

Fiqh **(Laws)**

Lesson 1

Ijtihād and Taqlīd

Introduction

Islam has an opinion on every imaginable and possible action of a human being and it categorizes them as either wājib, harām, mustahab, makruh or mubāh. No human action falls outside of this.

A mujtahid is an expert in Islamic Law and one who has the ability to find the correct category (of these five categories) for every human situation and action based on the original sources of Islam i.e. the Qur'ān, the Traditions (ahādith) and Practice of Rasulullāh (s) and the Imāms ('a) (i.e. the Sunnah), reasoning ('aql) and so forth. A mujtahid does not give his own personal opinion on any matter. Every ruling (*fatwa*) he gives is based on the opinion of the Qur'ān or a *ma'sum* (Prophet (s) or Imām ('a)). What a mujtahid practices is called *ijtihād* i.e. Ijtihād is the process of deriving Islamic rulings and laws from the Qur'ān and other primary sources and principles.

When a mujtahid is emulated and followed by others (in his findings on all the Islamic Laws), he is called a marj'a. And one who follows him is called a muqallid.

In addition to being learned and an expert in Islamic law, a mujtahid must possess the following qualifications:

- sanity
- legitimate birth
- puberty (bulugh)
- must be an Ithna 'Ashari (Twelver) Shi'ah
- justice ('adālah), meaning not having a reputation as a sinner (fāsiq)

A mujtahid has to be 'ādil (just) because it is only when a mujtahid is seen to be acting fully in accordance with his learning and knowledge that it can be understood that he is doing so for no other reason than a desire to submit completely to Allāh's will.

A woman can become a mujtahida but not a marj'a (one whom others emulate in Islamic law). Therefore a marj'a must have all the qualities of a mujtahid and also:

- be male.
- be the most learned mujtahid of his time i.e. the most able at finding the laws of shari'ah in his time.

A marj'a can be recognized in any one of three ways:

- If you are sure that he is a marj'a and the most learned based on your own knowledge.

- If two knowledgeable and *'ādil* (just) persons tell you who the most learned marj'a is.
- If it is commonly accepted by the scholars (*'ulama*) and it is widespread knowledge that a particular person is the most learned marj'a of his time.

Taqlid in Qur'ān and Hadith

For matters relating to *'aqāid* (also called the 'roots' of religion (*usul ad-din*)), every Muslim must be convinced of and have faith in them, through his or her own reason. It is forbidden (*harām*) to have faith in the fundamentals of Islam by following another blindly. For example, we cannot say we have faith in Allāh and His unity, or that there is life after death and a Day of Judgement, just because a marj'a says so. We have to be convinced ourselves through the signs we see around us, the Qur'ān, our own reasoning, and so on.

Taqlid is also unnecessary in the basic wājib matters of Islam like believing that salāh is wājib or fasting in Ramadan or going for Hajj once in a lifetime is wājib. We know these are wājib from the Qur'ān and we don't need a marj'a to tell us this. And no marj'a could ever change these rules.

However, within the Furu' ad-Din and other matters of fiqh (jurisprudence), there are details that are not explicitly mentioned in the Qur'ān; and we need an expert in Islamic law to tell us how to act. Such an expert has studied the ahādith of Rasulullāh (s) and the Imāms ('a) from the Ahl al-Bayt ('a) and can tell which ahādith are genuine vs. forged, what to follow if two hadith seem to contradict each other, and so on. Such an expert (also called a *faqih*) has studied many sciences like the tafsir of Qur'ān, classic Arabic language and grammar, the history of Islam, how and when every āyah of Qur'ān was revealed, etc.

Without a marj'a there would be a lot of confusion because each person would do his own thing without knowing or understanding fully all the ahādith available in Islam and without studying all the books of Qur'ān, history, etc. that are needed to understand each issue fully. Or, they would end up referring to a person who would issue fatwas based on his own personal understanding, which is *harām* in Shi'ah law. As Shi'ahs we believe there is no matter that has not been explained by Allāh, His Messenger (s) and the rightful Imāms. Or at least, they have given clear guidelines and principles that the *fuqaha* can use to derive laws.

