) saying: **“When I command you with a matter, perform of it as much as you are able.”** It is recommended that he raises his hands together with the *takbir* of *ihram* parallel to his shoulders due to what ibn Umar (ra) narrated that the Prophet (saw) **“would when he opened the prayer raise his hands parallel to his shoulders, and when he made *takbir* for ruk’uu and when he raised his head from ruk’uu”** or parallel to his ears; whichever of the two he does is correct. The beginning of the raising should be with the beginning of the *takbir*, and its conclusion with its conclusion. If he is not able to raise them both, or he is able to raise one of them or raise them both lower than the shoulder, they are raised to his ability.

When he finishes the *takbir*, it is recommended to place the right hand over the left. He places the right hand over some of the left hand and some of the wrist, and he grasps the left hand by the right hand due to what was narrated from Halab At-Taiy who said: **“The Messenger of Allah (saw) would lead us in prayer and would take hold of his left (hand) with his right (hand).”** And due to what Wail bin Hajar narrated and said: **“I said:**

I will look to the prayer of the Messenger of Allah (saw), how he prays. He stood up and faced the *qiblah*. He said ‘*Allahu Akbar*’ and raised his hands until they were parallel to his ears. Then he placed his right hand over the back of the palm of the left hand and the wrist and fore-arm.” It is recommended that he places them over the chest due to what Wail narrated and said: **I saw the Messenger of Allah (saw) praying. He placed his hands upon his chest, one of them over the other.**” And Abu Dawud also extracted from Tawus who said: **“The Messenger of Allah (saw) would place his right hand over his left hand then tighten them to his chest while he was in prayer.”** As for placing the hand upon the hip/haunch/waist (*khasira*), it is prohibited. It is established that the Prophet (saw) prohibited holding the haunch (*khasira*) in the prayer. As for letting the hands hang down (*irsal*), there did not come any text at all about it but it is contrary to the established texts regarding placing the hand upon the chest.

Then he recites the opening *du’as*, and this is *Sunnah*. The preferred is that he says what Ali bin Abi Talib (ra) narrated from the Messenger of Allah (saw) **‘that when he stood pray, he said: ‘I turned my face to the One who created the heavens and the earth, as a true believer (*haneef*) and one who submits (*muslim*), and I am not of the polytheists. Verily any prayer, rituals/sacrifices (*nusuk*), life and death are for Allah, Lord of the worlds, there is no partner to Him. With that I am commanded and I am of those who submit. O Allah, you are the Sovereign (*malik*), there is no god but You. You are my Lord and I am your slave. I wronged my soul and I confess to my sin. Forgive me all my sins, none forgives sins except You. And guide me to the best character; none guides to its best but You. And avert from me its worst, none avert from me anything except You. Here I am at your service (*abbayk*) and your grace (*sa’adayk*). All good is in Your hands and evil is not to You. I am for You and to You, You are blessed and exalted. I seek Your forgiveness and repent to You. (*wajahtu wajhi liladhi fatara as-samawat wa al-ardh haneefan musliman wa ma ana min al-mushrikeen. Inna salati wa nusuki wa mahyaya wa mamati lillahi rabb al-‘alamin, la shareeka lahu, wa bidhalika umirtu wa ana min al-muslimeen. AllahUmma anta al-malik, la ilaha illa anta, anta rabbi wa ana ‘abduk. Dhalamtu nafsi wa ‘itaraftu bi dhanbi, faghfirli dhunubi jami’an, la yaghfiru adhdhunuba ila anta. Wa ahdini li ahsani al-akhlaq, la yahdi li ahsaniha ila anta. Wa asrif ‘anni sayi’iha, la yusrif ‘anni sayi’iha ila anata. Labbayk wa sa’adayk, wa al-khayru kulluhu fi yaddayk wa as-sharru laysa***

ilaika, tabarakta wa ta'alayta. Astaghfiruka wa atubu ilayka).” It is permitted that one shortens (it) to some of this *du'a* just as it is permitted to open with any other *du'a*.

It is recommended that one looks to the place of his prostration, and it is disliked that one looks to the sky due to what was narrated from ibn Sireen **“that the Prophet (saw) would turn his sight to the sky then this ayah was revealed: ‘And those who in their prayer are submissive/humble’ [TMQ 23:2] so he bowed his head.”** And from Abu Hurayrah that the Prophet (saw) said: **‘Let the people who raise their sight to the sky in the prayer stop or their sight will be snatched’** and in another *hadith*: **“When you pray, do not turn for verily Allah directs His face to the face of His slave in prayer as long as he does not turn.”**

Then he seeks refuge saying: I seek refuge in Allah from the accursed Satan due to the Supreme’s saying: *‘When you recite the Qur’an, then seek refuge in Allah from the accursed Satan’* [TMQ 16:98]. Then one recites the opening of the Book (*fatihat al-Kitab*). Reciting the *fatihah* is one of the *fards* of prayer due to what Ubadah bin As-Samit (ra) narrated that the Prophet (saw) said: **‘There is no prayer for the one who did not recite *fatihat al-Kitab*.’** And he (saw) said: **‘The prayer of the man who did not recite therein the *fatihat al-Kitab* does not suffice’** and he said: **‘Whoever prays a prayer without reciting therein the *fatihat al-Kitab*, it is aborted, it is aborted, it is aborted, not complete.’** If he left it forgetfully, it is not sufficient for him as it is a pillar (*rukun*) of prayer and that which is a pillar of prayer, its *fard* does not fall by forgetfulness. It is obliged to begin it with *‘Bismillah Ar-Rahman Ar-Rahim’* as it is an ayah of it. The evidence for this is what *Umm Salamah* (ra) narrated that the Prophet (saw) recited *‘Bismillah Ar-Rahman Ar-Rahim’* and counted it as an ayah. If it is a prayer recited loudly/audibly therein, then one recites the *‘Bismillah’* audibly just as the rest of the *fatihah* is recited audibly. It is obliged that it be recited in order; so if he recited during the gap something else forgetfully then he accomplished what remained of it, it is sufficient for him. If he recited (something) else deliberately, he is obliged to resume the recitation. It is obliged to recite the *fatihah* in each *rak’at* due to what *Rufa’ah bin Abu Rafi’* (ra) said: **“While the Messenger of Allah (saw) sitting in the mosque and a man praying. When he finished (*insaraf*), he came to the Messenger of Allah (saw) and saluted him (*salaam*). He said to him: ‘Repeat your prayer for you did not pray.’ He said: Teach me, O Messenger of Allah. He said: ‘When you stand to pray, say the *takbir* then recite the *fatihat al-Kitab* and whatever you find easy (*ma***

tayassara)...(until he said): **Then do that in every rak'at.**" There is no difference between the *Imam* and the follower (*ma'mum*) due to what Ubadah bin As-Samit said: **"The Messenger of Allah (saw) prayed with us and the recitation was heavy upon him. When he finished, he said: 'Verily I see you reciting behind your Imam?' We said: Yes, O Messenger of Allah, we do that. He said: 'Do not do (so) except with the Umm al-Kitab for there is no prayer for the one who did not recite it.'"** When one finishes the *fatiha*, he says 'Amin' and its meaning is 'respond'. This is *Sunnah* due to what was narrated from Abu Hurayrah (ra) that the Messenger of Allah (saw) said: **"When the Imam says 'Amin', all of you say 'Amin.'"** One's voice is audible with it in the audible prayers due to what was narrated from Abu Hurayrah who said: **"When the Messenger of Allah (saw) finished the recitation of the Umm al-Kitab, he would raise voice and say: 'Amin.'"** It is obliged to recite the *fatiha* in the Arabic language nor is it ever permitted in any other language, just as it is not permitted to recite any ayah in other than the Arabic language nor is it ever permitted with other than that. If one recites the *fatiha* in other than the Arabic language, his prayer is not valid because he did not recite the Qur'an due to the Supreme's saying: **"...an Arabic Qur'an"** [TMQ 12:2]. The translation/interpretation (*tarjamah*) of the Qur'an is not the Qur'an since the Qur'an is this miraculous arrangement, and with translation the miracle ceases. Then one recites a *Surah* after the *fatiha* due to what was narrated from Jabir (ra) that the Prophet (saw) said to Mu'adh when he lengthened the *esha*: **"When you lead the people (in prayer), recite 'Wa ash-shamsi wa dhuhaha' and 'Sabbih isma rabbika al-'ala' and recite 'Bi ismi rabbika' and 'Wa al-layli idha yaghsha.'"** And due to what a man from Juhainah narrated **that he heard the Prophet (saw) reciting during subh, 'Idha zulzil al-ardhi.'"** If one is a follower, it is considered: If it is an prayer wherein the recitation is made loud/audible, he does not exceed the *fatiha* due to his (saw) saying: **"If you are behind me, do not recite other than the Umm al-Kitab for there is no prayer for the one who does not recite it."** If it is a prayer that is more than two *rak'at*, one does not recite a *Surah* in what exceeds the two *rak'at* due to what Abu Qatadah (ra) narrated **"that the Messenger of Allah (saw) would recite in the dhuhr prayer in the first two rak'at the fatihat al-Kitab and a Surah in each rak'at. Sometimes, he would cause us to hear the ayah and he would elongate the first (rak'at) more than the second. And he would recite the fatihat al-Kitab in the last two rak'at."** It is recommended for the *Imam* to made audible the recitation in the *subh*, the first two (*rak'at*) of

maghrib and the first two of *esha*. Similar to the *Imam* is the individual and the evidence for that is *Ijma as-Sahabah* and due to the coming of the prohibition against audible (recitation) during the day. Abu Hurayrah (ra) narrated that the Prophet (saw) said: **“When you see the one who makes audible the recitation in the day, throw at him droppings (of animals).”**

When one finishes with the recitation, he bows (*raka'a*) and it is one of the *fards* of prayer due to His saying *'azza wa jalla: “Bow and prostrate”* [TMQ 22:77]. The recommended is that he says *takbir* with the bowing (*rak'at*) due to what Abu Hurayrah (ra) narrated that the Prophet (saw) **“would say *takbir* when he stood to prayer and when he bowed, then would say: ‘*Sami'a Allahu liman hamidahu*’ (Allah hears the one who praised him) when he raised his head. Then he would say *takbir* when he prostrated and then when he raised his head. He would do that in all the prayer until he finished it.”** It is recommended that one raises his hands parallel to his shoulders due to the *hadith* of ibn Umar **“that when the Prophet (saw) opened the prayer, he would raise his hands parallel to his shoulders and when he said ‘*Allahu Akbar*’ for the bowing and when he raised his head from the bowing.”**

One is obliged bend in the *ruk'uu* to the extent that his palms (*rahiya*) reaches his knees because nothing less than that is called bowing. It is recommended that one places one's hands upon his knees and separate his fingers due to what Abu Hamid As-Saidi (ra) narrated that the Prophet (saw) **“held his palms upon his knees like the one seizing them, and he separated his fingers.”** It is recommended that one extends his back and neck, and he does not (*qani'a*) his head nor erect it. Rather one bends such that his back and neck are level due to what was narrated from Abu Hamid As-Saidi (ra) described the prayer of the Messenger of Allah (saw) and said: **“He bowed and straightened. He did not erect his head and did not (*qani'a*)”** i.e. he did not raise his head until it becomes higher than his back. It is recommended that one averts his elbows from his sides due to what was narrated from Abu Hamid As-Saidi (ra) that the Prophet (saw) did that. It is recommended that one says: *'Subhana Rabbi Al-Adheem'* thrice due to what was narrated from Hudhayfah who said: **“I prayed with the Prophet (saw) and he would say in his bowing, ‘*Subhana Rabbi Al-Adheem*’ and in his prostration: ‘*Subhana Rabbi Al-'Ala*’ then he would raise his head.”** It is recommended that one says: *'Sami'a Allahu liman hamidahu'* (Allah hears the one who praised him) due to the *hadith* of Abu Hurayrah that the Prophet

(saw) “**would, when he stood to pray, say *takbir* and when he bowed, then say: ‘*Sami’a Allahu liman hamidahu’...*” (the *hadith*). It is recommended that one raises his hands parallel to his shoulders while rising due to the above-mentioned *hadith* of ibn Umar in the *takbir* of *ihram*. When one stands up straight, it is recommended that he says: *Rabbana laka al-hamd mil’u as-samawati wa al-ardhi, wa mil’u ma shi’ita ni shay baada ahl ath-thinai wa al-majid haqqu ma qala ‘abd. Kulluna laka ‘abd, la mani’ li ma a’atwata wa la mu’ti li ma mana’ta wa la yanfa’u dhu al-jadd minka al-jadd’* (Our Lord, to You is the Praise filling up the heavens and filling the earth, and filling whatever You wish of anything. After (*ahl*) of praise and glory, the truth of what the slave said. We are all slaves to You. There is no preventer for what You gave and no giver for what You prevented. Nor does the good fortune (*jadd*) of the person of good fortune benefit before You).**

Due to what Abu Said Al-Khudri (ra) narrated that the Prophet “**would when he raised his head from bowing say that.**” It is obliged that one be at ease standing just as he was at ease bowing due to what Rufa’ah bin Malik narrated that the Prophet (saw): “**When one of you stands to pray, let him perform *wudu* just as Allah commanded...(until he said) then let him bow until he is at ease bowing, then let him stand until he is at ease standing. Then let him prostrate until he is at ease prostrating.**” Ease/tranquillity (*itmi’naniyya*) is obligatory, and the Prophet (saw) would say: “**The most evil of people who steals is the one who steals in his prayer. They said: O Messenger of Allah how does he steal his prayer? He said: ‘He does not complete his bowing and prostration.’”** And he (as) said: “**The prayer of the man is not sufficient until he straightens his back in bowing and prostration.**”

Then one prostrates which is *fard* due to the Supreme’s saying: “**Bow and prostrate**” [TMQ 22:77]. It is recommended that he begins with the *takbir* during prostration due to the above-mentioned *hadith* of Abu Hurayrah about bowing. It is recommended that he sets down his knees first then his hands then his forehead and noes due to what Wail bin Hajar (ra) narrated and said: “**When the Prophet (saw) prostrated, he would set his knees down before his hands, and when he arose he would raise his hands before his knees. And he would prostrate upon the forehead, nose, two hands, two knees and two feet.**”

As for prostrating upon the forehead and it is necessary that the prostration be upon it directly even if only a part of it. If he prostrated upon a (*nail*), this does not suffice him due to what Khabbab bin Al-Aratt (ra) said: “**We**

complained to the Messenger of Allah (saw) of the heat of the sun-baked ground, and he told us to refrain and did not (*yashkina*).”

If exposing (the forehead) were not obligatory, he would have said to them: ‘Cover them’ so when he did not say that, it indicated that uncovering them is *fard*. As for prostration upon the nose, it is *Sunnah* due to what Abu Hamid narrated that the Prophet (saw) prostrated and set down his forehead and nose firmly on the ground. If he left it, it is sufficient for him due to what Jabir (ra) narrated: **‘I saw the Messenger of Allah (saw) prostrating with the top of his forehead upon a slip/cutting (*qisas*) of hair/fur (*sha’ar*).**” As for prostrating upon the two hands, two knees and two feet, it is obligatory due to what ibn Abbas (ra) narrated that the Prophet (saw) **“commanded that one prostrates upon seven organs/limbs. His two hands, two knees, fingertips and forehead.”** It is recommended to avert one’s elbows from his sides due to what Abu Qatadah (ra) narrated that when the Prophet (saw) prostrated, he would avert his two arms. It is recommended that one lifts (himself) i.e. raise his stomach away from his thighs due to what Al-Bara bin ‘Azib (ra) narrated **“that when the Prophet (saw) prostrated, he would (*jakh*)”** and (*al-jakh*) is (*al-khawiyy*). And one separates between his two legs due to what was narrated that Abu Hamid described the Messenger of Allah (saw) and said **“when he prostrated, he separated between his two legs.”** The fingertips of one’s legs should face the *qiblah* due to what was narrated from Abu Hamid **“that the Prophet (saw) faced the *qiblah* with the fingertips of his two legs.”** And one brings together the fingertips of his two hands and places them parallel to his shoulders due to what Wail bin Hajar narrated that the Prophet (saw) **“would, when he prostrated, bring together his fingertips and place his two hands parallel to his shoulders.”** And one raises his elbows and depends upon the palms of his hands due to what Al-Bara bin ‘Azib (ra) narrated that the Prophet (saw) said: **“When you prostrate, bring together your hands and raise your elbows.”** One is obliged to be at ease in his prostration due to what was narrated of the *hadith* of Rufa’ah **“then he prostrated until he was at ease prostrating.”** It is recommended that one say: *‘Subhana Rabbiya Al-‘Ala’* (Glory to my Lord, the Most High) due to the above-mentioned *hadith* of Hudhayfa in the bowing. Then one raises his head from the prostration due to the *hadith* of Abu Hurayrah in bowing. Then one sits spread out (*muftarash*), spreading out his left leg and sitting upon it while raising/erecting the right (leg) due to what is narrated that Abu Hamid As-Saidi described the prayer of the Messenger of Allah (saw) and said:

“Then he bent/folded his left leg and sat upon it, and he straightened until every bone returned to its position.” One is obliged to be tranquil in his sitting due to his (saw) saying: “Then rise until you are at ease/tranquil sitting.” He (saw) would lengthen his sitting between the two prostrations until it was close to his prostration (in time), and at times he would remain until one would say he had forgotten. It is recommended that one says in his sitting: ‘*Allahumma ighfirli wa ajirni wa ‘afini wa urzuqni wa ihdini*’ (O Allah, forgive me and protect me and forgive/excuse me and grant me sustenance and guide me) due to what Abu Dawud and At-Tirmidhi narrated that the Prophet (saw) used to say that. The words of Abu Dawud are: “*Allahumma ighfirli wa arhamni (have mercy upon me) wa ‘afini wa ihdini wa urzuqni*” and the words of At-Tirmidhi are the same except that he added: “*wa ajirni wa ‘afini.*” After finishing the *du’a*, one prostrates another time similar to the first. The description of the second prostration is the description of the first in everything due to the *hadith* of Abu Hurayrah ‘that the Messenger of Allah (saw) entered the mosque then a man entered and prayed’ until he says in the *hadith* “then prostrate until you are at ease prostrating, then rise until you are ease sitting, then prostrate until you are at ease prostrating, then do that in the whole prayer.” Then finishing the *tasbeeh* (saying ‘*Subhana’Allah*’ i.e. ‘Glory be to Allah’) in the second prostration, one raises his head with the *takbir* due to the previous *hadith* of Abu Hurayrah. One rises to sit a slight sitting. Then one stands relying upon the ground with his hands due to what Malik bin Al-Huwayrith narrated that the Prophet (saw) “straightened sitting, then he stood and relied upon the ground with his hands.” One does not raise his hands parallel to his shoulders when he rises from the prostration because the hand is not raised except in the *takbir* of *ihram*, bowing and rising therefrom due to the *hadith* of ibn Umar (ra) who said: “I saw the Messenger of Allah (saw). When he opened the prayer, he raised his hands parallel to the shoulders, and when he intended to bow and after he raised his head from the bowing. He did not raise them between the two prostrations.” And in a narration in the two *Sahihs*: “He would not do that in the prostration” and in a narration of Al-Bukhari: “And he would not do that when he prostrated nor when he rose from the prostration.”

With that, one would have completed the first *rak’at* and he prays the second *rak’at* similar to the first except with regard to the intention and *du’a* of opening due to what Abu Hurayrah (ra) narrated that the Prophet (saw)

said to the *(musiu)* of the prayer: **“Then do that in the whole of the prayer.”** If the prayer is two *rak’at* like the prayer of *subh*, one sits the final sitting in the second *rak’at*. If it exceeds two *rak’at* like the prayer of *dhuhr* or *maghrib*, one sits the final sitting in the fourth in the like of *dhuhr* and the third *rak’at* in *maghrib* because it is the last *rak’at*. In prayer which exceed two *rak’at*, one sits in the second for the *tashahud* (testimony of belief) due to what was transmitted by the successors (*khalaf*) from the predecessors (*salaf*) from the Prophet (saw). This sitting for *tashahud* in the second *rak’at* in the prayer which exceeds two (*rak’at*) is *Sunnah* not obligatory due to what Abdullah bin Buhaynah (ra) narrated and said: **“The Messenger of Allah (saw) prayed with us *dhuhr* and stood without sitting in the second (*rak’at*). When he finished his prayer, he prostrated two prostrations after that then gave the salutations (*salam*).”** Were it obligatory, he would have performed it and not restricted himself with the prostration. The *Sunnah* is that one sits in the *tashahud* (*muftarash*) due to what Abu Hamid (ra) narrated **“that when the Prophet (saw) would sit in the first two (*rak’at*), he would sit upon his left foot and raise his right foot.”** It is recommended to extend the fingers of one’s left hand upon one’s thigh, spread in the direction of the *qiblah*, make them close to the end of the knees such that their head is equal to the knee and separate them moderately such that their position is natural. As for the right hand, one places it on his right thigh then knots the little finger and ring finger, forming a circle with the middle finger into the thumb, raising the index finger and indicating with it due to what ibn Umar (ra) narrated **“that when the Messenger of Allah (saw) would sit in the *tashahud*, he would place his left hand upon his left knee and place his right hand on his right knee, contracted/knotted the third and fifth (finger) and indicated with the index finger.”** One says the *tashahud* in any wording which came of the *Sahih* wording. The most complete wording that came is that one says: *‘At-tahiyatu al-mubarakatu as-salawatu at-tayyibatu lillahi. Assalaamu ‘alayka ayyuha an-nabiyyu wa rahmatullahi wa barakatuhu. Assalaamu ‘alayna wa ‘ala ‘ibadillahi as-saliheen. Ashadu an la ilaha illa Allahu wa ashadu anna Muhammadan Rasul-Allah* (The greetings, blessings, prayers and goodness is for Allah. Peace be upon you, O Prophet, and the mercy of Allah and His blessings. Peace be upon us and upon the righteous slaves of Allah. I bear witness that there is no god but Allah and I bear witness that Muhammad is the Messenger of Allah)’ due to what was narrated from ibn Abbas (ra) who said: **“The Messenger of Allah would teach us the *tashahud* just as he would teach us the *Surah*(s) of the Qur’an. He**

would say: *'At-tahiyatu al-mubarakatu as-salawatu at-tayyibatu lillahi. Assalaamu 'alayka ayyuha an-nabiyyu wa rahmatullahi wa barakatuhu. Assalamu 'alayna wa 'ala 'ibadillahi as-saliheen. Ashadu an la ilaha illa Allahu wa ashadu anna Muhammadan Rasul-Allah.'* It is recommended that when one reaches the *shahadah* to point with the index finger due to the previous *hadith* of ibn Umar. When one finishes with the *tashahud*, he stands for the third *rak'at* relying upon the ground with his hands due to the previous *hadith* of Huwayrith. His standing is with a *takbir*, and he begins with the *takbir* from when he begins standing and extends it until he stands erect. Then one prays what remains of his prayer similar to the third *rak'at* except in (not) being audible or reciting a *Surah*. When one reaches the end of the prayer, he sits for the *tashahud* and says the *tashahud* which is *fard* due to the *hadith* of ibn Masoud who said: **"When we prayed behind the Messenger of Allah (saw), we would say: 'Peace upon Jibril and Mikail (Angels Gabriel and Micheal), peace upon so and so.'** So the Messenger of Allah (saw) turned to us and said: **'Allah is As-Salam, so when one of you prays let him say: *At-tahiyatu lillahi wa as-salawatu wa at-tayyibatu. Assalaamu 'alayka ayyuha an-nabiyyu wa rahmatullahi wa barakatuhu. Assalaamu 'alayna wa 'ala 'ibadillahi as-saliheen*** (The greetings to Allah and prayers and goodness. Peace be upon you, O Prophet, and the mercy of Allah and His blessings. Peace be upon us and upon the righteous slaves of Allah)—If you say that, it will touch every righteous slave in the heaven and earth—*Ashadu an la ilaha illa Allah wa ashadu anna Muhammadan 'abduhu wa rasuluhu* (I bear witness that there is no god but Allah and I bear witness that Muhammad is His slave and Messenger). Then let him choose of the *du'a* which pleases him and make *du'a*." The *Sunnah* in this sitting is that one be upon his haunch (*mutawwarak*) so one takes out his leg from the side of his right hip/haunch (*warak*) and he places his buttocks upon the ground due to what Abu Hamid narrated and said: **'When the Messenger of Allah (saw) sat in the first two (*rak'at*), he would sit upon his left foot and erect his right foot. When he sat for the last (*rak'at*), he sat upon his buttocks and the inside of his left foot under the hollow of his right knee, and erected his right foot.'** When one finishes the *tashahud*, he prays upon the Prophet (saw) which is *fard* in this sitting due to what Aisha (ra) narrated that the Prophet (saw): **"Allah does not accept a prayer except with purity and prayer upon me."** It is preferred that one says: *'Allahumma swalli 'ala Muhammadin An-Nabiyy Al-Umiyy wa 'ala ali Muhammad kama swallayta 'ala*

Ibrahima wa ‘ala ali Ibrahim. Wa barik ‘ala Muhammadin An-Nabiyy Al-Umiyy wa ‘ala ali Muhammad kama barakta ‘ala Ibrahima wa ‘ala ali Ibrahim. Innaka hamidun majid (O Allah, send your grace upon Muhammad the unlettered Prophet and upon the family of Muhammad just as you sent grace upon Ibrahim and the family of Ibrahim. And bless Muhammad Muhammad the unlettered Prophet and the family of Muhammad just as you blessed Ibrahim and the family of Ibrahim. Verily You are the Praised, the Glorious)’ due to what was narrated from Abu Masoud Al-Ansari Al-Badri (ra) who said: **‘We came to the Messenger of Allah (saw) and we were in the assembly (majlis) of S’ad bin ‘Ubadah. Bashir bin S’ad said to him: Verily Allah ‘azza wa jalla commanded us that we pray upon you, O Messenger of Allah, so how do we pray upon you when we invoke prayer upon you in the prayer? He said: ‘Say: *Allahumma swalli ‘ala Muhammadin An-Nabiyy Al-Umiyy wa ‘ala ali Muhammad kama swallayta ‘ala Ibrahima wa ‘ala ali Ibrahim. Wa barik ‘ala Muhammadin An-Nabiyy Al-Umiyy wa ‘ala ali Muhammad kama barakta ‘ala Ibrahima wa ‘ala ali Ibrahim. Innaka hamidun majid.’*”** If the prayer is one *rak’at* like the *rak’at* of individual *witr* or two *rak’at* like the prayer of *subh*, one sits upon his haunch, makes the tashahud and invokes prayer upon the Prophet.

Then one makes the salutation (*salam*) which is a *fard* of prayer due to his (saw) saying: **‘The opening of the prayer is purity, its ritual consecration (*tahrim*) is the *takbir* and its dissolution (*tahlil*) is the salutation (*taslim*).’** The *Sunnah* is that one salutes two salutations, the first to his right and the other to his left. The salutation is that one says, *‘Assalaamu ‘alaykum wa rahmatullahi* (Peace be upon you and the mercy of Allah)’ due to what Abdullah bin Masoud (ra) narrated and said: **‘The Prophet (saw) would salute to his right and say: *‘Assalaamu ‘alaykum wa rahmatullahi*’ and to his left: *‘Assalaamu ‘alaykum wa rahmatullahi*’ until the white of his cheek from here and there.’**

The *Imam* intends with the first salutation to leave the prayer, peace upon those upon his right and protection (*hifdha*), and intends with the second the salutation upon those to his left and protection. The individual intends with the first salutation leaving the prayer and the salutation for protection, and with the second the salutation for protection. Thereupon one would have perfected his prayer completely in its obligations and recommendations.

It is recommended for the one who finished the prayer to mention (*dhakara*) Allah *ta’ala* due to what ibn Az-Zubair (ra) narrated that he would say ‘La ilaha illa Allah’ (*tahleel*) following every prayer saying: **“*La ilaha***

illa Allahu wahdahu la sharika lahu, lahu al-mulk wa lahu al-hamd wa huwa 'ala kulli shayin qadeer. La hawla wa la quwwata illa billahi wa la na'abudu illa iyyahu, wa lahu an-ni'mah wa lahu al-fadhl, wa lahu ath-thina al-hasan. La ilaha illa Allahu mukhlisina lahu ad-deena wa lau kariha al-kafirun' (There is no god but Allah alone with no partner to Him, the sovereignty and praise is for Him and He is able to do everything. There is no power or strength save in Allah, we worship none but You, and the blessing and superiority/favour is for Him, and for Him is the good praise. There is no god but Allah, the deen being pure for Him even though the disbelievers detest it). Then he would say: **The Messenger of Allah (saw) would say this *tahlil* at the end of every prayer.**" It is recommended that one raises the voice with it in the quiet (*sirri*) and audible prayers due to what was narrated from ibn Abbas that he said: **'Verily the raising of the voice with dhikr when people finished with the prescribed (prayers) was during the time of the Messenger of Allah (saw). And he said: I would learn (it) when they finished with that as I heard it.'**

The *Sunnah* in the prayer of *subh* is that one says the *qunut* (*du'a* of humility/submission) in the second *rak'at* after rising from the bowing and before bending to prostrate due to what Anas (ra) narrated **"that the Prophet (saw) said the *qunut* a month making *du'a* against them then he left it. As for the *subh*, he never left the *qunut* until he withdrew from the world (i.e. passed away)."** And due to what was narrated that Anas was asked: **'Did the Messenger of Allah (saw) make *qunut* in the prayer of *subh*? He said: Yes. It was asked: Before the bowing or after? He said: After the bowing.'**

The *Sunnah* is that one makes *du'a* with the *du'a* which the Messenger of Allah (saw) taught Al-Hasan bin Ali bin Ali (ra) narrated and said: **"The Messenger of Allah (saw) taught me words so that I say them in the *witr*. He said: 'Say: *Allahumma ihdini fi man hadayta, wa 'afini fi man 'afayta, wa tawallani fi man tawallayta, wa barik li fi a'atayta, wa qinni sharran min ma qAdhayta. Inna taqdhi wa la yuqdha 'alayka, wa innahu la yadhillu man wallayta, tabarakta wa ta'alayta* (O Allah, guide me among those You guide, and forgive me among those You forgive, and befriend me among those You befriend, and protect me from the evil which You decree. Verily You decree and none can decree against You, verily none (can) disgrace whom You befriend. Verily You are the Most Blessed, the Exalted)."** And it would be proper to make *qunut* with what was narrated from Umar bin Al-Khattab (ra) which is what Abu Rafi' narrated and said: Umar bin Al-Khattab

(ra) made qunut after the bowing in the *subh* and I heard him saying: ‘*Allahumma inna nasta’inuka wa nastaghfiruka, wa la nakfuruka wa nu’minu bika. Wa naklha’u wa natruku man yaffjuru. Allahumma iyyaka na’abudu, wa laka nuswalli wa nasjudu, wa ilaika nas’a wa nahfid. Narju rahmataka wa nakhsha ‘Adhabaka, inna ‘Adhabaka al-jidd bi al-kuffar mulhaq. Allahumma ‘adhib kafarata Ahl al-Kitab alladhina yasudduna ‘an sabilika, yukadhibuna rusulaka wa yaqatiluna awliyaaka. Allahumma ighfir li al-muminina wa al-muminat, al-muslimina wa al-muslimat, wa aslih dhata baynahum, wa allif baina qulubihim. Wa aj’al min qulubihim al-iman wa al-hikmah, wa tuthabbithum ‘ala millati rasulika, wa awzi’ihim an yufu bi ‘ahdika alladhi ‘ahadtum ‘alayhi. Wa unsurhum ‘ala ‘aduwwika wa ‘adduwihim—ilahu al-haqq—wa aj’alna minhum* (O Allah, verily we seek Your help and forgiveness, we do not disbelieve You but we believe in You, we renounce and abandon the one who is impudent (*yaffjuru*) to You. O Allah, it is You we worship and to You we pray and prostrate, and to You we strive and (*nahfid*). We hope for Your mercy and fear Your punishment. Verily Your punishment is serious with the kuffar who are overtaken. O Allah, punish the disbelievers of the People of the Book who divert from Your way, disbelieving in Your Messengers, fighting Your friends. O Allah, forgive the believing men and women, Muslim men and women and reconcile between them, unite their hearts and make of their hearts/minds belief and wisdom (*hikmah*). Make them firm upon the creed (*millah*) of Your Messenger. Apportion to them to fulfil Your covenant of which You covenanted them upon, support them against Your enemy and their enemy—a god of Truth—and makes us among them).”

The *fard* in all that is mentioned in the description of the prayer is 13 (things) which are: the intention, *takbir* of *ihram*, standing, reciting the *fatiha*, bowing until one is at ease therein, rising from the bowing until one is straight, prostrating (end of page 60 Arabic text)

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until he becomes tranquil/settled, the sitting between to two prostrations until he becomes tranquil, the sitting at the last (part of) the prayer, the *tashahud*, the prayer upon the Messenger of Allah, the first salutation (*taslimiyya*), the order (*tarteeb*) of its actions. Everything else is recommended (*sunan*).

THE NUMBER OF RAK'AT OF THE PRAYER

The number of *rak'at* of the obligatory prayers is seventeen *rak'at*. They are four *rak'at* for the *dhuhr* prayer, four *rak'at* for the *asr* prayer, three *rak'at* for the *maghrib* prayer, four *rak'at* for *esha* prayer, and two *rak'at* for the *subh* prayer due to what is narrated from Aisha, mother of the believers, who said: **“Allah obliged two *rak'at* in residence and travel. Then He confirmed the travel prayer and increased the residence (prayer).”**

And due to what is narrated from Az-Zuhri from Urwah from Aisha who said: **“The prayer was obliged as two *rak'at*. Then the Prophet (saw) emigrated so four *rak'at* were obliged”** And what ibn Khuzeimah, ibn Hibban and Al-Baihaqi narrated from Aisha: **“The travel prayer was obliged as two *rak'at*. When the Messenger of Allah (saw) came to Madinah and became settled, two *rak'at* were increased to the residence prayer. The *fajr* prayer was left due to the length of the recitation, and (also) the *maghrib* prayer because it is the single/odd number prayer (*witr*) of the day.”** And the Ijma of the Sahabah conveyed from them by the way of consecutive/multiple continuous narrations (*tawatur*). The number of the obligatory (prayer of) of Jumu'ah is two *rak'at* due to the saying of Umar (ra): **“The prayer of Jumua'ah is two *rak'at*.”**

As for the number of fixed (*ratiba*) *Sunnah* together with the obligatory prayers, the lowest number of completion is twelve. They are the two *rak'at* before *dhuhr* and two *rak'at* after it, two *rak'at* after *maghrib*, two *rak'at* after *esha* and two *rak'at* before *subh* due to what ibn Umar (ra) narrated and said: **“I prayed with the Messenger of Allah (saw) before *dhuhr* two prostrations (*sajdah*), and two prostrations after it, before *maghrib* two prostrations and after *esha* two prostrations.”** And due to what was narrated from Hafsa bint Umar (ra) that the Messenger of Allah (saw) **“used to pray two light prostrations when the *fajr* appeared.”**

The more complete is to pray eighteen *rak'at* other *witr*. They are two *rak'at* before *fajr*, two *rak'at* after *maghrib*, two *rak'at* after *esha* due to the two previous *hadith* of ibn Umar and the *hadith* of Hafsa. And four before *dhuhr* and four after it due to what *Umm* Habibah (ra) narrated that the Prophet (saw) said: **“Whoever preserves four *rak'at* before *dhuhr* and four after it is forbidden from the Fire.”** And four before *asr* due to what Ali narrated that the Prophet (saw) **“used to pray before *asr* four (*rak'at*) dividing between each couple of them with salutations to the angels and those with him of the believers.”** The *Sunnah* therein, and in the four before *dhuhr* and after it, is to give salutations at every two *rak'at* due to the *hadith* of Ali and the *hadith*

(that) the prayers of the night and day are two two. As for the *witr*, it is *Sunnah* due to what Abu Ayyub Al-Ansari (ra) narrated: That the Prophet (saw) said: **“The *witr* is not obligatory so whoever wishes to make *witr* with five (*rak’at*) let him do so, whoever wishes to make *witr* with three (*rak’at*) let him do so whoever wishes to make *witr* with one (*rak’at*) let him do so.”** The least (number) of *witr* is one *rak’at*, and its greatest is eleven *rak’at* due to what Aisha (ra) narrated that the Prophet (saw) **“used to pray in the night eleven *rak’at*, performing the *witr* therein with one.”** The *Sunnah* for the one who does the *witr* with what is more than one *rak’at* is to give *salam* in every two *rak’at* due to what ibn Umar (ra) narrated **“that the Prophet (saw) would separate between the even number (of *rak’at*) and the *witr*”** and due to what was narrated from Aisha who said: **“The Messenger of Allah (saw) would pray between finishing the *esha* prayer to the *fajr* eleven *rak’at* making *salam* between every two *rak’at* and making *witr* with one (*rak’at*).”** The *Sunnah* is that one stands for the *witr* in the second half of the month of *RamAdhan* due to what was narrated from Umar (ra) who said: **“The *Sunnah* is that when the month of *RamAdhan* reaches midway to curse the disbelievers in the *witr* after it is said ‘*Sami’Allahu liman hamidahu*’(Allah hears the one who praises Him), then one says: ‘*Allahumma qatil al-kafarata*’ (O Allah, kill the disbelievers).”** And twenty *rak’at* for the standing of *RamAdhan* with ten *salams* due to what was narrated that the Prophet (saw) **“prayed twenty *rak’at* with the people for two nights. When it was the third night, the people gathered but he did not go out to them. Then he said the next day: ‘I feared that it becomes *fard* upon you and you will not be able.”** And the *rak’at* of the prayer of fore-noon (*adh-dhuha*); its least (number) is two *rak’at* and its greatest is eight *rak’at* due to what Abu Dharr (ra) that the Messenger of Allah (saw) said: **“It is confirmed for every (*salamiyy*) of one of you as *Sadaqah*, and two *rak’at* that he prays for *adh-dhuha* is sufficient for that.”** The (*salamiyy*) is the singular of (*salamiyatt*) which is that which is separated (*mufassal*). And due to what Umm Hani bint Abu Talib (ra) narrated **“that the Prophet (saw) prayed *adh-dhuha* eight *rak’at*.”** And two *rak’at* to greet the mosque due to what Abu Qatadah (ra) narrated that the Prophet (saw) said: **“When one of you enters the mosque, let him pray two prostrations before he sits.”** And two *rak’at* after *wudu* due to what was narrated from Uthman (ra) who said: **“I saw the Messenger of Allah (saw) made *wudu* then said: ‘Whoever makes *wudu* like this *wudu* of mine, then prayed two *rak’at* without (*yahdithu*) himself in the two then it is forgiven to him what**

preceded of his sins.” And two *rak’at* for the one who arrived from travel that he prays them in the mosque at the beginning of his arrival due to the *hadith* of K’ab bin Malik (ra) who said: **‘When the Messenger of Allah (saw) arrived from a travel, he began with the mosque and bowed two *rak’at* therein.’** And among them are the two *rak’at* of the *taHajjud* at night and voluntary *rak’at* in the day, and there is no defined number of *rak’at* for them but they are prayed in two *rak’at* two *rak’at*. The *Sunnah* is that one makes *salam* at every two *rak’at* due to what ibn Umar (ra) narrated that the Prophet (saw): **“The prayer of the night is two two (*rak’at*) so when you fear (the arrival of) *subh*, make *witr* with one.”** All of these prayers are *sunan* for which the congregation (*jama’ah*) was not prescribed.

[End of July 2001: 1695 minutes translating up to middle of page 64 Arabic book]

There are *rak’at* of the *sunan* (prayers) for which the *jama’ah* is prescribed. They are the two *rak’at* of the prayer of *Eid al-Fitr* and the two *rak’at* of *Eid al-Adha* due to the saying of Umar **“the prayer of Al-Adha and the prayer of Al-Fitr is two *rak’at*, and the prayer of travel is two *rak’at* and the prayer of *jumu’ah* is two *rak’at* completed without shortening, upon the tongue of your Prophet (saw). And the one who fabricates is unsuccessful.”** And two *rak’at* for the eclipse of the sun and the eclipse of the moon with two standings (*qiyam*) in each *rak’at*, two recitations, two bowings and two prostrations due to what ibn Abbas (ra) narrated and said: **The sun eclipsed so the Messenger of Allah (saw) prayed and the people together with him. So he stood a long standing approximately (the recitation of) the *Surah Al-Baqarah*, then he bowed a long bowing then he rose and stood a long standing which was less than the first standing then he bowed a long bowing which was less than the first bowing then he prostrated. Then he rose a long standing which was less than the first standing then bowed a long bowing which was less than the first bowing then rose and stood a long standing which was less than the first standing then bowed a long bowing which was less than the first bowing then he prostrated. Then he finished and the sun had appeared and he said: ‘Verily the sun and moon are two signs (*ayat*) of the signs of Allah. They do not eclipse for the death of anyone of his life. So when you see that, remember Allah.’**

And two *rak’at* like the prayer of *Eid* for seeking rain (*istisqa*) i.e. to seek help (*ghayth*) when the rain is withheld, and it is like the prayer of *Eid*. So one performs the *du’a* of opening after the *takbir* of *ihram* then says

seven *takbir*, and in the second *rak'at* five *takbir* after standing from the prostration of the first *rak'at* due to what was narrated from Abu Hurayrah who said: **“The Prophet of Allah (saw) went out one day seeking rain so he prayed with us two *rak'at* without *Adhan* or *iqamah*. Then he addressed us and invoked Allah ‘*azza wa jalla* and then turned his face towards the *qiblah* raising his hands. Then he reversed his cloak and put the right upon the left and the left upon the right.”** And due to what was narrated from ibn Abbas that he said: **“The Messenger of Allah (saw) went out with casual clothing worn at home (*mutabadhil*) submissive/humble imploring and he prayed two *rak'at* just he prayed in *Eid* then he gave this *khutbah* of yours.”**

THE THINGS WHICH SPOIL/RUIN THE PRAYER

The prayer has conditions of validity/correctness which must be continued until the prayer ends so if one condition of the conditions of the prayer's validity breaks, such as purity, covering the '*awra* and others, then the prayer of the one for whom this condition breaks is invalidated/nullified. If the one praying breaks his ritual purity (*ahdatha*) in his prayer, his prayer is nullified whether he broke his ritual purity deliberately or forgetfully, by his choice or it was forced upon him, because there is no difference in the breaking of a condition of the prayer's validity between its occurring by his choice or without his choice as it is verified upon the prayer at that point that it is without purity, and the prayer without purity is ruined (*fasid*). The Messenger of Allah (saw) said: **“Allah does not accept the prayer without purity.”** If he leaves a *fard* of the prayer's *fards* like bowing or prostration, it is considered. If he left it deliberately, his prayer is nullified due to his (saw) saying to the one who spoilt (*musiu*) of his prayer: **“Repeat your prayer for you have not prayed.”** If he leaves it forgetfully and says the *salam* of his prayer, his prayer is likewise nullified because he executed a prayer which does not fulfil its *fards*. If he left it forgetfully and remembered it before he said *salam*, the *rak'at* which he left a *fard* therein is eliminated (*dhahaba*) and he repeats all the *rak'at* and prostrates for forgetfulness (*sajdat as-sahw*) because he is like the one who forgot a *rak'at* so he performs it and prostrates for forgetfulness due to what Abdurrahman bin A'waf (ra) narrated and said: I heard the Messenger of Allah (saw) saying: **“If one of you forgets in his prayer and does not remember is it one (*rak'at*) he prayed or two, let him build (*bana*) upon one. And if he does**

not remember is it two he prayed or three, let him build (*bana*) upon two. And if he does not remember is it three he prayed or four, let him build (*bana*) upon three. Then let him prostrate two prostrations before he says the *salam*.”