And of course, ignorance is not an excuse. We cannot tell Allāh on the Day of Judgement that we didn't follow the law because we couldn't read Arabic. In other words, if there was no *taqlid*, it would be wājib on every Muslim to become a mujtahid and to study for many years (10-20 years) to be able to understand what to do in every situation in life and what is halāl, harām, wājib, mustahab, makruh, etc.

Taqlid is therefore not 'blind following' as some ignorant people think it to be. Taqlid is a logical necessity. When you are stuck and don't know how Allāh wants you to act, it is logical to ask the person who you think is most learned in religion for his opinion and what he understands the law to be. As long as we try our best to find the law, even if it is not exact, Allāh will overlook it because He knows we tried our best. But when we have someone in our midst who knows the answer, we cannot ignore his opinion and just do as we please ignorantly.

A marj'a does not force us to act in a particular manner. He simply tells us his opinion based on all his years of research for each matter. Then it is our duty (*taklif*) to follow his opinion, unless of course we are mujtahids ourselves and can research and find the answer to every situation on our own.

If a person cannot become a mujtahid himself or herself and also does not wish to follow the opinion of the most learned marj'a (i.e. does not want to practice taqlid), there is a 3rd option and it is called *Ihtiyāt* (precaution). This is the most difficult because every time a person doesn't know the answer to a problem and how to act, they must take precaution. If they are not sure whether something is wājib or mustahab, they must assume it is wājib. When they are not sure if something is harām or makruh, they must assume it is harām. They would also need to know the general opinion of all the major marāj'i so that whenever they are confused whether something is wājib or harām, they must find out the general opinion of the marāj'i and then follow the strictest rule as a precaution (*ih̄tiyāt*).

A marj'a is therefore a blessing for us because we can rely on his opinion without having to study for many years or worry about doing something harām or missing something wājib. If a marj'a makes a mistake, it seems logical and fair that Allāh will excuse him and those who followed him on the Day of Judgement. Why? Because the marj'a has done everything humanly possible to find the right answer. He has read all the ahādith available and verified them, studied the history of all the āyāt of the Qur'ān on that issue. He has researched the opinion of all the other previous scholars. He has used all his logic and all the material available to him to find the right answer. Thereafter he cannot be punished or blamed for being negligent or not doing his best.

Who Should We Follow?

Following the most learned mujtahid, as your marj'a is logical. Especially in this day and age when all the mujtahids are very easily accessible through their websites, offices, representatives, etc.

If you had a medical condition and you could ask the most learned, experienced and qualified doctor about your problem, would you still insist on asking the one who is less learned only because he has the same ethnicity or culture or citizenship as you?

The first quality of the marj'a you follow and refer to is that he should be the most learned in Islamic Shi'ah Ithna Ashari law. We have already listed all the necessary qualities of a mujtahid and marj'a earlier on.

Imām Hasan al-Askari ('a) has also given us a good description of whom to follow during the absence (*ghayba*) of an Imām. He ('a) said:

فَأَمَّا مَنْ كَانَ مِنَ الْفُقَهَاءِ صَائِنًا لِنَفْسِهِ حَافِظًا لِدِينِهِ مُخَالَفًا لِهَوَاهُ مُطِيعًا لِأَمْرِ مَوْلَاهُ
فَلِلْعَوَامِ أَنْ يُقَلِّدُوهُ

As for the one who is among the scholars, who guards his own self, protects his religion, opposes his low desires, obeys the command of his Master: then it is for the general public to emulate him (i.e. do his taqlid).

Importance of 'Ulama and Marāj'i in Islām

It is true that some ahādith condemn taqlid and ijtihād. But it is important to understand the history behind these ahādith. In the early days of Islam, some non-Shi'ahs used to practice ijtihād and taqlid but according to them, being a mujtahid meant being able to give one's own personal opinions.

In Shi'ah faith, a marj'a is a researcher. He only bases his legal opinion (*fatwa*) on the Qur'ān and the teachings of Rasulullāh (s) and the ma'sum Imāms. A marj'a cannot give his personal opinion as a ruling (*fatwa*) or order (*hukm*) no matter how learned he may be. The ahādith that condemn ijtihād and taqlid are about the non-Shi'ah 'ulama and followers who practiced Islamic law based on personal opinion.

In the absence of the physical presence of a ma'sum Imām ('a), the Muslims still need to be united and to have a pious just leader who can unite them on acting rightly in matters of religion and society. Many people incorrectly assume that the marāj'i are only collecting khums money.