If he talked in his prayer or laughed boisterously therein or broke out into loud weeping or (*shamata*) the one who sneezed while remembering the prayer knowing its forbiddance (*tahreem*), his prayer is nullified due to what was narrated from Zaid bin Arqam who said: **‘We used to talk in the prayer, one man of us talking with his companion at his side in the prayer, until: ‘And stand for Allah humbly (*qaniteen*)’ [TMQ] was revealed. So He commanded us to be silent and prohibited us from talking.’** And due to the *hadith* of Mu’awiya bin Al-Hakam: **“Verily it is not proper in this prayer anything of the people’s speech (*kalam*).”** However, if he did that while forgetting he is in the prayer, his prayer is not nullified due to what Abu Hurayrah narrated and said: **‘The Messenger of Allah (saw) prayed with us *dhuhr* and *‘asr* and said *salam*. Dhu Al-Yadain said to him: Was the prayer shortened or did you forget, O Messenger of Allah? The Messenger of Allah (saw) said to him: ‘It was neither shortened nor did I forget.’ He said: Rather you did forget, O Messenger of Allah. So the Prophet (saw) said: ‘Is what he says true?’ They said: Yes. So he prayed the last two *rak’at* then prostrated two prostrations.’** If he did that ignorant of its forbiddance and it is not long, his prayer is not nullified due to what Mu’awiya bin Al-Hakam narrated and said: **‘I was in the presence of the Messenger of Allah (saw) when a man sneezed so I said: *Yarhamuka Allah* (Allah have mercy upon you). The people looked at me sharply with their eyes, so I said: May my mother be heavy with me! What is your problem that you look at me? So the people struck their thighs with their hands. When the Messenger of Allah (saw) finished, he called me. For him is my father and mother, I have never seen a teacher better in teaching than him. By Allah, he did not hit me nor (*kahara*) me. He said: ‘Verily it is not proper in this prayer anything of the people’s speech. It is only glorification (*tasbeeh*), *takbir* and the recitation of the Qur’an.’** This is if the rule were of those whose type is commonly unknown, then at that point ignorance therein is excused. Whereas if it were of the rules of which ignorance is not customary, then its ignorance is not excused.

WHAT IS DISLIKED IN THE PRAYER

Turning right and left is disliked in the prayer due to the *hadith* of Aisha (ra) who said: **‘I asked the Messenger of Allah (saw) about the turning (*iltifat*) in the prayer so he said: ‘It is of the embezzlement that Satan embezzles from the slave’s prayer.’** Turning does not nullify the prayer due to what was narrated from Jabir (ra) who said: **‘The Messenger of Allah (saw) suffered (from an illness) so we prayed behind him and he was sitting. He turned to us and saw us standing, so he motioned to us .’**

It is disliked that one raises his sight to the sky due to what Anas (ra) narrated that the Prophet (saw) said: **‘What is wrong with a people who raise their sight to the sight to the sky in the prayer. His statement upon that became vehement until he said: ‘Let them refrain from doing that or their sight will be snatched.’** It is disliked that one looks at what distracts him due to what Aisha (ra) narrated and said: **‘The Prophet (saw) was praying and he had a (*khamisa*) with signs/marks (*‘ilam*) so when he finished he said: ‘These marks distracted me. Go with it to Abu Jahm and bring me an (*njibaniyya*).’** The (*khamisa*) is a quadratic cloth of wool. An (*injinabiyya*) is a thick/coarse cloth without marking; if it has marks then it is a (*khamisa*). It is disliked that one prays while his hand is upon his hip/waist (*khasir*) due to what Abu Hurayrah (ra) narrated **‘that the Prophet (saw) prohibited a man praying (*mukhtasar*)’** and the meaning of (*mukhtasar*) is placing one’s hand upon one’s hip. Yawning in the prayer is disliked due to what was narrated from Abu Hurayrah (ra) that the Prophet (saw) said: **‘Yawning is from Satan so when one of you yawns, let him suppress it as much as he can.’**

THE TIMES DURING WHICH PRAYERS IS DISLIKED

Prayer is disliked at five times; two times because of the action and three times because of the time. As for the two times prohibited because of the action, they are after the prayer of *subh* until the sun rises and after the prayer of *‘asr* until the sun sets due to what ibn Abbas (ra) narrated and said: **‘Men pleasing to me testified to me, and the most pleasing to me is Umar(ra), that the Messenger of Allah (saw) prohibited from praying after *subh* until it became light and after *‘asr* until it set.’** As for the three times that are prohibited due to the time, they are during the rising of the sun until it became high, during the levelness (exact noon) until it went

down and during the yellowing (of the sun) until it sets. The evidence for this is what Uqbah bin Amir (ra) narrated and said: **“Three times the Messenger of Allah (saw) would prohibit us from praying therein or that we bury our dead: When the sun was rising at dawn until it became high, when one stood the standing of midday and when the sun (*tudhif*) to set.”**

However, if the prayer were *fard* or a *nafila* being repaid, it is not disliked to pray therein due to the coming of texts upon that. From Jabir bin Abdullah **“that Umar came the Day of the Trench after the sun had set and begun insulting the Qurayshi kuffar and said: O Messenger of Allah, I was barely able to pray ‘*asr* until the sun was about to set. The Prophet (saw) said: ‘I have not prayed it.’ So he made *wudu* and we made *wudu* and prayed ‘*asr* after the sun set then prayed *maghrib* after it.”** And from Abu Hurayrah from the Prophet (saw) who said: **“Whoever forgot a prayer, let him pray it when he remembered it.”** And from Umm Salamah (ra) who said **“that the Prophet (saw) prayed two *rak’at* after ‘*asr* when he finished, he said: ‘O bint Abu Umayyah, you asked about the two *rak’at* after ‘*asr*. Verily there came to me people from Abd Qays with Islam of their people and they distracted me from the two after *dhuhr* so they are these two *rak’at* after ‘*asr*.”**

As for the greeting of the mosque, it is disliked to pray it in these prohibited times like the rest of the prayers because his (saw) saying: **“If one of you enters the mosque, let him not sit until he has bowed two bowings”** is general at all times, situations and mosques, and what Uqbah narrated: **“Three times the Messenger of Allah (saw) would prohibit us from praying therein...”** (the *hadith*) is specific to specified times. And what ibn Abbas narrated that the Prophet (saw) **prohibited the prayer until the sun set** (the *hadith*) is specific to specified situations i.e. after the prayer of ‘*asr* not before it. Where the specific contradicts with the general, the general is interpreted upon the specific i.e. when there comes a general text and there come a specific text, the specific text is a specification of the generality of the general text i.e. excluded from its generality. Herein the request to greet the mosque at all times is interpreted as requesting it at other than the times prohibited to pray therein so greeting the mosque in these disliked times is disliked like the rest of the prayers. This is because the prohibition is erected (*mansab*) upon all prayers so it is erected upon greeting the mosque like others nor did there come a text permitting at this time as there came in the *fard* and repaying arranged *nafila*, so it is

established that greeting the mosque is disliked to be prayed at these five times prohibited from praying therein. Also, the prohibition that came in the *hadith* of the prayer in the three specified times and the prohibition that came in the other *hadith* about the two specified situations is a general prohibition on all prayers which includes greeting the mosque, *nafila* and others since it prohibits every prayers. Excluding from it by permitting a specific prayer in these times and situations require a text permitting a prayer in these three times and two situations apart from the *fard* prayer and repaying an arranged *nafila* only so they are the only two excluded, so it is not disliked to pray these two in these five times. As for any prayers other than these two, they are disliked and among them is greeting the mosque due to the generality of the prohibition.

THE CONGREGATIONAL (JAMA'AH) PRAYER

The *jama'ah* prayer is a collective obligation (*fard kifayah*) which must be displayed by the people. If they refuse to display it, they are fought over it. The evidence that it is *fard* is what Abu Ad-Darda (ra) narrated that the Prophet (saw) said: **‘There are no three (persons) in a village or desert over whom the prayer is not established save that Satan has overpowered them. Stick to the *jama'ah* for the wolf takes from the isolated sheep’** As for its being *fard kifayah* not an individual duty (*fard ‘ayn*), this is because some Muslims lagged behind the prayer with the Messenger (saw) and the Messenger left them after threatening them with burning; were it *fard ‘ayn* upon every Muslim, he would not have left them. The prayer with the *jama'ah* is better than the prayer alone due to what came in the two *Sahihs* from the Prophet (saw) who said: **‘The *jama'ah* is better than the prayer alone by twenty seven degrees.’** The prayer in the mosque is better than in the house due to what was narrated from Abu Hurayrah (ra) who said: The Messenger of Allah (saw) said: **‘Whoever purified himself in his house then walked to a house of the houses of Allah to perform a *fard* of Allah’s *fards*, one of his steps will wipe a sin and the other raises his rank.’**

The least of the *jama'ah* is two, an *Imam* and a follower due to the *hadith* of Malik bin Al-Huwayrith who said: **‘I came to the Prophet (saw), myself and my companion, and when we intended to (*qfal*) from him, he said to us: ‘When the prayer reaches you, call the *Adhan* then call the *iqamah* and let the elder of you be the *Imam*.’** The prayer of *jama'ah* in the mosque is better than in the house due to what was narrated from

Abdullah ibn Masoud (ra) who said: **‘Whoever is pleased that he meets Allah *ta’ala* tomorrow as a Muslim, let him preserve these prayers when they are announced for verily Allah *ta’ala* legislated for your Prophet (saw) *sunan* of guidance and they are of the *sunan* of guidance. Were you to pray them in your houses as this straggler prays them in his house, you would have left the *Sunnah* of your Prophet (saw), and if you left the *Sunnah* you would go astray. I saw us and none would lag behind from them except a hypocrite whose hypocrisy was known, and a man would come to them led between two men until he stood in the row (*saff*).’** It is permitted for women to attend the mosque to pray therein and the *jama’ah* prayer due to what ibn Umar (ra) narrated and said: The Messenger of Allah (saw) said: **‘Do not prevent your women (from) the mosque, and their houses are better for them’** The *jama’ah* (*tasqutu*) for a *Shari’ah* excuse like the cold or rainy night due to the *hadith* of ibn Umar that the Messenger of Allah (saw) **‘would command the *muadhin* to call the *Adhan* then say immediately afterwards: ‘Pray in the stopping place (*rihal*)’ on a cold and rainy night during travel’** And in the narration of Muslim: **‘He would command the *muadhin* when it was a cold night with rain to say: ‘Pray in the stopping place.’’** And like the one who is present at food and his soul (*tatawaqahu*) due one removing the two types of (human) refuse (*akhbathayn*) due to what Aisha (ra) narrated and said: **‘No prayer in the presence of food nor when he is removing the two (types of) refuse’**; rather, it is disliked to pray in these situations. It is recommended for the one intending the *jama’ah* to walk thereto without running to it quickly due to what Abu Hurayrah narrated from the Prophet (saw) that he said: **‘When the *iqamah* of the prayer is called, do not arrive while hurrying but rather arrive while you are walking and tranquillity is upon you. Whatever you reach, pray and what escaped you, complete.’** If he is present and the *iqamah* of prayer is called, he should not be diverted therefrom by a *nafila* due to what was narrated that the Prophet (saw) said: **‘When the *iqamah* of prayer is called, there is no prayer except the prescribed (prayer).’** If he entered into a *nafila* prayer then the *jama’ah* was established, and if he does not fear the *jama’ah* escaping then he completes the *nafila* then enters into the *jama’ah*. If he fears its escape, he breaks the *nafila* because the *jama’ah* is better.

The *jama’ah* is not valid until the follower (*na’mum*) intends the *jama’ah* because he intends to follow another so the intention to follow is necessary such that he intends imitating (*qitida*) or following or the *jama’ah*. If he

does not make the intention of *jama'ah*, his prayer is convened individually nor does the virtue of *jama'ah* result for him. As for the *Imam*, he intends leadership (*Imamah*). If he does not make its intention, his prayer and the prayer of the followers is valid and *jama'ah* results for the followers because they intended the *jama'ah*. As for the *Imam*, the *jama'ah* does not result for him even if his leadership produced the *jama'ah*.

If the follower caught/attained the standing with the *Imam* and fears that the recitation will escape him, he leaves the *du'a* of opening and becomes occupied with the recitation since it is a *fard* so it is not diverted from by the *nafila*. If he recites some of the *fatiha* and the *Imam* bows, he bows and leaves the recitation because following the *Imam* is urgent/imperative (*akid*). If he caught him (the *Imam*) while he is bowing, he makes the *takbir* of *ihram* while standing then makes the *takbir* of the bowing and bows. If he makes the *takbir* intending thereby then this does not suffice him for the duty because he associated in the intention between a *fard* and *nafila* since he associated in the intention. So his prayer is not convened. If he catches the lawful (*jaiz*) bowing with the *Imam*, he has caught the *rak'at*; if he does not catch that, then he did not catch the *rak'at*. Whenever he catches a *rak'at* with the *Imam*, he has caught the prayer of *jama'ah* due to what was narrated from Abu Hurayrah (ra) who said: The Messenger of Allah (saw) said: **“When you come to the prayer and we are prostrating, then prostrate and do not count it as anything. And whoever catches a *rak'at* has caught the prayer.”** If he caught the last *rak'at* with the *Imam*, then that is the first of his prayer due to what was narrated from Ali (ra) that he said: **“Whatever you caught is the first of your prayer.”** Accordingly, once he (the *Imam*) says the *salam*, he (the follower) stands for what remains of his prayer. If that were in a prayer wherein there is a *qunut* and he made the *qunut* with the *Imam*, he repeats the *qunut* at the end of his prayer. It is necessary for the follower to follow the *Imam* and not to precede him in any action due to what Abu Hurayrah narrated that the Prophet (saw) said: **“Verily the *Imam* was made to be led by so do not overtake him. When he says the *takbir*, you say the *takbir* and when he bows, you bow. When he says: ‘*Sami*’ *Allahu liman hamidahu* (Allah hears the one who praises Him), you say: ‘*Allahumma rabbana laka al-hamd* (O Allah, our Lord, to you is the praise)’ and when he prostrates, you prostrate.”** And if the *Imam* forgets in his prayer, if it were in recitation the follower unfolds/open (*fataha*) it for the *Imam* due to what Anas narrated and said: **“The Sahabah of the Messenger of Allah (saw) would dictate to each other in the prayer.”** If it were in something quoted

other than the recitation, the follower would say it aloud so that he hears it. If he forgets in an action, he says: ‘*Subhana’Allah* (Glory be to Allah)’ to inform him. If the followers intends to separate from the *Imam* and complete (the prayer) himself, it is permitted whether that were with an excuse or not **“because Mu’adh lengthened the recitation so a Bedouin isolated himself from him. That was mentioned to the Prophet (saw) and he did not reject that.”** It is correct for each Muslim to become an *Imam* as long as he has attained in age the limit of understanding and is of the people of prayer even if he were a child due to what was narrated from Amru bin *Salamah* (ra) who said: **‘I was *Imam* at the time of the Messenger of Allah (saw) and I was a child of seven years.’** It is disliked that a man prays with a people while most of them dislike him due to what ibn Abbas (ra) narrated that the Prophet (saw) said: **‘The prayer of Three (persons) does not rise a handspan above their heads: A man who led a people in prayer while they dislike him, a woman who spent a night while her husband is displeased with her and two estranged brothers.’** And the *Imamah* of a dissolute person (*fajir*) in the prayer is disliked but the prayer is valid. It was narrated from ibn Abbas who said: The Messenger of Allah (saw) said: **‘Make the best among you your *Imams* for they are your delegate(s) in what is between you and your Lord.’** Just as it was narrated from Makhul from Abu Hurayrah who said: The Messenger of Allah (saw) said: **“Jihad is obligatory upon you with every leader (*Amir*) whether he were good or dissolute (*fajir*), and prayer is obligatory behind every Muslim whether he were good or dissolute even if he performed the grave sins (*kabair*).”** The *Sunnah* is that people are led in prayer by one among them who recites better and the most knowledgeable in *fiqh* due to what Abu Masoud Al-Badri (ra) narrated that the Prophet (saw) said: **“The *Imam* of a people is he one who recites the Book of Allah *ta’ala* better, and the one who recites the most. If their recitation is equal, then let the foremost in (making) the *Hijrah* be the *Imam*. If they were equal in the *hijrah*, then let the greater in age be their *Imam*.”** If all of these persons gather together with the owner of a house, the owner of the house is more entitled than them due to what Abu Masoud Al-Badri (ra) narrated from the Prophet (saw) said: **“No man should lead another man in his home (*ahl*) nor his authority (*sultan*), nor should he sit upon his (*akrimah*) except with his permission.”** If a traveller gathers together with a resident, the resident is more entitled. The *Sunnah* is that one man stands to the right of the *Imam* due to what ibn Abbas (ra) narrated and said: **“I spent the night at my maternal aunt,**

Maimunah, and the Messenger of Allah (saw) stood to pray and I stood to his left but he put me to his right.” If another comes, he makes *ihram* to his left then the *Imam* advances or the followers move backward due to what Jabir narrated and said: **‘I stood to the left of the Messenger of Allah (saw) so he took my arm and rotated me until he made me stand to his right. And Jabbar bin Sakhr came until he stood to the left of the Messenger of Allah (saw) so he took our hands together and pushed us until we stood behind him.’** If two men are present, they make the row behind him due to the *hadith* of Jabir. If a man and child are present, they make the row behind him and if there were a woman with them, she stands behind them due to what Anas narrated and said: **‘The Messenger of Allah (saw) stood and At-Teem and I stood behind him, and an old woman behind us, so he prayed with us.’** From ibn Abbas who said: **‘I prayed at the side of the Prophet (saw) and Aisha was with us praying behind us, and I was at the side of the Prophet praying with him.’** If they differ with what we mentioned so the man stood to the left of the *Imam* or the woman stood with the man or in front of the man, but they were behind the *Imam*, the prayer is not nullified but it is disliked due to what ibn Abbas (ra) (that) **‘he stood to the left of the Prophet (saw) and his prayer was not nullified’** which indicated that arranging the followers with the row is *Sunnah* which includes arranging the men and arranging the women. However if the follower stood alone behind the *Imam*, his *ihram* is valid and if he enters the row after the *ihram* even during the after it or even after it before dropping to prostration, his prayer is valid. Abu Bakrah *ahrama* behind the row and bowed then walked to the row so the Prophet (saw) said to him: **‘May Allah increase you in endeavour but do not repeat.’** However if he remained alone and does not enter the row, his prayer is nullified due to what was narrated that the Messenger of Allah (saw) **‘saw a man praying behind the row and he stopped until the man finished and he said to him: ‘Repay (*staqbil*) your prayer for there is no prayer for a single person behind the row’** and due to the *hadith* of Wabid bin Ma’bad **‘that the Messenger of Allah (saw) saw a man praying behind the row alone so he commanded him to repeat his prayer.’** This is when there is an opening in the row. Whereas if the row is complete without a place for one to pray therein, he should pull a man to him to be another row with him. At-Tabarani has extracted from ibn Abbas with a chain (*isnad*) which Al-Hafidh said that he narrated with the words **‘that the Prophet (saw) commanded one who comes and the rows have been completed ‘to pull to him a man to stand at his side.’**”

It is necessary for the follower to follow the *Imam* and not to precede him in any action due to what Abu Hurayrah narrated that the Prophet (saw) said: **“Verily the *Imam* was made to be led by so when he says *takbir*, you say *takbir* and when he bows, you bow. When he says ‘*Sami’ Allahu liman hamidahu* (Allah hears the one who praises Him)’, you say ‘*Allahumma rabbana laka al-hamd* (O Allah, our Lord, to you is the praise)’ and when he prostrates, you prostrate.”** If the follower says the *takbir* before the *Imam*, his prayer is not convened because he related his prayer with his (the *Imam*’s) prayer before it was convened so it is not valid. If he preceded him with a pillar such as bowing before him or prostrating before him, that is not permitted due to his (saw) saying: **Does one of you not fear when he raises his head before the *Imam* that Allah makes his head the head of a donkey or his face the face of a donkey?”** He is obliged to return to following him because that is *fard*. If he does not do that until he (the *Imam*) joins him therein, his prayer is not nullified because that is a slight difference. And if he bows before the *Imam*, then when the *Imam* intends to bow he rises, and when the *Imam* intends to rise he bows, that is haram upon him. If he knows its forbiddance, his prayer is nullified since that is a great difference; if he is ignorant about its forbiddance, his prayer is not nullified but this *rak’at* does not count for him because he did not follow the *Imam* in most of it thus it is necessary that he prays the *rak’at*. If he preceded by one pillar, it does not harm.

It is necessary for the follower to lag behind the *Imam*. If he is equal to him, it is disliked but does not nullify his prayer. Whereas if the *Imam* precedes the follower such that the follower starts praying behind the *Imam*, if this occurs before the beginning of the prayer, it is not convened. And if it occurs during the prayer, it is nullified because the follower in this situation stood in a position which is not the position of a follower at all, so the name follower is not used for him.

EVERY MUSLIM IS QUALIFIED FOR LEADERSHIP (*IMAMAH*) IN THE PRAYER

It is not stipulated for the *Imam* in prayer except that he be a Muslim. Hence the prayer leadership (*Imamah*) of the kafir like the Christian, Jew or Zoroastrian is not correct; however, as for other a kafir, his *Imamah* is correct and the prayer behind him is correct. As for the innovator, he is considered. If his innovation (*bid’ah*) makes one kafir i.e. he is a kafir because of this innovation like the one who says Allah is translocated in our master Ali, the

Imamah of one similar to this, if known for that, is like the *Imamah* of the kafir is not correct because they are kuffar even if they claim Islam. As for the innovator who is not made a kafir by his innovation like the one saying that the Qur'an is created and like the *Mu'tazila* and *Khawarij*; their *Imamah* is correct because they are Muslims and they are followed as the rest of Muslims are followed them disliked at all. Yes, there are those who are preferred for *Imamah* than all the other Muslims, and they are those characterised with the attributes which came in the *Shari'ah* texts for the Messenger (saw) says **"The best reciter of the Book of Allah leads the people in prayer, and if they are equal in recitation, then the most knowledgeable in the *Sunnah*. If they are equal in the *Sunnah*, then the foremost in the *Hijrah*; if they are equal in the *Hijrah* then the foremost in age. Nor should a man lead (another) man in his dominion/authority (*sultan*)."** And there are those whose *Imamah* is disliked due to the coming of a text censuring their *Imamah*. >From Ali *marfu'*: "The one reckless in his deen should not lead in prayer" (and) from Abu Umamah who said: The Messenger of Allah (saw) said: **"Three (persons) whose prayer does not exceed their ears: The absconding slave until he returns, the woman who spends the night while her husband is displeased with her and the *Imam* of a people who dislike him."** However the dislike of the *Imamah* of the one reckless in his deen and the one leading a people who dislike him does not mean that the prayer is not correct nor does it mean the one being led by them is sinful by forwarding them for the *Imamah*. Other than those for whom a text came with the forbidding of prayer behind them and nullifying it which is the kafir, and those for whom a text came disliking the prayer behind him together with permitting the prayer and its validity such as the reckless in his deen, the prayer is permitted behind every Muslim whether he were *Shafi'i* or *Hanafi* or Ja'fari (*mAdhab*) of *Ahl as-Sunnah* or *Shi'a* due to what Makhul narrated from Abu Hurayrah who said: The Messenger of Allah (saw) said: **"Jihad is obligatory upon you with every *Amir* whether he were good or dissolute, and prayer is obligatory upon you behind every Muslim whether he were good or dissolute and even if he performed grave sins."** And due to what was narrated from Abu Hurayrah who said: The Messenger of Allah (saw) said: **"They will pray with you. If they do right, then it is for you and for them, and if they erred, then it is for you and against them."** Accordingly, all Muslims are suitable to be *Imams* for each other as long as they are characterised with Islam. Hence the difference of opinion (*ikhtilaf*) of Muslims in some of the thoughts related to the 'aqeedah like the

Shi'a, the (people) of *Sunnah* and the Khawarij. And the ikhtilaf of Muslims in some of the *Shari'ah* rules which have a possibility of evidence (*shubhat ad-daleel*) like the *Shafi'i*, *Hanafis* and *Malikis* for example does not defame (*ta'an*) the *Imamah* of some of them over others. That does not make the prayer of the Muslim behind the Muslim who differs with him in the creed (*'aqaid*) that does not make one *kafir*, or differs with him in rules that have *shubhat ad-daleel* for them, an invalid prayer nor a disliked prayer. As for the issue of permitting the prayer behind the one who differs with the one being led in the *'aqeedah* and the absence of its being disliked, it is clear because it is a Muslim being led by a Muslim. As for the issue of permitting prayer behind the one who differs with the one being led in the rules of prayer and others, this is because the rules that the *Imam* or follower does *taqleed* upon, or the *Imam* or follower derives (*istinbat*), are all *Shari'ah* rules even if they differed and even if they contradicted because each one of them is based upon a text which most convinces (*ghalaba 'ala ad-dhann*) deriving it that it is an evidence for this rule. Accordingly it is a *Shari'ah* rule in respect to (*fi haqq*) the *Imam* and before him (the follower), and a *Shari'ah* rule before the follower in respect of the *Imam*. The *Shi'a* consider that the obligation is wiping the feet not washing them, and *Ahl as-Sunnah* consider that the obligation is washing the feet to the ankles and wiping them does not suffice and that if there remains from them the place of a little finger unwashed the *wudu* is not correct. Hence if the *Sunni* wipes his feet, his *wudu* is not valid and accordingly his prayer is not valid with this *wudu*; this is the rule of Allah with respect to him. Contrary to the *Shi'a* who considers that *wudu* with wiping is correct and his prayer with this *wudu* is correct; and this is the rule of Allah with respect to him. Each of the two opinions are *Shari'ah* rules despite their contradiction because each of them depends upon a *Shari'ah* evidence. So if a *Sunni* man sees a *Shi'a* man making *wudu* in front of him, and he sees that he wipes his feet and does not wash them, and this *Shi'a* is advanced as *Imam* for the people; it is permitted for the *Sunni* to be led by him in this situation because the *Shi'a* follows a *Shari'ah* rule in the view of the *Sunni*. So he is led by one whose prayer is valid before himself and his prayer is valid before the one who considers what the *Shi'a* follows a *Shari'ah* rule derived by correct *ijtihad* even if he considers it an error because the *Shi'a* has a *shubhat ad-daleel* before the *Sunni*. The *Shi'a* depend upon the word "and your feet" as being in the genitive form (*majrur*) linked to "your heads" in the ayah: "then wash your heads and your feet" [TMQ 5:6] and that Allah made the limbs two divisions, making two to be washed which are the face and

two hands to the elbows, and two to be wiped which are the head and two feet to the ankles. And they depend upon what was narrated from Rifa'ah in the *hadith* of the (*musī'u*) of his prayer (where) the Prophet (saw) said to him: **"The prayer of one of you is not accepted until he completes his wudu just as Allah ta'ala commanded him so he washes his face and two hands, and wipes his head and two feet."** And upon what was narrated from Ali (ra) that he made *wudu* and he took a handful of water and he sprinkled water upon his right leg and upon it was his sandal/shoe then (*fatala*) it with it, then did the same with his left. And because it is a limb dropped in the *tayyamum* so its *fard* is wiping so this *shubhat ad-daleel* wherein there is a possibility of this understanding in the language and *Shari'ah* existing from the texts. So accordingly the derivation of the wiping is a *Shari'ah* derivation and what it attains is a *Shari'ah* rule with respect to the one deriving it and before every Muslim. Similarly the *Hanafiyya* consider that touching the woman does not nullify (*naqAdha*) *wudu* and the *Shafi'i*s consider that touching woman nullifies the *wudu* so accordingly the *Shafi'i* nullifies his *wudu* when he touches the woman so he cannot pray with this *wudu*; if he prayed with it, his prayer is invalid. When the *Hanafi* touches the woman, his *wudu* is not nullified and it is permitted for him to pray with this *wudu* after the touching and his prayer is valid. So if the *Shafi'i* man sees a *Hanafi* man touching a woman and after touching her is put forward as an *Imam* in prayer for the people, it is permitted for the *Shafi'i* to be led in this situation by this *Hanafi* man because the *Hanafi* followed a *hukm shar'i* before the *Hanafiyya* in the view of the *Shafi'i* so he is being led by one whose prayer is valid before him and his prayer is valid before the one who considers that what the *Hanafi* followed is a *hukm shar'i* derived from a valid *ijtihad* even if he viewed it as an error because the *Hanafi* has a *shubhat ad-daleel* before the *Shafi'i*. The *Hanafiyya* depend upon the meaning of His saying: "or you touch (*laamas*) women" in the ayah [as meaning] or you have sexual relations by the evidence of the beginning of the ayah for Allah is saying: "O you who believe, do not approach prayer while you are drunk until you know what you are saying nor in a state of *junub* except as passers by until you make *ghusl* and if you are ill or upon a travel or one of you came from the toilet (*gha'it*) or you touched women and did not find water, then make *tayyammum*" [TMQ 4:42]. So Allah prohibited them from approaching the prayer when they are drunk, and He prohibited them from approaching it when they are *junub*, then He mentioned an example of that which obliges *ghusl* which is "or you touch women" and explained that if that occurred and water is not

found then the one who missed water should make *tayammum* to remove the minor ritual impurity and major ritual impurity i.e. *tayammum* replaces the (*maSadd*) of *wudu* and *ghusl*. Accordingly, the meaning intended in this ayah of "or you touch" is sexual intercourse not touching by the hand. And they depend upon the *hadith* of Habib bin Thabit from Urwah **“that the Prophet (saw) kissed some of his wives then went out to pray and did not make wudu.”** And the *hadith* of Aisha who said: **‘I missed the Prophet (saw) in the bed so I stood to seek him. So my hand alighted upon the hollow of the soles of his two feet. When he finished from his prayer, he said: ‘Your Satan came to you’”** and if his *wudu* was nullified, he would have broken the prayer. And upon the *hadith* of Aisha in the two *Sahihs* **“that the Prophet (saw) would be praying and she was lying between him and the qiblah. When he wished to prostrate, he touched her foot and she contracted it”** and in narration **“and when he wished to perform *witr*, he touched me with his leg.”** These are *shubhat ad-daleel* wherein there exists the possibility of this understanding from the language and the *Shari’ah* from the texts. Accordingly, the derivation that touching the woman does not nullify *wudu* is a *Shari’ah* derivation, and the rule it attains is a *Shari’ah* rule before him and before every Muslim. Accordingly, being led by him is valid and the prayer is valid. Hence it is permitted for the *Sunni* to be led by the *Shi’a* however much he differs with him in thoughts and rules, and it is permitted for the *Shi’a* to be led by the *Sunni* however much he differs in thoughts and rules. Just as it is permitted for the *Sunni* to be led by the *Hanafi* however much he differs with him in the rules, and it is permitted for the *Hanafi* to be led by the *Shafi’i* however much he differs with him in the rules.

THE PRAYER OF SHORTENING (*QASR*)

Shortening is permitted in the travel due to His saying *ta’ala*: "And when you travel in the earth, there is no sin upon you that you shorten the prayer if you fear that those who disbelieve will cause you (*fitnah*)" [TMQ4:101] Tha'alaba bin Umayyah: I said to Umar (ra): *“there is no sin upon you that you shorten the prayer if you fear”* and the people have become safe.

Umar said: I was surprised with what surprised you so I asked the Messenger of Allah (saw) who said: **“A charitable gift which Allah granted you so accept this charity.”** The shortening in the travel is better than completion due to what Imran bin Hussayn said **‘I performed *Hajj* with the Messenger of Allah (saw) and he**

would pray two *rak'at*. I travelled with Abu Bakr and he would pray two *rak'at* until he departed. I travelled with Umar and he would pray two *rak'at* until he departed. And I travelled with Uthman and he prayed two *rak'at* for six years then he completed at Mina.” And due to the *hadith* of Aisha: “The prayer was obliged as two *rak'at* then the travel prayer was confirmed and the prayer of residence completed.”

Shortening is not permitted except for the travel distance of two days which is four *burud* due to what was narrated from ibn Umar and ibn Abbas (ra) "who would pray two *rak'at* and break the fast for four *burud* and what was more than that." And Ata asked ibn Abbas: "Do I shorted to Arafah? He said: No so he said: To Mina? He said: No, but to Jeddah and Asfan and Taif." Malik said "between Makkah and Taif, Jeddah and Asfan is four *burud*." The *burud* is four *farasikh* and each *farsakh* is three Hashimi miles, and the mile is six thousand cubits (*dhira'*). The cubit is twenty four transversal (*mu'taridha*) average fingers, and finger is six transversal average hairs (*sha'ar*). This is the *Shari'ah* measurement as mentioned by the *fuqaha* and in kilometres it is measured as eighty one kilometres. There is no difference if one travels by plane, car, walking or mounting an animal for he is a traveller and can shorten. One is not permitted to shorten if the travel is less than this distance because the Prophet (saw) would go out to Al-Baqi' to bury the dead together with the people, and he did not shorten nor break fast. Were mere travel sufficient for shortening, he would travel. Shortening is not permitted except if one separates from the place of residence due to His saying *ta'ala*: “When you travel in the earth, then there is no sin upon you that you shorten the prayer” [TMQ4:101] so he related the shortening to travelling in the earth. Nor is shortening permitted for the one being led (in prayer) by a resident. So if one is led by a resident in a part of his prayer, it is compulsory upon him to complete.

If the traveller intends residence by resolving to take that place the place of residence for him, his travel breaks immediately so it is not permitted for him to shorten. Were he renounce the residence and renew the travel after that, that is a new travel. Whereas if he does not intend residence by not taking that place as place of residence for him but his travel requires staying a period to fulfill his needs, he is a traveller nor is his residence considered residence however long the period he intends to reside, whether he knows it or not. Rather he is considered a traveller. That is like the one who travels to Europe for trade and resides in the country to know its markets or buy goods, he is considered a traveller whatever period he resides therein, whether he moves around numerous

countries or resides in one country. His residence does not break the travel however long it is because it is not considered residence but rather it is considered travel. The traveller can shorten permanently because the principal is travel. That is due to what was narrated from Tumamah bin Sharhabil who said: "I went out with ibn Umar and he said: what is the travel prayer? He said: Two *rak'at*, two *rak'at* except the *maghrib* prayer (which is) three. I said: Do you see if we were at Dhu Al-Majaz. He said: and what is Dhu Al-Majaz? I said: A place where we assemble therein and trade. We stay twenty nights or fifty nights. He said: O you man! I was in Azerbaijan - I do not remember whether he said four months or two months - and I saw them praying two *rak'at*, two *rak'at*." And due to what was narrated from Yahya bin Abu Ishaq who said:

I heard Anas saying: **“We went out with the Prophet (saw) from Madinah to Makkah so he would pray two *rak'at*, two *rak'at* until we returned to Madinah. I said: Did you reside in Makkah at all? He said: We stayed there ten (days).”** This *hadith* is explicit in that he (as) would shorten from when he went out from Madinah until he returned to it. And due to what was narrated from ibn Abbas (ra) who said: **“The Prophet (saw) resided nineteen (days) shortening (the prayer).”** So the *hadith* indicates that he (as) would shorten throughout the period of his residence. And due to what was narrated from Jabir who said: **“The Prophet (saw) resided in Tabuk twenty days shortening the prayer.”** And it also indicates that he (as) shortened the whole period he resided in Tabuk. All these *ahadith* indicate that the Messenger would shorten the whole period he resided outside of Madinah from when he travelled. If he resided ten, or nineteen or twenty (days), he shortened. As for what came that he resided in Makkah ten days and in Tabuk twenty days, and what ibn Abbas narrated that he resided nineteen days, it is not intended by mentioning the period in these *ahadith* the specification of the period of residence wherein shortening is permitted. Rather the intention is explaining the reality that occurred i.e. explaining the period that he resided as it occurred. This is not explaining the period of residence wherein shortening is permitted because the shortening of the Messenger in this period does not negate the shortening in what exceeded it, by the evidence of the period which he resided and their diversity. Nor is it specifying one of them as outweighing the others, nor did there come that which specifies one period exactly among these periods. And by the evidence that he performed the shortening in the prayer imposed (*musallat*) upon the residence and related to it, not imposed upon the number nor related to it. In the *hadith* of Anas, he says: **“He would pray two**

rak'at, two *rak'at* until we returned to Madinah.” And in the *hadith* of ibn Abbas, he says: “**The Prophet (saw) resided - nineteen days - shortening.**” And in the *hadith* of Jabir, he says: “**The Prophet (saw) resided - in Tabuk nineteen days - shortening the prayer.**” The prayer of two *rak'at* is imposed upon his saying, “**until we returned to Madinah**” and related to it and “**he resided**”; in the other two *hadith*, it is imposed upon “**shortening**” and related to it. The Period and place was mentioned to mention the circumstances wherein the time occurred only, or the place and time, the period was not mentioned related the shortening. The shortening of the prayer throughout the residence is established by the clear statement (*mantuq*) of these *ahadith*. As for completing after the period or limiting the shortening to this period, this is not indicated by any *hadith* of these *ahadith* neither by clear statement (*mantuq*) or by understanding (*mafhum*). There did not come another evidence indicating it, so there came no place for consideration of the period in these *ahadith*. Rather what is considered is that one shortens as long as he is a traveller however long the period of his absence and however long he resides in the country, as long as he is considered a traveller until he returns to his country or takes any place as his place of residence. This is strengthened by what Al-Baihaqi extracted from ibn Abbas that the Prophet (saw) “**resided in Hunain forty days shortening the prayer.**” The considered travel is the travel in the situation of performing the prayer not the time of its obligation, because the consideration is in the description of the prayer in the situation of performance not the situation of the obligation. Were the time of *dhuhr* to enter and he was able to perform it, then he travelled during its time he can shorten. Similarly were the time of ‘*asr* to enter and he prayed it by shortening, then he reached the country he intended and resided before the time of ‘*asr* left, the prayer which he shortened therein is considered because the consideration is with the performance of the prayer not with its obligation (or imposition).

JOINING BETWEEN TWO PRAYERS

It is permitted to join between *dhuhr* and ‘*asr* and between *maghrib* and *esha* in the travel wherein prayer is shortened. It is not permitted to join between ‘*asr* and *maghrib* nor between *esha* and *subh* nor between *subh* and *dhuhr* due to what ibn Umar narrated and said: “**when the Messenger of Allah (saw) would be earnest in travel, he would join between *maghrib* and *esha*.**” And Anas (ra) narrated that the Prophet (saw) “**would join**

between *dhuhr* and ‘*asr*.’ It was not narrated from him (saw) that he joined in other than these two situations of the prayers which are *dhuhr* with ‘*asr* or *maghrib* and *esha*. Ritual worships (*ibadat*) are (*tawqifiyya*) restricted therein to what the text came with, and it stops at its limits. It is not permitted to join in other than the prayers for which the text came. It is permitted to join between these two, i.e. *dhuhr* and ‘*asr* and *maghrib* and *esha*, in advance (*taqdeem*) or by postponement (*a'khir*). So it is permitted to join between them in the first time therein and in the second time. However, if he had alighted/dismounted in the first time then it is better to bring forward the second to the first time, and if he were travelling then it is better to delay the first to the second time due to what was narrated from ibn Abbas: **‘should I not inform you of the prayer of the Messenger of Allah (saw) when the sun declined (from the midday) and he was in the campsite, he brought forward ‘*asr* to the time of *dhuhr* and joined between them at noon, and when he travelled before noon he delayed *dhuhr* to the time of ‘*asr* then joined between them at the time of ‘*asr*.’** One must intend joining during the beginning of the first and succeed (consecutively) between the two in the advanced joining. And if he joins the joining of advance and reaches his residence before the coming of the time of the second (prayer), if he had completed the two prayers the joining is valid. If not, only the prayer he completed is valid.

The joining in the prayer is established by the authenticated *Sunnah*. From Anas who said: **“When the Messenger of Allah (saw) would depart before the sun (*tazeeghu*), he delayed *dhuhr* to the time of ‘*asr* then he halted and joined between them. If it (*zaghath*) before he departed, he prayed the *dhuhr* then mounted.”** And from Anas from the Prophet (saw) **‘that when he hastened the travel, he postponed *dhuhr* to the time of ‘*asr* and postponed *maghrib* until he joined between it and *esha* until the dusk/twilight disappeared.’** And from Mu'adh (ra) **‘that the Messenger of Allah (saw) would in the battle of Tabuk, if the sun (*zaghath*) before he departed, join between *dhuhr* and ‘*asr*. If he departed before the sun (*tazeeghu*), he postponed *dhuhr* until he halted at ‘*asr*. And similarly at *maghrib*, if the sun set before he departed, he joined between *maghrib* and *esha*. And if he departed before the sun set, he postponed *maghrib* until *esha* alighted and he joined the two.’** All these *ahadith* are authentic and indicate in a way without any ambiguity the permissibility of joining between *dhuhr* and ‘*asr* in advance or by postponement, similarly between *maghrib* and *esha* in advance or by postponement.