We should visit the marāj'i and see how simple their lives are. Remember that even when Imām Ali ('a) was the caliph, there were some governors in his government who took zakāh money and ran away. This doesn't mean Imām Ali ('a) was not faithful to the Muslims. So on rare occasions, a marj'a may have a representative who is not honest. But we have many ways today to ensure that when we give our zakāh and khums, it is accounted for and used properly.

For example, most marāj'i don't ask us to give *them* the money directly. We can spend it on any worthy cause like a humanitarian project or building a masjid, school, hospital, etc. However we must ask the marj'a for permission because the rightful owner of the khums is the Imām and in his absence, we trust the marj'a would be able to help us judge the best place to spend the Imām's money.

Without the marāj'i, not only would we not have answers to all our religious questions, but it would be very easy for our enemies to destroy our faith. There are many examples in history where foreign powers have tried to take over the economy or political leadership of a Muslim country. And it is only through the marj'a's guidance that people were able to see the plot and oppose it. Ayatullah Khomeini's opposition and overthrow of the tyrant Shah of Iran in 1979 is one example. The guidance of Ayatullah Ali Sistāni to the Shi'ahs of Iraq, after the fall of the dictator Saddam Hussein in 2003, is another good example to study.

We should always pray for the safety and long, healthy lives of our ulama and marāj'i and that Allāh should continue guiding them until the return of our Imām ('atfs).

How to Source Rulings:

The Risāla

Every mujtahid who allows others to follow his opinion in Islamic law publishes a book with his findings and research as rulings (*fatāwa*). This Book is called the '*Risāla*' of the marj'a and it lists the rulings of all matters of worship like tahārah and najāsah, all the Furu' ad-Din, marriage, business transactions, etc.

Your teacher will show you an English translation of a marj'a's *risāla*. You should have a copy at home of the *risāla* of the marj'a you follow. Most *rasāil* (pl. of *risāla*) look the same because the laws are the same for the most part. Some minor issues may be different between one marj'a and another depending on their research and findings.

You can also find most English *rasāil* on the internet. For example, the *risāla* of Ayatullah Ali Sistāni can be found at <http://www.al-islam.org/laws/>

Marāj'i Websites & the Internet

Besides the basic laws for day-to-day issues, when you have a specific situation or case and you need to know what Islam's view is on the matter, you can write to your marj'a's office and ask for an answer. Most marāj'i websites allow you to submit questions in English. Asking a marj'a a question on Islam is called '*Istiftā*'. If you search for your marj'a's website, you will find a section on it called '*Istiftā*' where you can email or post a question.

There are also many websites that keep archives of specific questions and you can search for answers there as well. For example:

Ahl al-Bayt Aalim Network Archives

<http://www.al-islam.org/organizations/AalimNetWork/>

Following a Deceased Marj'a

Usually when our marj'a passes away, we must switch to the next most learned marj'a because new issues may come up and we may need to ask about them. But at times, when the marj'a who passed away was very learned and hard to replace, we can still follow his rulings – provided the next most learned marj'a allows us to do so.

So when our marj'a passes away, we should ask the next marj'a that we find to be most learned and he will guide us on whether we can still follow the deceased marj'a on the matters we have always followed or not. For new matters that come up, of course we would have to ask the living, most learned (*a'lam*) marj'a.

Why Marāj'i Differ

Ideally, all the Shi'ah Muslims should follow one marj'a who is the most learned. This would also bring a lot of unity. But unfortunately due to various reasons and circumstances, some people may not believe they need to follow the most learned or may differ on how to identify who is the most learned. And once there are several marāj'i being followed, there are bound to be minor differences between them.

Since a marj'a is not inerrant (*ma'sum*) and his knowledge is not perfect, even though he does his best to find the answer to all issues, it may not always be the same as that of another marj'a.

This of course does not mean Allāh would punish or hold accountable the marj'a who differs from others and/or punish all those who follow him. What matters is that the marāj'i do their best to find the answers and we do our best to identify who is the most learned and follow him.

Sometimes the difference of opinion is an opportunity for people to learn how to be kind and tolerant towards each other. For example, if two people follow a different marj'a whose rulings on moon-sighting are not the same, they may end up marking the day of 'Id al-Fitr on a different day. Instead of fighting and accusing each other of doing the wrong thing, they could learn to respect each other's marj'a and to wish good for each other even if they each mark 'Id on a separate day. Remember each marj'a has researched the best he can and every muqallid has done his best to determine whom to follow. To Allāh, what we do is important but more important is our intention, our love for the truth and how sincerely we try to do the best we can.

Lesson 2

Hajj and 'Umra

Introduction and For Whom?

Hajj is one of the Furu' ad-Din or wājib acts of worship (*'ibādāt*) of Islam. It refers to the annual pilgrimage to Makkah that is performed every year in the month of Dhul Hijjah, the last month in the Islamic calendar.

Participation in Hajj is wājib on every Muslim once in his lifetime, as long as he or she fulfils the following conditions.

1. **bulugh** (puberty, boys 13-15 years+, girls 9 years+ Islamically)
2. **'aql** (sanity)
3. **istitā'a** (affordability)

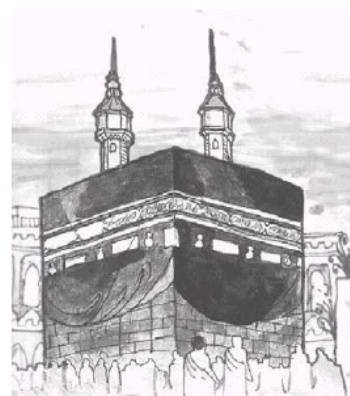
Istitā'a (Affordability)

The conditions of *istitā'a* are: wealth, health and transport.

1. Wealth: The person should be able to afford the Hajj financially. A person who does not have enough money to bear the expenses of going to, staying in, and coming back from Makkah, does not have to perform the Hajj.

If a person has enough money but needs this money to pay rent or get married or get one of his dependants married, he should first execute his duty to his family; Hajj is not wājib for him unless he has more money.

It is not necessary to borrow for Hajj, but if someone gives money to you for the expenses of the journey, Hajj becomes wājib. If someone performs Hajj with this donated money, he or she has fulfilled their religious duty and Hajj is no more wājib on them even if they come to possess their own money later on. But if someone who had enough money to perform Hajj does not perform it at that time and subsequently becomes poor, he or she will still have to find a lawful means to fulfil this obligation in anyway.



A person planning to go for Hajj should also consider if he has enough money to meet his own and his family's expenses *after* the performance of Hajj and returning home from Makkah.

2. Health: If a person's health cannot bear the exertions of the journey, or his or her health could be adversely affected, then Hajj is not wājib on them.

If a person is healthy and also has the money to perform Hajj but does not, and then later on becomes unable to perform it due to illness or old age, they should appoint someone else to perform the Hajj on their behalf and should bear all his expenses.

A person who is hired by someone to perform Hajj should perform the rituals on behalf of the one who hires him. The hired person cannot in turn appoint another person on his behalf without the permission of the person who has hired him.

3. Transport: Hajj becomes wājib only if the way to Makkah is safe and one has the necessary means of transport to make the journey. If there are dangers along the way, for instance a hostile enemy, robbers, an epidemic, or if a means of transportation is not available, then there is no wujub for Hajj.

Preparation for Hajj

Before a person goes for Hajj, they should:

- ensure they have no debts to pay. If they owe money to anyone they should pay it back first or ask their permission to pay it later.
- ensure the money for Hajj is clean. This is by ensuring that any wājib taxes like khums and zakāh have been paid.
- prepare a Will just in case they die before returning home; and ensure the executor(s) of their Will who is not travelling with them knows where to find the Will if they ever need to.
- it is recommended to give some alms (sadaqa) before setting out on the journey.

Types of Hajj & 'Umra

There are three kinds of Hajj:

- a. al-Hajj al-Ifrād Only for residents of Makkah (within 48 miles). It is a Hajj done with a separate 'Umra.
- b. al-Hajj al-Ihrām Only for residents of Makkah (within 48 miles). Both 'Umra and Hajj are done but with the same 'ihrām', meaning without a break between the 'Umra and Hajj.
- c. al-Hajj at-Tamattu' For the rest of the world. First 'Umra is done. Then a person can remove the ihrām and take a break and rest, before the Hajj starts on the 9th of Dhul Hijjah and ends on the 12th of Dhul Hijjah.