One should not say here that Allah has made times for prayers when He made for each prayer a specific time. It has a beginning where it is not permitted to pray before it and if one prayed it, it would not suffice. And it has an end where it is not permitted to postpone beyond, and if it were delayed that would be *haram*. And that these times are established by *tawatur* by *mutawatir ahadith* while joining in travel is established by *ahad* reports/news/information and it is not permitted to leave the *mutawatir* report for an *ahad* report.

One should not say that because joining in travel is not abandoning the *mutawatir* but specification for it. The *ahad* report specifies the Qur'an and specifies the *mutawatir* report. The times that were established by *tawatur* came general, and the advancing of the prayer and its postponement from its time came specific to travel. So preserving the prayer at its time remains established by *mutawatir* in general and the situation of prayers in advance of by postponement is specified therein due to its being established via authentic reports.

However this joining is not allowed except on the day of Arafah at Arafah, the night of Muzdalifa therein, in the travel wherein prayer is shortened and in rain. As for Arafah and Muzdalifa, this is because the Prophet (saw) joined in Arafah and Muzdalifah. As for the travel, this is because the *ahadith* which indicated the occurrence of joining in other than rain indicated their occurrence in travel only. That is clarified in the wording of the *ahadith* despite their number (*ta'addad*), so you find the *hadith* stating **“when he was earnest about travelling”, “when he departed”, “when he hastened the travel”** and other *ahadith* that indicate the travel. Some of the narrations are explicit about the travel, so in the *hadith* of ibn Abbas: **“The Messenger of Allah (saw) would join in travel between the two prayers of *dhuhr* and ‘*asr* when he was upon the in the midst of travelling, and join between the *maghrib* and *esha*.”** And from ibn Abbas about the Prophet (saw) that **“he would in travel, when the sun (*zaghat*) in his halting place, join between *dhuhr* and ‘*asr* before he mounted. If it did not (*tazeeghu*) for him in his halting place, he would travel until when ‘*asr* became easy (*hana*) he alighted and joined between *dhuhr* and ‘*asr*. And when *maghrib* became easy for him at his halting place, he joined between it and *esha*. And if it did not become easy at his halting place, he mounted until it was *esha*, alighted and joined between the two.”** All this has linked therein the joining with the restriction/condition (*qayd*) of travel. What is intended here is the travel wherein prayer is shortened because “*a*” in the travel (*al-*

safar) is of what is well known (*ma'hud*) which is the *Shari'ah* travel that is considered travel in shortening the prayer.

As for joining in the rain, this is due to what was narrated from Abu *Salamah* bin Abdurrahman who said: **'Of the *Sunnah* is that joining between *maghrib* and *esha* when it is a rainy day'** (narrated by Al-Athram). His saying **"of the *Sunnah*"** is directed to the *Sunnah* of the Messenger of Allah (saw) so it becomes a *hadith*. Hisham bin Urwah said: **I saw Aban bin Uthman joining *maghrib* and *esha* between the two prayers in a rainy night. And Urwah bin Az-Zubair, and Abu *Salamah* bin Abdurrahman and Abu Bakr bin Abdurrahman prayed them with him. They did not deny it and there is no opponent known in their period so it was *ijma*'** (narrated by Al-Athram). And due to what was narrated from ibn Umar **"that the Prophet (saw) joined in Madinah between the *dhuhr* and '*asr* in the rain"** And due to what was narrated from Jabir bin Zaid from ibn Abbas **"that the Prophet (saw) prayed in Madinah seven and eight *dhuhr* and '*asr* and *maghrib* and *esha*. Ayyub said: Perhaps it were a rainy night? He said: Perhaps"** (narrated by Al-Bukhari) i.e. Ayyub Al Sakhtiyani said to Jabir bin Zaid who is Abu As-Sha'atha: Perhaps this joining was on a rainy night, and he said to him: Perhaps it is as you say. The likelihood of rain was also asserted by Malik immediately after he extracted this *hadith*. All these *ahadith* indicate as a whole the permissibility of joining in rain in advance of by postponement. What is intended by rain is what is generalised as rain which is what wettens the clothes irrespective of whether difficulty therein or not due to what was narrated that the Prophet (saw) joined in the rain and there was nothing between his room and the mosque. And irrespective whether he were in the mosque or the house, and irrespective of whether the rain was falling, because the *hadith* is not (based upon the) reason of difficulty so it is taken (*tawqifiyya*). And because no text came with his being in the mosque or not so it remains absolute/unrestricted (*mutlaq*). Not to mention that it is established by the Messenger (saw) **'would join in the houses of his wives to the mosque'** and because the *hadith* says **"a rainy day"**, **"in rain"** and the surmise (*ihimal*) of Ayyub Al-Sakhtiyani in which he said "a rainy night". The intention of this is that the time of rain not that rain was falling during the *ihram* of prayer. And because the cause of joining which is the permitting excuse of joining the prayer when it exists permits the joining absolutely like

travel. Similarly rain when it exists permits the joining absolutely whether there was the difficulty therein or not and whether it were in the mosque or not.

However, as for other than Arafah and Muzdalifah, travel and rain joining is not permitted at all and no analogy is done upon it with the pretext of difficulty due to the absence of a legislative reason ('illah) for joining and because difficulty did not come as a *Shari'ah* 'illah in the texts. And analogy does not happen without an 'illah. Besides the (*ibadat*) are not reasoned nor is *qiyas* done upon them. As for the *hadith* of ibn Abbas **that the Prophet (saw) joined between *dhuhr* and 'asr and between *maghrib* and *esha* in Madinah without (being in) fear or rain.**" And the *hadith* of ibn Masoud with the words: **"The Messenger of Allah (saw) joined between *dhuhr* and 'asr and *maghrib* and *esha*. This was said to him, so he said: 'I did that so that my Ummah is not constricted'"** And other *ahadith* in which joining came unrestricted by a restriction of travel or rain, these *ahadith* are not acted upon but are rather left and their understanding (*dirayah*) left due to its contradicting the definite *mutawatir*. This is because if the *ahad* report contradicts the Qur'an or *hadith mutawatir*, the Qur'an and *hadith mutawatir* is taken and the *ahad* report rejected because it is presumptive (*dhanniyy*) and the *mutawatir* definite (*qat'iyy*). So if joining between them is not possible, the *dhanniyy* is rejected and the definite taken. Here the times of prayer have been established by *tawatur* so it is obligatory to preserve them, so abandoning the times via the joining by advance or the joining by postponement due to an *ahad* report contradicting them is not permitted because it would be leaving the definite and taking the *dhanniyy*. One should not say here that it is permitted for a need or excuse or condition that it is not taken as a habit because these *ahadith* that permitted joining without travel or rain came absolute (*mutlaq*) without being restricted by anything. Were they restricted by a specific need or another thing, it would be a specification like travel it would be taken but they came unrestricted so it is not permitted we add something to them or a restriction from ourselves which did not come on their text, rather that remained upon their absoluteness. And since they are absolute and the *mutawatir ahadith* of the times (for prayer) are absolute, they are contradictory and joining between them is impossible so the *ahadith* of the times are taken and the *ahadith* of joining without travel or rain are abandoned.

The traveller joins as long as he is travelling however long the period of travel. If he resides in a place, it is considered. If he took that place as a place of residence, his travel is broken and it is not permitted for him to join. (This is) like the one who travelled from Al-Quds to Riyadh and took it as a place of his residence working therein, his travel is broken by his residence immediately so it is not valid for him to join. Whereas if he did not take the place as a place of his residence but rather resides therein because the work for which he travelled such as trade and the like requires his residence, he joins the prayer until he returns to his land however long the period of his residence reaches.

REPAYING (QADHA) THE PRAYER

Delaying the prayer from its time deliberately without a *Shari'ah* excuse is definitely *haram* by the clear statement (*nass*) of the Qur'an. He *ta'ala* said: *'Woe to those who pray. Those who neglect their prayers: [TMQ 107:4-5].* And He *ta'ala* said *"And there come after them successors who neglected the prayer and followed lusts: soon will they suffer (ghayya)" [TMQ 19:59].* This is also established by the understanding of the *hadith mutawatir* in which the times are explained. And Allah *ta'ala* has made for each obligatory prayer a time defined by two limits entering the fixed time and is discontinued at a fixed time. And he (ass) said: **"The one whom the 'asr prayer escapes, it is as if his family and wealth (wutira)."** And he (saw) said in the matter of delaying the prayer from its time: **"There is no neglect in sleep. Verily neglect is only in wakefulness."**

As for the one whom the prayer escaped for a *Shari'ah* excuse for which a text came, there is no sin upon him. That is the one who forgets, sleeps and one who cannot perform the prayer due to the non-existence of what results in purity of water and soil due to his (ass) saying: **Whoever slept from a prayer or forgot it, let him pray it when he remembered it."** And due to his (saw) saying: **If one of you slept from the prayer or was forgetful of it, let him pray it when he remembered it."** And due to his (as) saying: **If I command you with a matter perform of it as much as you are able."** And its understanding (is that): If you are not able to perform anything of it, then do not perform it. This is strengthened by His saying *ta'ala*: *"Allah does not burden a soul except (within) its ability"* [TMQ 2:233].

Whoever is escaped by a *fard* prayer, he repays it whether it escaped him with an excuse or without excuse because the mere repaying of the prayer is established by the *Sahih hadith*. It was narrated in the two *Sahihs* from Imran bin Husayn who said: **“We were travelling with the Prophet (saw) and we travelled by night until we were at the end of the night. We alighted upon a (*waqa'ah*) and there is no (*waqa'ah*) is sweeter to the traveller than it. Nothing awoke us except the heat of the sun. When the Prophet (saw) awoke they complained to him about what befell them so he said: 'No harm and no harming. Depart' so they departed and they travelled not far then they halted. He called for *wudu* and made *wudu*. The prayer was announced and he prayed with the people.”** And due to what was narrated from Jabir (ra) that Umar bin Al-Khattab (ra) came on the Day of the Trench after the sun had set and began to insult the Qurayshi kuffar and said: **'O Messenger of Allah, I almost did not pray *‘asr* until the sun was almost setting. So the Prophet (saw) said: 'I did not pray it.' So we went to Bathan and he made the *wudu* for the prayer and we made *wudu* for it. He prayed *‘asr* after the sun set then prayed *maghrib* after it.”** And due to what was narrated from Anas bin Malik that the Prophet (saw) said: **“Whoever forgot the prayer, let him pray it when he remembered it. There is no postponement (*kaffara*) for it except that.”** And due to what was narrated from Abu Said who said: **“We were obstructed from the prayer on the Day of the Trench until it was after *maghrib* (*yahwiyy*) at night (when) He sufficed us and that is the saying of Allah '*azza wa jalla*: '*And Allah sufficed for the believers in the fighting. And Allah is the strong, Mighty*' [TMQ 33:25]. He said: So the Messenger of Allah (saw) called Bilal and he called the *iqamah* of *dhuhr*, and he prayed it at its time. Then he commanded him and he called the *iqamah* for *‘asr*, and he prayed it and perfected its prayer as if he prayed it at its time. Then he commanded him and he called the *iqamah* of *maghrib* and he prayed it likewise.”** And due to what was narrated from him (as) that when he was asked by a Khath'amiyya girl who said: **“O Messenger of Allah, verily the obligation of *Hajj* reached my father (as) a chronically ill old man who is not able to perform the *Hajj*: If I made the *Hajj* for him, would that benefit me? He said to her: 'Do you see that if there was a debt upon you and you repaid it, would that benefit him?' She said: Yes. He said: 'The debt of Allah has more right to be repaid.’”** All these *ahadith* are explicit about repaying the prayer which indicates that repaying the prayer is obligatory, and there is no atonement for leaving, the prayer except

repaying it whether leaving it was for an excuse or without an excuse because the *ahadith* are explicit. One should say that these *ahadith* are all restricted by specific occurrences which are sleeping, forgetfulness, fighting and inability and all these are *Shari'ah* excuses without sin in leaving the prayer therein in delaying it from its time so the repayment is specific to them do them without covering other (occurrences) contrary to intentionally for which came no text permitting its repayment. One should not say that because these occurrences did not come with the description of sleeping, forgetfulness and fighting in the form of a restriction therein but they only came as a description for a reality that has occurred without being understood therefrom a restrictive description from this occurrence. Do you see in the *hadith* of Jabir how he Umar bin Al-Khattab began insulting the Qurayshi *kuffar* and said: **“O Messenger of Allah, I almost did not pray ‘asr until the sun was almost setting, so the Prophet said to him: “By Allah, I did not pray it” then he stood, made wudu and prayed.”** Where is the restrictive description which indicates that it is specific to it? The same is said in the remaining occurrences for there do not exist words which indicate that it is restricted by them and that it is not permitted in others. Rather each one of these *ahadith* which discussed a specific reality came in the way of quoting (*tansees*) upon a reality not in the way of quoting a restriction, nor does there appear therein a specific reason for repaying the prayer therein alone as is classified from reading the *ahadith*. As for the *ahadith* wherein came a verb reaching to the meaning of an attribute which is his saying **"whoever slept", "or forgot it", "when he awakens", "or forgot", "whoever forgot"** in all of them are considered the description (*wasf*) therein as restriction and the opposite understanding (*mafhum al-mukhalafah*) because it is a description. And the opposite understanding in the description is considered, and because if its mention is not considered a restriction the its mention with this description is futile/useless (*'abath*) and the *hadith* are free from that.

However the contrary understanding of these texts suspends acting upon other texts.

And if there comes a text whose expressed speech indicates opposite to the understanding of another text suspends the understanding, and the expressed speech is taken because its indication is stronger than the understood indication so His saying *ta'ala*: **“Do not eat riba doubled and multiplied”** [TMQ 3:130], its understanding is suspended by His saying *ta'ala* **“And He forbade riba”** [TMQ 2:275] and His saying: **“And if you repent, for you is your principal sum”** [TMQ 2:279]. The understanding of all these *ahadith* are suspended

by the *ahadith* which came in repaying what escaped in other than them which is fighting. And in the *hadith* of repaying the *Hajj* wherein his saying **“the debt of Allah is of more right to be repaid”** came with general words covering all debts of Allah. And the prayer is a debt of Allah which enters in the generality of the word **“debt of Allah”** because it is a generic noun in a genitive construction (*ism jins mudhaf*) so it is definitely of the wording of generality. The one who deliberately left (the prayer) was addressed with the prayer just as ever Muslim was addressed, and it was obligatory upon him to perform it so it became a debt upon him. The debt is not cancelled except by paying it so likewise the prayer is not cancelled by missing its time except by repaying it, and upon him is the sin of leaving it at its time.

THE PRAYER OF THE INVALID (*MARIDH*)

If a person is unable to stand in the *fard* (prayers), it is permitted for him that he prays sitting. If he cannot sit, he prays upon his side gesturing the bowing and prostrating, and he makes his prostration lower than his bowing due to what was narrated from Imran bin Husayn who said: **“I had haemorrhoids and I asked the Prophet (saw) about the prayer who said: ‘Pray standing and if you cannot, then sitting. And if you cannot, then upon your side.’”** And An-Nisai added: **“And if you cannot then by the tongue (*mustaliq*). Allah does not burden a soul except (within) its ability.”** And due to what was narrated from Jabir who said: **“The Prophet (saw) visited an invalid and saw him praying upon a pillow and he threw it away and said: ‘Pray upon the ground if you can. And if not, indicate with gestures. And make your prostrations lower than your bowings.’”** If he cannot gesture, nothing else is obliged after that because there did not come a text beyond that. Similar to the one unable is one who finds difficulty in standing or an increase in illness for Anas narrated and said: **“The Messenger of Allah (saw) fell from his horse and scratched/lacerated or (*jahasha*) his right side. So we entered to him to visit him. The prayer appeared and he prayed sitting and we prayed behind him standing.”** So his (saw) being scratched indicates that he was not unable to stand but standing troubled him so he prayed sitting which indicates that the mere existence of difficulty allows the sitting in the prayer of the *fard*.

THE FRIDAY (JUMU'AH) PRAYER

The Friday prayer is an individual obligation (*fard 'ayn*) upon Muslims due to His saying *ta'ala*: “When the prayer is called on the day of Friday (*Jumu'ah*), hasten to the remembrance of Allah and leave the trade” [TMQ 62:9] The command in this *ayah* is for obligation with the evidence of the conjunction (*qarina*) prohibiting the allowed which indicated a decisive request. And due to what Tariq bin Shihab narrated that the Prophet (saw) said “**The *Jumu'ah* is an obligatory right upon every Muslim in a group congregation (*jam'ah*) except four: An owned slave, a woman, a child and an invalid.**” And due to what was narrated from Hafsa that the Prophet (saw) said: “**Going (*rawah*) to the *Jumu'ah* is obligatory upon every mature/pubescent person (*muhtalim*).**” And due to what Jabir (ra) narrated that the Messenger of Allah (saw) who said: “**Whoever left three *Jumu'ahs* without necessity, his heart is marked/stamped.**” The *Jumu'ah* prayer was obliged in Madinah when *ayah* of *Jumu'ah* was revealed, and *Surah Al-Jumu'ah* is of Madinah (in revelation).

As for what Abdu bin Hamid and Abdurrazaq narrated from Muhammad bin Sirin who said: "The people of Madinah gathered before the Prophet (saw) arrived and before (the *Surah* of) *Jumu'ah* was revealed. The Ansar said: For the Jew is a day they gather therein every week and for the Christians is something similar. Come on, let us make a day together therein so we remember Allah and thank Him. They made it the day of *'Urubah* and they gathered in the house of As'ad bin Zurarah and he prayed with them on that day two *rak'at* and reminded them (of Allah). They called (it) *Jumu'ah* when they gathered (*ḡama'a*) therein. He slaughtered a sheep for them they had breakfast and dinner from it. So Allah revealed about that afterwards: '*O you who believe, when the prayer is called on the day of Friday*' [TMQ 62:9] the *ayah*." As for this *hadith* and the *hadith* of K'ab and other *ahadith* which mention that the first *Jumu'ah* in Islam was the *Jumu'ah* prayer that Mus'ab prayed in the house of As'ad bin Zurarah, all these *ahadith* are presumptive (*dhanniyy*) ahad reports and they contradict the definite (*qat'iyy*). The definite is that the *ayah* of *Jumu'ah* is of Madinah which was revealed in Madinah and the *fard* of *Jumu'ah* descended therein. The other *ahadith* are interpreted that the Messenger requested them to pray two *rak'at* as *naflah* with the explicit evidence about this in some narrations that he (saw) wrote to Mus'ab bin Umayr and said to him: “**When the day time inclines from its midpoint on the day of *Jumu'ah*, seek closeness to Allah with two *rak'at*.**” So his (as) saying: **Seek closeness to Allah**” does not indicate a decisive

request so it does not indicate the *fard* but rather indicates the *nafila*. Accordingly, the definite evidence which is the certainty of the revelation of ayah of *Jumu'ah* in Madinah and its being the evidence for the *fard* of *Jumu'ah* indicates that the *Jumu'ah* was obliged in Madinah. The intention of His saying *ta'ala* "When it is called" i.e. when the *Adhan* is called because the call (*nida*) here, is the *Adhan*. And its intention is the *Adhan* when the *Imam* sits upon the pulpit (*minbar*). The Messenger of Allah (saw) had one *mu'adhin* so when he sat upon the *minbar* he would call the *Adhan* at the door of the mosque, and when he came down he would call the *iqamah* of the prayer. Then Abu Bakr and Umar (Allah be pleased with them) were like that until when it was Uthman and people increased and the houses became distant, he increased another *mu'adhin*. He commanded the first *Adhan* in his house and when he descended, the *iqamah* of the prayer was called. This was within the sight and sound of the *Sahabah* and they were silent upon it even though it is of that which is obligatory to manifest its opposition were it his opinion, so it were an *ijma* of the *sahaba*. The *ijma* is an evidence among the *Shari'ah* evidences upon the ritual worships (*ibadat*), transactions and punishments, and the remaining *Shari'ah* rules.

Jumu'ah is not obliged upon the child, insane, owned slave, woman, invalid, the one in fear and the traveller. Other than these, the *Jumu'ah* is an individual duty (*fard'ayn*) upon them. As for its non-obligation upon the child and the insane, this is because they are not held responsible by the *Shari'ah* so *Jumu'ah* is not obliged upon them just as the remaining prayers are not obliged upon them. As for its non-obligation upon the slave, woman and invalid this is due to the previous *hadith* of Tariq: **The *Jumu'ah* is obliged is an obliged right upon every Muslim in congregation except four: The owned slave, woman, child and invalid.**" As for its non-obligation upon the one who is afraid, this is established by what was narrated from ibn Abbas (ra) **"that the Prophet (saw) said: whoever heard the call (*nida*) and does not respond to it, there is no prayer for him except with an excuse. They said: O Messenger of Allah, what is the excuse? He said: Fear or illness."** As for the traveller, it is not obliged upon him due to what was narrated from Az-Zuhri that he intended to travel on the day of *Jumu'ah* in the forenoon and he was questioned about that: **"The Prophet (saw) travelled on the day of *Jumu'ah*."** **"And he (saw) was during the farewell *Hajj* at Arafah on the day of *Jumu'ah*, and he prayed *dhuhr* and *asr* in advanced joining and did not pray his *Jumu'ah*."** And due to what Jabir narrated and said: The Messenger of Allah (saw) said: **Whoever believes in Allah and the last Day, the *jumu'ah* is obligatory**

upon him except a woman or traveller or slave or invalid.” And Jabir bin Mansur narrated "that Abu Ubaydah travelled on Friday and did not await the prayer." And it was narrated from Umar bin Al-Khattab (ra) that he saw a man upon whom was the appearance of travel and he heard him saying: were the day not the day of *Jumu'ah*, I would depart so Umar said: "Depart for the *Jumu'ah* does not hinder travel."

The *jumu'ah* is not obliged upon all of these and they are excluded from its obligation upon them by the texts. As for other than them of those whom no text came excluding them, the *jumu'ah* is *fard 'ayn* upon them. These are the *Shari'ah* excuses and analogy is not performed upon them. The *Shari'ah* excuse is that wherein came a *Shari'ah* text nor does analogy enter into *'ibadat* since there did not come a reasoned text such that analogy comes thereupon. The one upon whom *jumu'ah* is not obliged has a choice between *dhuhr* and *jumu'ah*. If he prays the *jumu'ah*, it suffices him from the *dhuhr*, and it is recommended to him not to pray the *dhuhr* until he knows that the *jumu'ah* has passed but if he prays *dhuhr* before that it is permitted as for the one upon whom *jumu'ah* is obliged, it is not permitted for him to pray *dhuhr* before the *jumu'ah* passes, if he prays *dhuhr* before the passing of *jumu'ah*, his prayer is not valid since he was addressed with the *jumu'ah* not *dhuhr*, nor is he addressed with *dhuhr* except after the *jumu'ah* passes.

It is stipulated for the *jumu'ah* prayer that there be a number of Muslims. The Sahabah had *ijma* that there must be a number for the *jumu'ah* prayer. So there must be a number but no specific number is stipulated so any number who are designated/named a group/congregation (*jama'ah*) is considered a number with which the *jumu'ah* prayer is valid as long as it is considered a group because its being a group is established by the previous *hadith* of Tariq: **“The *jumu'ah* is an obligatory right upon every Muslim in a group/congregation.”** And because the number is established by *Ijma as-Sahabah*. As for specifying the number and specifying the number (*qadr*) of the group, this reverts only to the word 'group' and the word 'number' corresponding to it and not more since there came no recognised text with a specific number nor was there authenticated a recognised *hadith* about the number. As for the *hadith* of Abdurrahman bin K'ab about the prayer of Muslims in the house of As'ad bin Zurarah with Mus'ab bin Umayr in which was said: "How many were you that day? He said: Forty men" And what At-Tabarani extracted from ibn Abbas that the Prophet (saw) wrote to his *Sahabah* in Madinah commanding them to gather and they gathered and it was a coincidence that their number was forty, that is not

an evidence for forty nor for a specific number. This is because this is a specific/individualised reality (*waqi'ah 'ayn*) and specific realities are not used as proof/evidence (*hujja*) for generality i.e. a specific occurrence so it does not indicate the obligation in every *jumu'ah* prayer. The number came as a coincidence nor was it intended during the performance of the prayer so there is no evidence therein. In addition, this was before the *hijrah* and the *jumu'ah* prayer had not yet been obliged because the *jumu'ah* prayer was obliged in Madinah. Accordingly there did not come a *hadith* with a status of recognition indicating a specific number in the *jumu'ah*. Except that since the group and number is necessary nor is that achieved except with three and what is greater because two are not called a number with the group, accordingly three upon whom *jumu'ah* is obliged are necessary so that the *jumu'ah* prayer is valid. If it is less than that, it is not valid nor is it called a group due to the absence of number and the *ijma* has convened that there must be a number of the *jumu'ah* prayer.

It is valid to perform the *jumu'ah* in a town, village, mosque, country buildings/structures (*abniyya*) and open spaces subsidiary to them. That is because the Messenger (saw) prayed *jumu'ah* in Madinah and due to what was narrated from ibn Abbas Allah *ta'ala* be pleased with both of them) who said: **“The first *jumu'ah* gathered after the *jumu'ah* gathered in the mosque of the Messenger of Allah (saw) was in the mosque of 'Abd Qays in Juwathi in Bahrain.”** This Juwathi is a village of the villages of Bahrain. And Abu Hurayra narrated "that he wrote to Umar asking about the *jumu'ah* in Bahrain while he was the governor (*amil*) over it. So Umar wrote to him: 'Gather wherever you are.'"As for what was narrated from the Prophet (saw) that he said: **“There is no *jumu'ah* nor (*tashriq*) except in a great metropolis/big city (*misr*)”**, it is not authentic and Ahmad said: This is not a *hadith*. As far praying it in open spaces, this is because there came no text stipulating it and the *jumu'ah* prayer is like another prayer requested to be performed. If anything is stipulated therein other than the text of generality that determines the obligation of performing it, there must be a text.

It is permitted to establish several *jumu'ah* in one country/land. If there were a large country, it is permitted that the *jumu'ah* prayer be established in several mosques irrespective of whether there is a need for them or not because there came no text about not multiplying the *jumu'ah* nor did there come any text about need or not so the absolute/unrestricted (*mutlaq*) text remains at its absoluteness. As for the Prophet (saw) not gathering except in one mosque, this did not indicate the impermissibility of gathering them in more than one mosque because he

Messenger not doing something does not indicate the prevention of the action. Rather he had one mosque and he prayed therein so it did not indicate that he did not wish that it be prayed in more than one mosque. The *jumu'ah* is not valid except at the time of *dhuhr* because it *fard* at one time. In the *hadith* of Jabir **'he prayed *dhuhr* when the sun went down from the noon (*zala*)'** And in the *hadith* of Salamah ibn Al-Akwa' who said: **'We used to gather with the Messenger of Allah (saw) when the sun went down.'** The *jumu'ah* is not valid until two *khutbahs* precede it due to what ibn Umar narrated and said: **'The Messenger of Allah (saw) would lecture two *khutbahs* on the day of *Jumu'ah* sitting between the two.'** The conditions of the two *khutbahs* are standing where able and separating between the two due to what Jabir bin Samura narrated and said: **"The Prophet (saw) would give the *khutbah* standing then sit then stand and recite the Qur'an and mention Allah *ta'ala*."** The two *khutbahs* must include recitation of the Qur'an, mentioning Allah and praising Him, extolling Him, advising with piety the fear of Allah (*taqwa*) or any exhortation and discussing one of the Muslims' matters due to previous *hadith* of Jabir bin Samura and due to what Jabir narrated: **'that the Prophet (saw) lectured on the day of *Jumu'ah*. He praised Allah and extolled Him then said immediately afterwards and his voice had risen, his anger strengthened and his two *finta*) as if he was warning of an army then said: 'I was sent with the Hour like these two' and he indicated with middle finger and the one next to the thumb then said: 'Verily the best speech is the Book of Allah and the best guidance is the guidance of Muhammad. And the worst of matters are the most recent/innovated and every innovation (*bid'ah*) is misguidance whoever leaves wealth, it is for his heirs and whoever leaves a debt or (*dhiya')* it is upon me.'** The (*dhiya')* is the family/dependents (*iyal*) and **"to me"** means let them come to me. And due to what was narrated from Umm Hisham bint Haritha bin Na'aman the female companion (ra) who said: **"I did not know *Qaf*. By the glorious Qur'an' [TMQ 50:1-2] except from the tongue of the Messenger of Allah (saw) reciting it every *jumu'ah* on the *minbar*."** It is recommended that the *jumu'ah khutbah* be upon the pulpit (*minbar*) **"because the Prophet (saw) would lecture upon the (*minbar*)."** And that the speaker sit upon the step next to the (*mustarah*) **"because the Prophet (saw) would sit upon this step"** And that he depends upon a bow or stick due to what Al-Hakam bin Huzn (ra) narrated and said: **I was sent as an envoy to the Prophet**

(saw) and I witnessed the *jumu'ah* with him. He stood resting upon a bow or stick and praised Allah and extolled Him (with) blessed good light words."

It is recommended that he raises his voice due to the previous *hadith* of Jabir: **"He raised his voice and his anger strengthened"** And it is recommended that one shortens the *khutbah* due to what was narrated from Uthman that he gave a *khutbah* and was brief, so it was said to him: If only you breathed? He said: I heard the Prophet (saw) saying: **"The brevity of the *khutbah* of the man is a (*ma'ana*) of his understanding *fiqh*), so lengthen the prayer and shorten the *khutbah*."** The *jumu'ah* prayer is like *dhuhr* prayer except the *dhuhr* prayer is four *rak'at* and the *jumu'ah* prayer is two *rak'at* due to what was narrated from Umar (ra) that he said: **"The *Adha* prayer is two *rak'at* and the *Fitr* prayer is two *rak'at* and the *jumu'ah* prayer is two *rak'at* complete without shortening upon the tongue of your Prophet (saw). And the one who fabricates has failed"**

The *Sunnah* is that one recites in the first *rak'at* after the *fatihah* (*Surah*) *Al-Jumu'ah* and in the second (*Surah*) *Al-Munafiqun* due to what Abdullah bin Abu Rafi' narrated and said: **"Marwan appointed (*istakhlafa*) Abu Hurayra (as governor) over Madinah and he led the people in the prayer. He recited *Al-Jumu'ah* and *Al-Munafiqun* so I said: O Abu Hurayra, you recited two *Surahs* I heard Ali (ra) reciting (and) he said: I heard my beloved Abu Al-Qasim (ra) reciting them"** Whoever enters and the *Imam* is in the prayer (*ahrama*) for it. If he caught the bowing with him in the second he has caught the *jumu'ah* so when the *Imam* says the *salam*, he adds the other. If he does not catch the bowing, the *jumu'ah* has passed. So when the *Imam* says *salam*, he completes the *dhuhr* due to what Abu Hurayra narrated and said: The Messenger of Allah (saw) said: **"Whoever catches a bowing of the last *rak'at* of the day of *jumu'ah*, let him add to it the other and whoever does not catch the bowing, let him complete the *dhuhr* (as) four."** And if he jam prevents him from prostrating upon the ground and he is able to prostrate upon the back of a person, this is necessary for him due to what was narrated from Umar (ra) that he said: "If the jam increases, let one of you prostrate upon the back of his brother."

THE PRAYER OF THE TWO EIDS

The prayer of the two *Eids* is *Sunnah* because the Prophet (saw) prayed them. It was narrated from Abu Hurayra (ra) **‘that rain fell upon them on the day of *Eid* so the Prophet (saw) prayed the prayer of *Eid* with them in the mosque’** nor did there come any conjunction/linkage (*qarina*) indicating its obligation. The time of the *Eid* prayer is what is between the rising of the sun until it reaches noon and it is without *Adhan* or *iqamah* due to what was narrated from Jabir bin Samura (ra) who said: **‘I attended *Eid* with the Prophet (saw) not once or twice without *Adhan* or *iqamah*.’** The *Eid* prayer is prayed before the *khutba* due to what was narrated from ibn Umar (ra) who said: **‘The Messenger of Allah (saw), Abu Bakr and Umar would pray the two *Eids* before the *khutba*.’** The *Sunnah* is to pray the *Eid* prayer in a place of prayer which is not a mosque (*musalla*) if the mosque of the town is narrow/cramped due to what was narrated **‘that the Prophet (saw) would go out to the *musalla*.’** The *Eid* prayer is two *rak’at* due to Umar’s saying: **‘The prayer of *Adha* is two *rak’at* and the prayer of *Fitr* is two *rak’at*’** (the *hadith*). The *Sunnah* is that one says ‘*Allahu Akbar*’ in the first (*rak’at*) other than the *takbir* of *ihram* and the *takbir* of bowing, and five in the second other than the *takbir* of standing and bowing, and that the *takbir* be before the recitation due to what Amru bin Shuaib narrated from his father from his grandfather **‘that the Messenger of Allah (saw) would say ‘*Allahu Akbar*’ in the *Fitr* seven (times) in the first (*rak’at*) and five in the second other than the *takbirs* of the prayer.’**

And due to what was narrated from Amru bin Shuaib from his father from his grandfather who said: The Prophet (saw) said: **‘The *takbirs* in the *Fitr* are seven in the first and five in the other, and the recitation is after both of them’** And due to what was narrated from Umar bin Awf Al-Muzni **‘that the Prophet (saw) said ‘*Allahu Akbar*’ in the two *Eids* seven times in the first before the recitation, and five in the second before the recitation.’** And the *Sunnah* is that one lectures once he concluded the prayer due to what ibn Umar narrated **‘that the Messenger of Allah (saw) then Abu Bakr, Umar and Uthman (ra) would pray the two *Eids* before the *khutba*.’** It is recommended that one lectures upon the *minbar* due to what Jabir (ra) narrated and said: **‘I attended *Adha* with the Prophet (saw) so when he finished his *khutba* before he descended from his *minbar*.’** And due to what was narrated from Abu Said (ra) who said: **‘The Prophet (saw) would go out on the day of *Fitr* and *Adha* to the *musalla* and the first thing he would begin with was the prayer. Then he**

would proceed to stand facing the people, and the people were sitting in their rows. He would exhort, advise and command them and if he wishes to allot an expedition or command something, he would command it then turn away.”

THE FUNERAL (JANAZA) PRAYER

Washing the deceased is a *fard kifaya* due to his (saw) saying about the one who fell from his camel: **“Wash him with water and the lotus tree (*şidr*).”** As for the martyr (*shahid*) of the world and the Akhirah who is the one killed in the way of Allah in a battlefield, he is not washed due to what was narrated from the Prophet (saw) who said of those killed in Uhud: **“Do not wash them for every wound or all the blood will exhude the fragrance of musk on the Day of Judgement”** and did not pray over them. Shrouding the deceased is *fard kifaya* due to his (saw) saying about the pilgrim (*muhrim*) who fell down from his camel: **“Shroud him in his two clothes that he died with.”** The least that suffices is that which covers the *‘awra* like the one alive. It is recommended that a man be shrouded in three cloths, a loin cloth (*izar*) and two wrappers due to what Aisha (ra) narrated and said: **“The Messenger of Allah (saw) was shrouded in three coastal cloths of (*kursuf*) without a shirt (*qamis*) or turban.”** As for the woman, she is shrouded in five cloths due to what Abu Dawud narrated with his chain from Leila bint Qanif Ath-Thaqafiyya (ra), the female companion, who said: **“I was among those who washed the daughter of the Messenger of Allah (saw). The first (cloth) that the Messenger of Allah (saw) gave us was the (*hiqa*) then the chemise then the head-cover/veil then the wrap then afterwards she was wrapped in the other cloth. She said: And the Messenger of Allah (saw) was sitting at the door with the shroud which he handed one cloth at a time.”** The (*hiqa*) with a *‘kasra’* on the *‘ha’* is from *‘haqwū’* (loin) and what is intended is the loin-cloth and wrapper. After washing the deceased and the shrouding, he is prayed over except the martyr who is not prayed over due to the above-mentioned *hadith* about those killed in Uhud. The prayer over the deceased is *fard kifaya* due to his (saw) saying: **“Pray over your companion.”** One is sufficient in the funeral prayer. It is permitted to be performed at every time and it is permitted to perform it in the mosque and elsewhere due to what Aisha (ra) narrated **“that the Prophet (saw) prayed over Suhail bin Baidha in the mosque.”** The condition of the funeral prayer’s validity is purity, covering the *‘awra*, standing

and facing the *qiblah* because it is a *fard* prayer so the conditions of the prayer's validity must be conditions of its validity. The *Sunnah* is that the *Imam* stands in the funeral prayer at a man's head and at a woman's posterior (*'ajiza*) due to what was narrated that Anas (ra) **'prayed over a man and stood at his head, and he prayed over a woman and stood at her posterior. So Al-'Ala bin Ziyad said to him: Was this the prayer of the Messenger of Allah (saw) praying over the woman at her posterior and the man at his head? He said: Yes.'** When one intends the funeral prayer, he intends prayer for the deceased and this is *fard* because it is a prayer so intention is obligatory for it like the remaining prayers. Then one says '*Allahu Akbar*' four times due to what was narrated from Jabir **"that the Prophet (saw) prayed for An-Najashi and said '*Allahu Akbar*' four times for him."** One recites the *fatihat al-Kitab* after the first *takbir* due to the *hadith* of ibn Abbas (ra) that he **"prayed over the funeral with *fatihat al-Kitab* and said: So that you know that it is the *Sunnah*."** Then one prays upon the Prophet (saw) in the second *takbir* and this is one of its *fards*, and he makes *du'a* for the deceased in the third *takbir* and this is one of its *fards* and it is permitted that he makes *du'a* with any *du'a*. The *du'a* with what came (in the texts) is preferred and of the *du'as* which came is what Muslim and An-Nisai narrated from A'waf bin Malik who said: I heard the Prophet (saw) praying over a funeral saying: **"*Allahumma ighfir lahu wa arhamhu wa a'afu anhu wa aafihi wa ikrim nuzulahu wa wassi' mudhkhalahu. Wa ighsilhu bi ma'in wa thallajin wa bardin wa naqqihi min khataya kama yunaqqi at-thawb al-abyadh min ad-danas. Wa ibdilhu daran khairan min darihi wa ahlan khairan min ahlihi* (O Allah! Forgive him, have mercy upon him, pardon him and exempt him. Honour his stopping place and widen his entrance. Wash him with water, snow and cold and purify/cleanse him of sins as a white garment is cleansed of dirt. And substitute for him a house better than his house and a family better than his family)."** Then one says the fourth *takbir* and says the *salam* due to what was narrated from Umama bin Sahl that he was informed by a man of the Prophet (saw)'s Sahabah **"that the *Sunnah* in the funeral prayer is that the *Imam* says '*Allahu Akbar*' then he recites the *fatihat al-Kitab* after the first *takbir* silently in his soul then he prays upon the Prophet (saw) and then invokes a sincere *du'a* for the deceased in the *takbirs* and does not recite in any part of them then he says *salam* silently in his soul."** Once one has prayed over the deceased, burying him is hastened or is the presence of anyone awaited except the legal guardian (*waliyy*) who is awaited if change is not feared for the deceased.

Whoever dies of the Muslims in *jihad* against the *kuffar* by the cause of fighting them before the end of the battle, he is a martyr is neither washed nor prayed over due to what Jabir (ra) “**that the Messenger of Allah (saw) commanded about those killed in Uhud to bury them with their blood. He did not pray over them nor were they washed**” If he was wounded in the battle and died after the end of the battle, he is washed and prayed over.