Al-Hajj at-Tamattu'

The annual Hajj (Hijjat al-Islam) that most people (non-residents of Makkah) perform is actually made up of two parts:

- **Umra at-Tamattu** (that can be done anytime between 1st Shawwāl and 8th Dhul Hijjah), and
- **Hajj at-Tamattu** (that must be done from the 9th to 13th Dhul Hijjah of the same year as the Umra at-Tamattu').

When a person goes for Hajj, they start at one of five possible places away from Makkah. These five places are called *Miqāt* and you can start from anyone of the five miqāt. Two of these five miqāt are Johfa, a place between the city of Jiddah and Makkah, and Masjid ash-Shajarah (or Abar 'Ali) a place just outside Madina on the way to Makkah. At a miqāt, a pilgrim puts on a special dress called the *ihrām* and they make their niyyah for Hajj and recite the *talbiya*.

The *ihrām* for men is usually two pieces of unstitched clothes like, for example, two cotton towels. One piece is for covering from the waist to the knees and the other piece is for the upper body to cover the back, shoulders, chest up to the elbows at least. Men cannot cover their head or feet. For women *ihrām* is a simple long dress with hijāb. It is recommended for the *ihrām* to be white, both for men and women.

The *talbiya* is recited as follows:

Labayk, Allāhumma labayk. Lā sharika laka labayk

Translation: 'At Your service (here I am) O Allāh, at Your service. There is no partner for You. At Your service.'

It is wājib to recite the *talbiya* loudly at least once at the miqāt when putting on the *ihrām* and making the niyyah. Thereafter it is highly recommended to continue reciting the *talbiya* until you reach Makkah. In Makkah the *talbiya* should not be recited until the day you put on *ihrām* again for Hajj at-Tamattu' (when leaving for 'Arafah). Whenever you recite the *talbiya*, you can also add:

Innal hamda wan ni'mata laka wal mulk, lā sharika laka

Translation: 'All praises are for You and Yours alone is the Kingdom. You have no partner.'

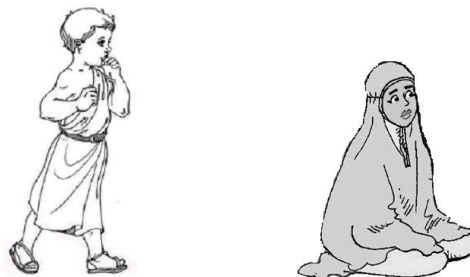
From the miqāt, pilgrims head to Makkah and upon arrival, they perform the 'Umra at-Tamattu.

The wājib acts in **‘Umra at-Tamattu** are as follows:

1. **Ihrām**: To be in ihrām until the Umra is over. When wearing the ihrām at the miqāt, the niyyah should be made as follows: *‘I am becoming a muhrim for Umra at-Tamattu, for Hijjat al-Islam, wājib qurbatan ilallāh.’* Thereafter the talbiya must be recited immediately and loudly. As soon as the talbiya has been recited, a person is now called a ‘muhrim’ until the Umra is over. This means 25 actions are harām on him/her. (These 25 actions will be covered in the next lesson).
2. **Tawāf**: To go around the Ka’bah seven times, starting from and ending at the corner where the Black Stone (*al-Hajar al-Aswad*) is lodged in the Ka’bah near the door of the Ka’bah. The left shoulder must always be facing the Ka’bah as you walk around it. And the tawāf should be outside Hijr Ismail (a semi-circle on one side of the Ka’bah) and not inside Hijr Ismail. Niyyah: *‘I am performing tawāf of the Ka’bah, seven times for Umra at-Tamattu, for Hijjat al-Islam, wājib qurbatan ilallāh.’*
3. **Two Rak’ahs after Tawāf** near the Maqām Ibrāhim (Station of Nabi Ibrāhim (‘a) that is also near the Ka’bah. Niyyah: *‘I am performing 2 rak’ah salāt of tawāf for Umra at-Tamattu, for Hijjat al-Islam, wājib qurbatan ilallāh.’*
4. **Sa’i**: To walk briskly seven times between the hills of Safā and Marwa. Start at Safa. When you reach Marwa, that is counted as one trip. Go back to Safa, that is second trip. Seventh trip ends at Marwa. Niyyah: *‘I am performing Sa’i between Safa and Marwa seven times, for Umra at-Tamattu, for Hijjat al-Islam, wājib qurbatan ilallāh.’*
5. **Taqsir**: To clip one’s fingernails or to clip some hair from the head, after the Sa’i. Niyyah: *‘I am performing taqsir to make halāl for me everything that was harām in the ihrām for Umra at-Tamattu, for Hijjat al-Islam, wājib qurbatan ilallāh.’*