THE PROSTRATION OF FORGETFULNESS (SAJDAT AS-SAHW)

If the one praying omits a *rak'at* of the prayer forgetfully then remembers it and he is in the prayer, he is obliged to perform it and prostrate for forgetfulness. If he doubts about omitting it such as if he doubts whether he prayed a *rak'at* or two *rak'at* or three or four, he is obliged to take the least, perform what remains and prostrate for forgetfulness. And if one says *salam* for his prayer then is convinced that he omitted a *rak'at* or two *rak'at* or three, or he omitted a bowing or prostration of other than these two of the pillars apart from the intention and the *takbir* of *ihram*, it is considered. If he remembers after a long disjunction, he is obliged to repeat the prayer due to what was narrated from Abu Hurayra (ra) who said: **The Messenger of Allah (saw) prayed one of the two ‘ashiyyi prayers—*dhuhr* or ‘*asr*—and said *salam* after two *rak'at* then he advanced on a tree stump in the *qiblah* of the mosque and reclined upon it. The swift among the people left and Dhu Al-Yadain stood and said: O Messenger of Allah, has the prayer been shortened or did you forget? The Prophet (saw) looked to the right and left and said: ‘What did Dhu Al-Yadain say?’ They said: He was truthful. You did not pray except two *rak'at*. So he prayed two *rak'at* then said ‘*Allahu Akbar*’ then prostrated then said ‘*Allahu Akbar*’ and rose then said ‘*Allahu Akbar*’ and prostrated then said ‘*Allahu Akbar*’ and rose.” And due to what Abu Said Al-Khudri (ra) narrated that the Prophet (saw) said: **‘If one of you doubted in his prayer let him discard the doubt and build upon what is certain. When he is certain about completion, he prostrates two prostrations. If his prayer was complete, the *rak'at* was *nafila* for him and two prostrations. And if it were deficient, the *rak'at* was completing his prayer and the two prostrations (are) in defiance of Satan.’** And due to what was narrated from Ibrahim An-Nakhai’ from ‘Alqama bin Masoud (ra) who said: **“The Messenger of Allah (saw)—Ibrahim said: He exceeded or reduced (in the prayer)—so when he said the****

salam it was said to him: O Messenger of Allah, you have done something new in the prayer. He said: ‘What is that?’ They said: You prayed thus and thus. So he folded his legs and prostrated two prostrations then said *salam* then turned towards us with his face and said: ‘Were something new to take place in the prayer, I would inform you of it. But I am a man who forgets like you forget so if I forget then remind me. If one of you doubts in his prayer, let him inquire (*aharra*) into what is correct and complete it then prostrate two prostrations.’” This is in relation to what the one praying omitted then remembered during the prayer or after the prayer, and in relation to his doubt while in the prayer. However, if he doubted after the prayer about whether he omitted something, nothing is obliged upon him because the principle is that he performed it completely so the incidental doubt does not harm it. If he leaves a *fard* forgetfully then remembered it while he was in prayer, he does not count what he did after what was omitted then performed what follows. So if he left a prostration in the first *rak’at* then remembered while he was standing in the second, he drops to prostrate then begins the second; and if he remembered in the third that he left a prostration in the first, it is as if he omitted a *rak’at* (so it is) upon him to perform a *rak’at*. In both these cases he prostrated for forgetfulness. All this is in the *fard*, whereas if he left a *Sunnah* then remembered it while he was in the prayer, he does not return to it. If it were a *Sunnah* of the forms (*hai’at*) like raising the hands while bowing or saying ‘*Subhana’Allah*’, he does not prostrate for forgetfulness and if it were a *Sunnah* like the first sitting and the *qunut*, he is compelled to prostrate for forgetfulness due to what he left of the *Sunnah* due to what was narrated from Ziyad bin ‘Alafa who said: “Al-Mughira bin Shu’ba prayed with us and rose after two *rak’at* so we said: ‘*Subhana’Allah*.’ He said: ‘*Subhana’Allah*’ and continued so he completed his prayer and prostrated two prostrations for forgetfulness. When he finished, he said: ‘I saw the Messenger of Allah (saw) doing what I did.’” The prostrations of forgetfulness are *Sunnah* due to his (saw) saying in the *hadith* of Abu Said Al-Khudri: “The *rak’at* is a *nafila* for him and the two prostrations.” The place of the prostration is before the *salam* due to what was narrated from Abdullah bin Buhayna (ra) that the Messenger of Allah (saw) ‘stood during the *dhuhr* prayer while the sitting was incumbent upon him. When he completed his prayer, he prostrated two prostrations saying ‘*Allahu Akbar*’ in each prostration while he was sitting before he said *salam* and the people prostrated with him in place of what he forgot of the sitting.’” And due to the *hadith* of Ibrahim An-

Nakhai' and due to what was narrated from Abu Said Al-Khudri (ra) who said: The Messenger of Allah (saw) said: **'If one of you doubts in his prayer and does not remember whether he prayed three (*rak'at*) or four, let him discard the doubt and build upon what is certain. Then he prostrates two prostrations before he says *salam*.'** And due to the *hadith* of Abudrahman bin Awf **'let him prostrate two prostrations before he says *salam*.'** And it is permitted that one prostrates after the *salam* due to the *hadith* of Dhu Al-Yadain from the narration of Abu Hurayra: **'He said *salam* then said '*Allahu Akbar*' then prostrated then said '*Allahu Akbar*' and rose then said '*Allahu Akbar*' and prostrated then said '*Allahu Akbar*' and rose.'** And due to the narration of Imran bin Husayn: **'So he prayed a *rak'at* then said *salam* then prostrated two prostrations then said *salam*.'** And due to what was narrated from ibn Masoud **"that the Prophet (saw) prayed *dhuhr* five (*rak'at*) so it was said to him: Has the prayer been increased? He said: 'What is that?' They said: You prayed five. So he prostrated two prostrations after he said *salam*."**

THE PROSTRATION OF RECITATION

The prostration of recitation is legitimate (*mashru'*) for the one reciting and the listener due to what ibn Umar (ra) narrated and said: **"The Messenger of Allah (saw) would recite the Qur'an to us. When he passed a prostration, he said '*Allahu Akbar*' and prostrated and we prostrated."** If the one reciting omits the prostration, the listener prostrates because the prostration is directed to both of them so one does not leave it due to the other's omission. However this is where the listener listens (*istima'*) to the Qur'an. Whereas if he hears (*sami'a*) the Qur'an but is not listening to it such as if it is recited in the mosque and he hears it in the street or it is recited in the house with a high voice, or it is recited at his side but he is occupied with writing or another discussion; in this situation he does not prostrate because he is not listening to the Qur'an so there is no prostration upon him. This is due to what was narrated from Uthman and Imran bin Husayn: **"The prostration is for the one listening"** and from ibn Abbas (ra): **"The prostration is for the one sitting to (listen to) it."** This prostration of recitation is *Sunnah* not obligatory due to what Zaid bin Thabit (ra) narrated and said: **'(Surah) An-Najm was read to the Messenger of Allah (saw) and none of us prostrated for it.'** The prostration of recitation are fourteen due to what Amru bin Al-'As (ra) narrated and said: **'The Messenger of Allah (saw)**

recited to me fifteen prostrations in the Qur'an. Among them, three are in the (*mufassal*) and two prostrations are in (*Surah*) *Al-Hajj*" except that the prostrations are fourteen and there is no prostration for (*Surah*) *Sad* at His saying ta'ala: "And he fell down bowing and repentant" [TMQ 38:24] is not of the prostration of recitation. It is rather a prostration of thanks (*shukr*) due to what Abu Said Al-Khudri (ra) narrated and said: "The Messenger of Allah (saw) lectured to us one day and recited (*Surah*) *Sad*. When he passed the prostration, we rose to prostrate. When he saw us, he said: 'It is only repentance but you have prepared to prostrate.' So he descended and prostrated." And it was narrated from ibn Abbas (ra) that the Prophet (saw) prostrated in (*Surah*) *Sad* and said: "Dawud (as) prostrated it as repentance and we prostrate it as thanks."

It is *Sunnah* for one to say in his prostration what came of that. It was narrated from Aisha who said: "The Prophet (saw) would say in the in the prostrations of the Qur'an at night: '*Sajada wajhi li alladhi khalaqahu wa shaqqa sam'ahu wa basarahu bi hawlihi wa quwwatihi* (My face has prostrated to the One who created it and split its hearing and sight by His might and power).'"

One says '*Allahu Akbar*' for the prostration of recitation because it is authenticated from the Prophet (saw) that he said '*Allahu Akbar*' for the prostration of recitation. And one says *salam* once he rises due to the Prophet (saw)'s saying: "Its ritual consecration (*tahrim*) is the *takbir* and its dissolution (*tahlil*) is the *salam*."

Whoever prostrates, it is good because it is a *Sunnah* and whoever omits it, there is nothing (bad) against him. If one hears the prostration without being purified, neither *wudu* nor *tayammum* is obliged upon him because it is a prostration related to a cause, so if it passes one does not prostrate such as where a prostration is recited in the mosque in the prayer and one does not prostrate, then he does not prostrate afterwards. The rule of the prostration of recitation is the rule of *nafila* prayer which requires purity, covering the '*awra* and facing the *qiblah* because it is a prayer in reality.

As for the prostration of recitation being a prayer, this is because the prostration is named prayer and prayer is named prostration. There came *ahadith* in the narrations of the Sahabah declaring prayer as prostration when they declared about the *rak'at* with the word 'prayer.' Ibn Umar narrated and said: "I prayed with the Messenger of Allah (saw) two prostrations before *dhuhr* and two prostrations after it, and two prostration after *maghrib* and two prostrations after *esha*." The *hadith* means two *rak'at*. And it was narrated from Hafsa

bint Umar **‘that the Messenger of Allah (saw) would pray two light prostrations when the dawn appeared’** and the *hadith* means two light *rak’at*. This indicates that prostration is named as prayer, and when the *rak’at* is called prayer—and there is no difference of opinion that the *rak’at* is prayer—similarly the prostration is considered prayer. It could be a part of the prayer like the prostration in prayer which is composed of *rak’at*, and it could itself be prayer like the prostration of thanks, the prostration of recitation and the prostration of forgetfulness. Just as the prayer has a cause (*sabab*) which is the entering of the time like *dhuhr* or occurring that for which it was enacted like greeting the mosque, similarly the prostration has a cause which is forgetting in the prayer in the prostration of forgetfulness, the achieving of a blessing or the repelling of a misfortune in the prostration of thanks, or the recitation of an *ayah* of prostration in the prostration of recitation. There is no difference of opinion in the prostration of forgetfulness that it is not a prayer but rather it is a (*jabir*) of the prayer (for) he (ass) said: **‘And if it were deficient, the *rak’at* would be a completion of his prayer and the two prostrations (are) a defiance of Satan.’** Purity is a condition of the prostration of forgetfulness due to his (as) saying: **‘Allah does not accept the prayer without purity’** and it is verified upon it that it is prayer. Similarly purity is a condition of the prostration of recitation and the prostration of thanks because they are a ritual worship (*‘ibada*) like the prostration of forgetfulness other than the *rak’at* of the prayer so what applies upon the prostration of forgetfulness in its being a “prostration” equally applies upon the prostration of recitation. This is not in respect to analogy (*qiyas*) as there is no analogy in ritual worships but in respect to its being a single one of the individual prostrations, and purity is a condition of prostration in its consideration as a prostration not in consideration of its cause. This hereby clarifies that the prostration of recitation is a prayer so it is stipulated (as a condition) therein what is stipulated in the prayer.

As for what Al-Bukhari mentioned in his *Sahih* of his saying ‘The Chapter of the Prostration of the Muslims with the Polytheists and the Polytheist has no *Wudu*, and that ibn Umar (ra) would Prostrate without *Wudu*’; there is no evidence therein to permit the prostration of recitation without *wudu*. That is because Al-Bukhari mentioned it in the chapter as a title but did not narrate it from anyone as a narration, and what Al-Bukhari mentions in his book as a title for a chapter is not considered a narrated *hadith* for him nor is it suitable for evidence as a *Shari’ah* text but rather is the opinion of Al-Bukhari himself. As for the other narration that was

narrated that ibn Umar would prostrate for recitation without *wudu*, it is a narration from an anonymous person. Ibn Abu Sheeba narrated via the way of Ubaid bin Al-Hasan from a person whom he claimed as like himself from Said bin Jubair who said: “Ibn Umar would descend from his female riding camel and water would spill, then he would mount and recite the prostration and would not perform *wudu*” and we do not accept the narration of an anonymous person. And it came in a narration of Al-Asili omitting the word “without’ i.e. “he would prostrate with *wudu*.” This hereby clarifies that it has not been proven of ibn Umar that he prostrated for the recitation without *wudu*. And the narration from ibn Umar that he would prostrate without *wudu* contradicted his view about the obligation of *wudu* for the prostration of recitation. Al-Baihaqi narrated with an authentic chain from Al-Laith from Nafi’ from ibn Umar who said: “A man should not prostrate except if he were pure (*tahir*).” And ibn Umar himself would consider the prostration of recitation as prayer and say that is was disliked to perform it at the times of dislike. It was narrated from ibn Umar “that he was asked about the one who recited a prostration of the Qur’an after *fajr* and after *‘asr*, does he prostrate? He said: No.” This is in relation to the narration. Whereas in relation to deduction, the action of ibn Umar is not a *Shari’ah* evidence but rather is a *Shari’ah* rule of a *mujtahid* because the school of thought (*mAdhab*) of a companion (*sahabi*) is not a *Shari’ah* evidence.

As for what Al-Bukhari narrated and said: MuSaddad informed us and said: Abd Al-Warith informed us and said: Ayyub informed us from Ikrima from ibn Abbas (ra) “that the Prophet (saw) prostrated for (*Surah*) *An-Najm* and the Muslims, polytheists, *jinn* and mankind prostrated with him.” The understanding (*diraya*) of this *hadith* is rejected even if Al-Bukhari narrated it. As for the way of its understanding being rejected, this is from two ways:-

The first: It contradicts the definite Qur’anic text because it the Qur’an informs us that for the polytheists, what the Messenger called them to was intolerable. He ta’ala said: ‘*Intolerable for the polytheists is that to which you call them*’ [TMQ 42:13] and this *hadith* says that they prostrated when they heard the Qur’an and their prostration contradicts its being intolerable upon them what the Messenger called them to. And Allah ta’ala informs us that when the Qur’an was recited to the polytheists, they would not prostrate. He ta’ala said: “*And when the Qur’an is recited to them, they do not prostrate*” [TMQ 84:21] and this *hadith* says that they prostrated

when the Qur'an was recited to them. The Qur'an inform us that they ran away/fled from prostration to Allah. He ta'ala said: *'And when it is said to them: 'Prostrate to Ar-Rahman', they say: 'And what is Ar-Rahman? Shall we prostrate to that which you command us?'* And it increases in them aversion/fleeing" [TMQ 25:60]. And this *hadith* says that they prostrated when the Qur'an was recited to them. This clear contradiction between this *hadith* and the explicit Qur'an obliges rejecting the understanding of the *hadith*.

As for the second way, Abdullah bin Abbas of whom it is said that he narrated this *hadith* was at the time which this incident was ascribed to him, which is before the second *Hijrah* to Abyssinia at the beginning of the mission (of the Prophet) in Makkah, was a child if we assume that he had been born. So upon the assumption of the occurrence of the incident, ibn Abbas definitely did not attend it. The commentators of this *hadith* say that ibn Abbas definitely did not attend the incident. Accordingly the *hadith* contradicts the reality of the incident, assuming it occurred. One should not say here that ibn Abbas narrated it from the Messenger so the Messenger had informed him orally or via an intermediary because ibn Abbas did not narrate 'that the Messenger (saw) said' but he narrated only as an onlooker according to the narration of the *hadith* and said: "that the Prophet (saw) prostrated for (*Surah*) *An-Najm* and the Muslims, polytheists, *jinn* and mankind prostrated with him." Hence this *hadith* cannot be used as an evidence.

Thus permitting the prostration of recitation without *wudu* is negated and it is established that purity is necessary for the prostration of recitation as it is a prayer.

THE PROSTRATION OF THANKS (*SHUKR*)

It is recommended for the one upon whom recently occurred a manifest blessing or from whom a manifest misfortune was repelled to prostrate as thanks to Allah ta'ala due to what was narrated from Abu Bakra: **"The Prophet (saw) would, when there reached him a matter that pleased him or by which he became happy, drop down prostrating as thanks to Allah ta'ala."** And in the words of Ahmad **"That he witnessed the Prophet (saw) (when) an announcer came to give him the good news of the victory of an army of his over their enemy while his head was in the room of Aisha. So he stood and dropped down prostrating, elongated the prostration then raised his head and directed it towards his (*Sadfa*) and he entered and**

faced the *qiblah*.” The rule of the prostration of thanks in the conditions and attributes is the rule of the prostration of recitation outside of the prayer.

FASTING (AS-SAWM)

The fast fo RamAdhan is one of the pillars of Islam and one of its *fards*. The evidence upon that is His saying ta’ala: “*Whoever among you witnesses the month, let him fast*” [TMQ 2:185] and what ibn Umar (ra) narrated that the Prophet (saw) said: “**Islam is built upon five (matters): The testimony that ‘La ilaha illa Allah, Muhammad Rasul-Allah (There is no god but Allah and Muhammad is the Messenger of Allah), establishing the prayer, paying the zakat, the Hajj and fasting RamAdhan.**” Its obligation is imposed upon every sane mature Muslims. As for the child and insane person, fasting is not obliged upon them due to his (saw) saying: “**The pen is lifted from three: The child until he matures, the one sleeping until he awakes and the insane person until he regains consciousness.**” As for the one menstruating and those giving birth, it is not obliged upon either because it is not valid from them. When they become purified, repaying is obliged upon them due to what Aisha (ra) said: “**In menstruation, we were commanded with repaying the prayer.**” Whoever is not capable to fast at all, namely the old man who is strained by fasting i.e. he finds difficulty therein, and the invalid whose recovery is not expected, fasting is not obliged upon them and an expiation/ransom (*fidya*) is obliged upon them due to His saying ta’ala: “*And Allah did not lay hardship upon you in the deen*” [TMQ 22:78] and His saying taa’la: “*And upon those who are capable of it, a ransom of feeding a poor person*” [TMQ 2:184]. And due to what ibn Abbas (ra) narrated and said: “Whoever attains old age and is not able to fast RamAdhan, then a (*mudd*) of wheat every day is (obligatory) upon him.” And ibn Umar said: “If one becomes too weak to fast, feed a (*mudd*) every day.” And it was narrated from Anas (ra) “**that he became too weak from fasting one year before his death so he broke the fast (*iftara*) and fed (others).**” If one is unable to fast due to an illness whose increase is feared but recovery is expected, repaying is obliged upon him due to His saying ‘azza wa jalla: “**Whoever among you is ill or upon travel, then a number of other days (is to be made up)**” [TMQ 2:184]. If one wakes up fasting and he is healthy then he became ill, he breaks the fast because breaking the fast is allowed for him. As for the traveller, if his travel is less than four *burud* i.e. less than

eighty kilometres, he fasts and it is not permitted for him to break his fast because the travel is given permission is the *Shari'ah* travel which is four *burud* measured as eighty kilometres. If the travel is four *burud* and beyond, he can fast and he can break the fast due to what Aisha (ra) narrated **“that Hamza bin Amru Al-Aslami said: O Messenger of Allah, should I fast in the travel? The Messenger of Allah (saw) said: ‘If you wish, fast and if you wish, break the fast.’** If he is of those whom fasting in trouble does not overtax, then it is better that he fasts due to His saying ta’ala: *‘And that you fast is better for you’* [TMQ 2:184]. If fasting overtaxes him, it is better that he breaks the fast due to what Jabir (ra) narrated and said: **“The Messenger of Allah (saw) in a travel passed by a man under a tree upon whom water was being sprinkled and said: ‘What is wrong with him?’ They said: He is fasting. So he said: ‘Fasting in travel is not of goodness (*birr*).”**

As for the pregnant woman and the one suckling, it is permitted for either to break the fast and upon them is (the obligation) to repay whether they feared for themselves only, or upon themselves and their children, or upon their children only, or upon their children only or they did not fear anything at all. As for permitting the pregnant woman and the one suckling for merely being pregnant or suckling irrespective of their fearing or not, this is due to what was established in the two *Sahih*s from Anas bin Malik Al-Ka’abiyy that the Messenger of Allah (saw) said: **‘Verily Allah ‘azza wa jalla unburdened the fast and half the prayer from the traveller’** The *hadith* did not mention any restriction in permitting the breaking of the fast but rather mentioned that absolutely (*mutlaq*) for the one pregnant or suckling for their merely being pregnant or suckling. As for the obligation of repaying upon the one pregnant or suckling, this is because fasting is obliged upon them and they broke the fast so it became a debt upon their liability (*dhimma*) and it is obligatory for them to repay due to what was narrated from ibn Abbas that a woman came and said: **‘O Messenger of Allah, my mother died and upon her was a fast of a vow (*nadhhr*). Can I fast for her? He said: ‘Do you see that if there were a debt upon your mother and you repaid it, would that discharge that for her?’ She said: Yes. He said: ‘So fast for your mother.’”**

As for the non-obligation of the ransom, this is because no text came with its obligation in this situation.

Fasting *RamAdhan* is not obliged except by the sighting of the crescent. If it is concealed/obscured (*ghumma*) from the people, it is obligatory upon them to complete *Sha’ban* then they fast due to what was narrated from ibn Abbas (ra) that the Prophet (saw) said: **‘Fast by its sighting and break the fast by its sighting. And if it is**

obscured from you, complete the number and do not receive the moon (*istiqbalan*).” Fasting RamAdhan and other fasts are not valid except with the intention due to his (ass) saying: **“Verily the actions are by the intentions.”** The intention is obliged for every day because the fast of each day is an individualised *‘ibada* whose time enters with the appearance of the dawn and its time departs with the sunset, nor is the fast nullified with the nullification of what came before it or what follows it. So the intention for the whole month does not suffice but rather the intention for every day is necessary. The fast of RamAdhan and other obligatory fasts is not valid with an intention in the daytime; rather the intention is necessary to be contrived (*yubit*) by night due to what Hafsa (ra) narrated that the Prophet (saw) said: **“Whoever does not contrive the intention at night, there is no fasting for him.”** The intention is valid in any part of the night from sunset until dawn appears because all that is included within the contriving of the intention at night. As for the voluntary fast, it is permitted with an intention before noon due to what Aisha (ra) narrated that the Prophet (saw) said: **“Is there anything this morning with you to eat? She said: No. So he said: ‘Then I am fasting.’”** Specifying the intention is necessary so it is necessary for one to say that he is fasting of RamAdhan since it is a (*qurba*) related to its time. However, pronouncing the intention is not stipulated but rather the intention in the heart suffices. It does not suffice except with firm will/resolve (*‘azima*) that it is of RamAdhan because specifying the intention of each day is obligatory. The fast enters with the appearance of the true dawn and departs with the sunset due to what Umar (ra) narrated that the Prophet (saw) said: **“When the night advances from here (*ha huna*) and the day retreats from here and the sun disappears from here, the one fasting has broken the fast.”** And due to His saying ta’ala: *‘Eat and drink until the white thread (of light) of dawn becomes distinct to you from the black thread (of the night)’* [TMQ 2:187].

Eating and drinking are forbidden for the one fasting due to the *ayah*: *‘Eat and drink until the white thread (of light) of dawn becomes distinct to you from the black thread (of the night) then complete the fast to the night’* [TMQ 2:187]. If he eats and drinks while remembering the fast knowing its forbiddance, his fast is nullified because he did that which negates the fast without excuse. If he uses snuff (*sa’ut*) or pours water in his ear and it reaches to his brain, his fast is nullified due to what Laqit bin Swabra (ra) said: **‘I said: O Messenger of Allah, inform me of the wudu. He said: ‘Complete/Bestow amply (*sbigh*) in the wude, interpenetrate the fingers**

and go far in the snuffing up the nostrils except if you are fasting.” The understanding of going far (*mubalagha*) is the prohibition of going far in the snuffing up the nostrils while one is fasting such that nothing reaches the brain, which means that if something reaches the brain then this is *haram* upon him and nullifies his fast. Eating, drinking, snuffing and ear-drops cover the entry of anything whether it were what is eaten and drunk like food, water, tobacco and Persian tobacco and what is similar to that or whether it is used like in the nose and drops in the ear and what is similar to that. Equally forbidden is intercourse in the female private part (*farj*) due to His saying ta’ala: “*Now have sexual intercourse with them*” [TMQ 2:187] which indicated the non-intercourse with them before ‘now’ which is the daytime. If one has intercourse in the female private part, his fast is nullified. And if he has intercourse less than the female private part and ejaculates sperm or kisses and ejaculates, his fast is nullified; if he does not ejaculate, it is not nullified. This is due to what Jabir (ra) narrated and said: **I kissed while I was fasting so I reached the Prophet (saw) and said: I kissed while I am fasting. He said: ‘Do you see that if you gargle water (*amadhmadh*) while you are fasting?’** So he likened kissing gargling water so if water reaches, he has broken the fast and if not, then no. Equally the intercourse in other than the female private part and kissing. If one vomits, his fast is nullified due to what Abu Hurayra (ra) narrated that the Prophet (saw) said: **“Whoever vomits deliberately then repaying is (obligatory) upon him, and for whoever vomit (*dhara’a*) him, there is no repayment upon him.”** All this if he did it deliberately so if he did anything of that forgetfully, his fast is not nullified due to what was narrated from Abu Hurayra (ra) from the Prophet (saw) who said: **“Whoever breaks the fast in RamAdhan forgetfully, there is no repayment upon him nor expiation (*kaffara*).”** And due to what Al-Bukhari narrated from the Prophet (saw) who said: **If one forgets and eats and drinks, let him complete his fast for it is Allah who fed him and gave him drink.** If he ate or had sexual intercourse while thinking that dawn has not appeared, or thinking that the sun had set when it had not set, his fast of the day is not counted for him and he must repay due to what Hanthala narrated and said: **“Wr were in Madinah in the month of RamAdhan and in the sky were some clouds. We thought the sun had disappeared and some people broke the fast so Umar (ra) commanded the one who had broken the fast to fast a day in its place.”** And due to what Hisham bin Urwa narrated from Fatima, his wife, from Asma who said: **We broke the fast during the time of the Messenger of Allah (saw) on an overcast day then the sun appeared.**

It was said to Hisham: Were they commanded with repayment? He said: Repayment is inevitable.” The one who broke his fast with other than sexual intercourse without excuse, repayment is obliged upon him due to his (saw) saying: **“Whoever vomits, repayment is (obliged) upon him”** And due to his (saw) saying: **“The debt of Allah has more right to be repaid.”** As for the one who breaks the fast by sexual intercourse without excuse, repayment and expiation is obliged because the Prophet (saw) commanded the one who had sexual intercourse with his wife in RamAdhan to repay. And due to what was narrated from Abu Hurayra (ra) who said: **“A man came to the Prophet (saw) and said: I have perished, O Messenger of Allah? He said: ‘What has caused you to perish?’ He said: I had sexual relationship with my wife in RamAdhan. So he said: ‘Do you find that which would free a slave (raqaba)?’ He said: No. So he said: ‘Are you able to fast two months continuously?’ He said: No. So he said: ‘Do you find that which would feed sixty poor persons?’ He said: No, then sat down. Then there came to the Prophet (saw) an (‘iriq) wherein were dates so he said: ‘Give charity with this.’ He said: Are there persons more needy than us? There is no household between its (labat) more needy for it than us. The Prophet (saw) laughed until his molar teeth appeared then said: ‘Go and feed them to your family.’”** The (‘iriq) with a *kasra* on the ‘*ayn*’ and ‘*ra*’ is the large basket, basket made of pal-leaves and the large basket, and **“that which is between its (labat)”** i.e. that which is between its volcanic land (*harra*) and the ‘*harra*’ is the pressed/squeezed (*mikbas*) land with black stones. This is the obligatory expiation upon the one who broke the fast if he broke the fast with sexual intercourse deliberately.

It is recommended that one eats the pre-dawn meal before the fast of RamAdhan (*sahur*) due to what Anas narrated that the Prophet (saw) said: **‘Eat the *sahur* for verily in the *sahur* is blessing.’** It is recommended for one to break the fast upon dates, and if he cannot find (them) then upon water due to what Salman bin Amir narrated and said: The Messenger of Allah (saw) said: **“When one of you breaks the fast, let him break the fast upon dates. And if he does not find, let him break the fast upon water for it is pure.”** And it recommended that one says when he breaks the fast: *Allahumma laka sumtu wa ala rizqika aftartu* (O Allah! For you I fasted and upon your sustenance I break the fast) due to what Abu Hurayra narrated and said: **‘When the Messenger of Allah (saw) fasted then broke the fast, he would say: ‘*Allahumma laka sumtu wa ala rizqika aftartu.*’”** And it is recommended for the one who fasted RamAdhan to follow it with six (days) of

Shawwal due to what Abu Ayyub (ra) narrated and said: The Messenger of Allah (saw) said: **‘Whoever fasted RamAdhan then followed it with six (days) of Shawwal, it would be like fasting a lifetime (dahr).’** And it is recommended for other than the one on *Hajj* to fast the day of ‘*Arafah* due to what Abu Qatada narrated and said: The Messenger of Allah (saw) said: **‘The fast of ‘Ashura is expiation (kaffara) for a year and the fast of the day of ‘Arafah is expiation for two years, the past year before it and the coming year after it.’** It is recommended to fast the day of ‘*Ashura* due to the previous *hadith* of Abu Qatada, and it is recommended to fast *tasu’a* due to what ibn Abbas (ra) narrated and said: The Messenger of Allah (saw) said: **‘If I remain (until) next (year), I will fast the ninth day’** and in the narration of Muslim an extra (phrase) which said: **‘The next year did not arrive save that the Messenger of Allah (saw) had died’** ‘*Ashura* is the tenth day of *Muharram* and *tasu’a* is its ninth day. It is recommended to fast the ‘white days’ (*ayyam al-bidh*) which are three in every month due to what Abu Hurayra narrated and said: **‘My bosom friend (khalil) exhorted me with the fast of three days every month.’** It is permitted that one fasts any three days without specification except that it is preferred that one fasts the days wherein the moon is at the (*awj*) of its light which are the thirteenth, fourteenth and fifteenth day due to the *hadith* of Abu Dharr (ra) who said: The Messenger of Allah (saw) said: **‘If you fast three days of the month, then fast the thirteenth, fourteenth and fifteenth.’** And due to what was narrated from Jabir bin Abdullah from the Prophet (saw) who said: **‘Fasting three days of every month is the fasting of a lifetime, the white days (are) the thirteenth, fourteenth and fifteenth.’** And it is recommended to fast Monday and Thursday due to what was narrated from Aisha who said **‘that the Prophet (saw) would strive for the fast of Monday and Thursday.’**

THE SUPPLICATION (AD-DU’A)

The *du’a* is the slave’s request from his Lord. And the *du’a* is of the most significant ritual worships. At-Tabarani extracted from a *hadith* of Anas: “The *du’a* is the purest and choicest part of the ‘ibada.” And there came traditions (*athar*) from the Prophet (saw) awakening a desire for the *du’a* and urging it. Ibn Maja extracted from a *hadith* of Abu Hurayra: **‘There is nothing more honoured before Allah than the *du’a*.’** And Al-Bukhari extracted a *hadith*: **‘Whoever does not ask Allah, He is angry with.’** And the *hadith* of ibn Mas’oud:

“Ask Allah of His favour for verily Allah likes to be asked” (extracted by At-Tirmidhi). And for him is a *marfu’ hadith* of ibn Umar: “Verily the *du’a* benefits that which has happened and that which has not happened. So upon you, O slaves of Allah, is the *du’a* (is incumbent).” And At-Tabarani and Al-Hakim extracted from the *hadith* of Ubada bin As-Samit: “There is no Muslim upon the earth who supplicates with the supplication to Allah except that Allah gives it to him or averts from him a similar evil.” And to Ahmad in a *rif’a hadith* of Abu Said: “No Muslim invokes with a supplication without sin or the severing of kinship (ties) therein except that Allah gives him one of three: Either he expedites his supplication for him or either He preserves it for the Hereafter or averts from him a similar evil.” All these *ahadith* and others indicate in their totality upon establishing the *du’a* which is the request of the slave to his Lord. There came in the Qur’an numerous ayat guiding to the *du’a*. He ta’ala said: “And your Lord said: ‘Invoke me and I will respond to you’” [TMQ 40:60] and said: “And when My slave asks you of Me, verily I am near. I respond to the *du’a* of the supplicant when he calls me” [TMQ 2:186]. And He said: “Or the one who responds to the distressed one when he invokes Him and who removes the evil and made you inheritors (*Khulafa*) of the earth” [TMQ 28:62]. And He said of the *du’a* of the angels: “Those who bear the Throne and those around it glorify the praise of their Lord and believe in Him, and ask forgiveness for those who believe: ‘Our Lord! You comprehend all things in mercy and knowledge so forgive those who repent and follow your way, and save them from the punishment of the Hellfire. Our Lord! Cause them to enter the gardens of Eden which You promised them and the righteous among their fathers, wives and children. Verily You are the Powerful (*Al-‘Aziz*) the Wise (*Al-Hakim*)” [TMQ 40:7-8]. So Allah ta’ala requested us to invoke Him and explained to us that He alone apart from anyone else responds to the *du’a*.

It is recommended for the Muslim to supplicate Allah in ease and adversity, in open and in secret, so as to achieve the reward of Allah. The *du’a* is better than silence and acceptance due to the abundance of evidences indicating that due to what there is therein of manifesting submission and the need for Allah ta’ala. However, it must be explicit that the *du’a* does not change what is within the knowledge of Allah nor does it repel the *qAdha* nor withhold *qadar* nor produce anything without its cause because the knowledge of Allah is inevitably realised (*mutahaqqiq hatman*) and the *qAdha* of Allah occurs without doubt. For were the *du’a* to repel it, *qAdha* and

qadr would not have been created by Allah so *du'a* does not withhold it. Allah created cause (*sabab*) and effect (*musabbab*) and made the cause inevitably produce the effect. Were it not to produce it, it would not be a cause. Hence it is not permitted to believe that the *du'a* is a method for fulfilling the needs even if Allah responds and fulfils (it) practically because Allah made for the universe, life and man a system to follow, and linked cause with effect. The *du'a* does not influence a violation of the systems of Allah nor the absence (*akhallaf*) of the cause. The only aim of the *du'a* is achieving the reward by obeying the command of Allah and it is one of the *'ibadat*, so just as the prayer is an *'ibada* and fasting is an *'ibada* and jihad is an *'ibada* and *zakat* is an *'ibada*...similarly *du'a* is an *'ibada*. So the believer supplicates and seeks from Allah the fulfilling of his needs or the uncovering of his affliction or other than that of the *du'as* related to this world and the Hereafter seeking refuge in Allah, submitting to Him, seeking His reward and obeying His commands. If his need is fulfilled, it is a favour from Allah and its achievement would be according to the systems of Allah proceeding upon the principle of linking cause with effect; if Allah does not fulfil it, He writes for him its reward. In this way must be the *du'a* from the Muslim submitting to Allah, obeying His command and seeking His help whether He fulfilled his need or not. It is permitted for the Muslim to supplicate with any *du'a* he wishes in the heart or upon the tongue by any expression he deems appropriate, nor is he restricted with a specific *du'a*. He may supplicate with the *du'as* that came in the Qur'an and he may supplicate with the *du'a* that came in the *hadith*; and he may supplicate with any *du'a* from himself or a *du'a* invoked by another. He is not restricted with a specific *du'a* but rather is requested to supplicate Allah ta'ala. However, the preferred is that he supplicate with what came in the Qur'an and *hadith*. Among the *du'as* that came in the Qur'an: *'And they said nothing but to say: 'Our Lord! Forgive us our sins and our intemperance/transgressions (israf) in our affair, establish our feet firmly and give us victory over the disbelieving folk'* [TMQ 3:147]. (And): *'Our Lord! Verily we heard a caller calling to belief: 'Believe in your Lord' and we believed. Our Lord! Forgive us our sins, grant us remission from our evil deeds and make us die with the righteous. Our Lord! Grant us what you promised us through Your Messengers and do not disgrace us on the Day of Judgement. Verily You never break Your promise'* [TMQ 3:193-4]. (And): *'Say: O Allah! King of sovereignty/dominion (mulk). You grant dominion to whomever You will and remove dominion from whomever You will. You honour whomever You will and You disgrace whomever You will. In Your hands is*

the good and You are able to do all things” [TMQ 3:26]. (And): “Our Lord! Do not deviate our hearts after You have guided us and grant us mercy from You. Verily You are the One who grants” [TMQ 3:8]. (And): “Verily I have turned my face to He who created the heavens and earth as a true believer (*hanif*) nor am I of the polytheists” [TMQ 6:79]. (And): “Verily my prayer and my sacrifice, my life and my death are for Allah, Lord of the worlds. There is no partner for Him. With that I am commanded and I am the first of the Muslims” [TMQ 6:162-3]. And among the supplications for forgiveness (*istighfar*) and *du’as* that came in the *hadith* is from Shidad bin Aws (ra) from the Prophet (saw): “**The chief of supplications for forgiveness is that one says: ‘Allahumma anta rabbi wa ‘abduka. Wa ana ala ‘ahdika wa wa’adika ma astata’tu. A’udhu bika min sharr ma sana’ata. Abawa’a laka ni’mataka wa abawa’a laka dhanbi. Faghfir li. Innahu la yaghfiru ad-dhunuba illa anta (O Allah! You are my Lord. There is no god but You. You created me and I am Your slave. And I am upon Your covenant and promise as much as I am able. I seek refuge in You from the evil that You created. And I return to You for Your blessing and I return to You with my sins. Forgive me. None forgives sins except You).’**” And from Abu Hurayra who said: I heard the Messenger of Allah (saw) saying: “**Verily I seek forgiveness in Allah and repent to Him more than seventy times in the day.**” And from Hudhayfa who said: “**The Prophet (saw) would say when he went to his bed: ‘Bismika amutu wa ahya (In Your name I die and live)’ and when he rose say: ‘Alhamdulillah alladhi ahyana ba’ada ma amatana wa ilaihi an-nushur (Praise be to Allah who gave us life after He caused us to die and to Him is the return).’**” And from Warid the slave of Al-Mughira bin Shu’ba who said: Al-Mughira wrote to Mu’awiya bin Abu Sufyan “**that the Messenger of Allah (saw) would say at the end of every prayer when he said the *salam*: ‘La ilaha illa Allahu wahdabu. La sharika lahu, lahu al-mulk wa lahu al-hamd wa huwa ala kulli shaiyyin qadir. Allahumma la mani’ li ma a’atayta wa la mu’ti li ma mana’ata wa la yanfa’u dha al-jadd minka al-jadd (There is no god but Allah alone. There is no partner for Him. For Him is the dominion and for Him is the praise, and He is able to do all things. O Allah! None can prevent what You give and none can give what You prevent, nor does the earnestness of the earnest person avail aught before You).’**” And from Samiy bin Abu Salih from Abu Hurayra who said: “**They said: O Messenger of Allah, the people of the past (*dathur*) have gone with the (higher) ranks and the abiding favour. He said: ‘How is that? (They) said: They**

prayed as we pray and fought as we fought and they spent of the surplus of their wealth while we have no wealth. He said: ‘Should I not inform you of a matter (that) will (make) you attain those who were before you and precede those who come after you, nor will anyone come with what you come with except whoever comes with the like? Say ‘*Subhana’Allah* (Glory be to Allah)’ at the end of each prayer ten times, say ‘*Alhamdulillah* (Praise be to Allah)’ ten times and say ‘*Allahu Akbar* (Allah is Great)’ ten times.’” And from Abdurrahman bin Abu Laila who said: ‘K’ab bin Ajza met me and said: Should I not donate to you a gift? The Prophet (saw) came out to us and we said: O Messenger of Allah, we have known how to say *salam* to you (but) how do we pray upon you? He said: ‘Say: ‘*Allahumma salli ala Muhammadin wa ala ali Muhammad kama sallayta ala Ibrahima wa ala ali Ibrahima, innaka hamidun majid. Allahuma barik ala Muhammadin wa ala ali Muhammad kama barakta ala Ibrahima wa ala ali Ibrahima, innaka hamidun majid* (O Allah! Send grace upon Muhammad and the family of Muhammad as You sent grace upon Ibrahim and the family of Ibrahim, verily You are the Praised the Glorious. O Allah! Bless Muhammad and the family of Muhammad as You blessed Ibrahim and the family of Ibrahim, verily You are the Praised the Glorious).’” And from Anas bin Malik who said: ‘The Prophet (saw) said to Abu Talha: ‘Solicit for us one of your youths to serve me’ so Abu Talha made me follow him behind him. So I would serve the Messenger of Allah (saw). Whenever he encamped, I would hear him say frequently: ‘*Allahumma inna a’udhu bika min al-hamm wa al-huzn, wa al-‘ajz wa al-kasl, wa al-bukhl wa al-jubun, wa dhali’ ad-dain wa ghalbati ar-rijal* (O Allah! I seek refuge in you from anxiety and grief, weakness and laziness, greed and cowardice, the (*dhal’a*) of debts and domination of men).’” And it is authenticated from the Prophet (saw) that he would say in his *du’a*: “*Allahumma ij’al fi qalbi nuran wa fi basri nuran wa fi sami’ nuran wa an yamini nuran wa an yasari nuran wa fawqi nuran wa tahti nuran wa amami nuran wa khalfi nuran wa ij’al li nuran* (O Allah! Create/Make for me a light in my heart and a light in my sight, a light in my hearing, upon my right a light, upon my left a light, above me a light, behind me a light, in front of me a light, behind me a light and make for me a light).’” And from him (saw) ‘that when he returned from Taif after Thaqif rejected him (with) an evil refusal, he sat in the shade of a grape tree while the two sons of Rabi’ah were looking at him and what he was upon of the severest distress. When he became calm, he (as) raised

his head to the sky humbly in his complaint (*shikaya*) and in pain, and said: *‘Allahumma ilaika ashku dhi’fa quwwati wa qillata hilati wa hawani ala an-nas. Ya arham ar-rahimin, anta rabb al-mustadh’afina wa anta rabbi. Ila man takilani? Ila ba’idin yataHajjamani au ila ‘aduwwing malaktahu amri? In lam yakun alayya ghAdhabban fala ubali. Wa lakin ‘afiyatuka awsa’ li. Au’dhu bi nuri wajahika alladhi ashraqta lahu ad-dhulumuat wa saliha alaihi amru ad-dunya wa al-akhira min an tunazil biya ghAdhabuka au tuhilla alayya sakhatuka. Laka al-‘atabiyy hata tardha wa la hawla wa la quwatta ila bika* (O Allah! To you I complain of the weakness of my strength, the paucity of my means/strategem and my lowliness in front of people. O Most Merciful of those who are merciful, You are the Lord of the oppressed and You are my Lord. To whom will you entrust Me? To someone who will attack me or to an enemy whom You gave dominion over my affair? If you are not angry with me, then it does not concern me. Your pardon is more sufficient for me. I seek refuge in the light of Your face with which You illuminate the darkness and by which the affairs of the world and the Hereafter are put in order from Your anger descending upon me or Your discontent befalling upon me. It is for You to censure me until You are pleased. There is no strength nor power except with You).” It is recommended that one raises his hands during the *du’a*. It was narrated from Yahya bin Said and Sharik that they heard Anas from the Prophet (saw) **“(that) he raised his hands until I saw the whiteness of his armpits”** and in the *hadith* of Usama: **“I was riding behind the Prophet (saw) at ‘Arafah and he raised his hands to supplicate. His she-camel deviated and its halter fell so he grasped it with his hand while he raised his other hand.”** And among the *du’as* which some people supplicate with the following: *“Allahumma urzuqna ad-dunya wa la taftina fiha wa la tab’adna anha fatafji’ana fiha. Allahumma ij’al al-mala kathiran fi aydina wa la taj’al minhu shaiyyan fi qulubina* (O Allah! Grant us sustenance from the world but do not seduce us with it nor isolate us from it so that we are afflicted therein. O Allah! Place great wealth in our hands but we not place anything in our hearts).” It is not of the *du’as* which came (in the texts) but there is nothing wrong for people to supplicate with it. And it is better to supplicate with the *du’as* that came. And in the two *Sahih*s, Al-Bukhari and Muslim, from Abu Hurayra (ra) from the Prophet (saw) who said: **“Na’udhu billahi min juhdi al-bala wa daraki as-shiqa wa sui al-qAdha wa shimata al-a’adai** (We seek refuge in Allah from the trouble/strains of trials and the overtaking of misfortune, and the evil of *al-qAdha*

and the malicious joy of enemies).” And in *Sahih Muslim* from ibn Masoud (ra) that the Prophet (saw) would say: *‘Allahumma inni as’aluka al-huda wa at-tuqa wa-‘affaf wa al-ghina* (O Allah! I ask of You guidance, piety, chastity/abstinence and sufficiency).”