Thereafter a person can remove their ihrām and wear normal clothes. They would continue to stay in Makkah and wait for the **Hajj at-Tamattu** to begin on the 9th of Dhul Hijjah. The wājib parts of Hajj at-Tamattu’ are explained in the next lesson.

A Boy and Girl in Ihrām



Tawāf Conditions

For a tawāf around the Ka'bah to be valid, the following conditions must be met:

1. The person doing the tawāf must be in wudu or have done a wājib ghusl.
2. The body and clothes of the person must be *tāhir* (not najis).
3. The body must be covered with the minimum requirement for salāh. This means for men, the private parts and at least up to the knees and for women, full covering except the face and the palms.
4. The ihrām must be halāl and mubāh. Halāl means not bought with harām money e.g. money on which khums or zakāh has not been paid. Mubāh means not *ghasbi* i.e. stolen or used without permission of owner.
5. There must be a niyyah e.g. *'I am performing tawāf of the Ka'bah, seven times ... qurbatan ilallāh'*.
6. For men, they must be circumcised.

The left shoulder must always be pointing to the Ka'bah as you walk around it. And the tawāf should be outside the Hijr Ismail (a semi-circle on one side of the Ka'bah) and not inside the Hijr Ismail. If someone pushes you during tawāf and your left shoulder turns completely away from the Ka'bah, you should try and take a few steps back before continuing with your left shoulder facing the Ka'bah.

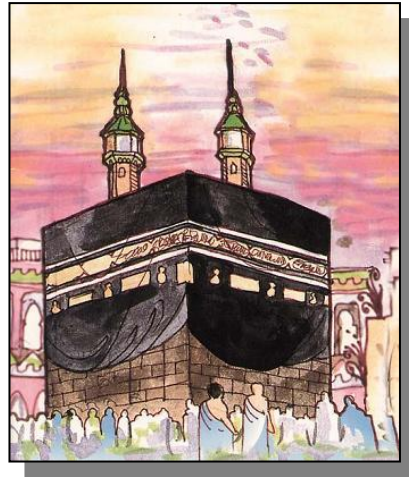
Lesson 3

Hajj and 'Umra (cont'd)

The wājib acts in **Hajj at-Tamattu** (the 2nd part of the annual Hajj) are as follows:

1. **Ihrām:** To make the niyyah for Hajj at-Tamattu and wear the ihrām in Makkah. This is usually done on the 8th night of Dhul Hijjah or the 9th morning of Dhul Hijjah before heading out to Arafah. Niyyah: *'I am becoming muhrim for Hajj at-Tamattu, for Hijjatul Islam, qurbatan ilalāh.'* Then immediately recite the *talbiya* loudly. Now you are a muhrim and the 25 acts that are harām on a muhrim apply to you (covered in the next 2 pages).
2. **Wuquf at Arafah:** *Wuquf* meaning 'stopping'. This means to go outside Makkah to an open plain called Arafāt or Arafah and to stay there on the 9th of Dhul Hijjah from dhuhr time until Maghrib time. Niyyah: *'I am staying at Arafāt from Dhuhr to Maghrib, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.'* Dhuhr and 'Asr salāh is prayed here.
3. **Mabeet at Mash'ar:** Mabeet means to 'spend the night'. Mash'ar is a place between Arafah and Makkah and is also called **Muzadalifa**. After maghrib on the 9th of Dhul Hijjah, a pilgrim then goes to Mash'ar where he or she prays salāt al-maghrib and 'ishā and spends the night until sunrise of the next day. It is wājib to be here from Fajr time to sunrise. At Mash'ar a pilgrim collects enough pebbles (at least 70) for hitting the three Jamarāt in Mina. Niyyah: *'I am spending this night at Mash'ar until sunrise, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.'* Fajr salāh is prayed here.
4. **Rami al-Jamarāt, Qurbān and Halaq at Mina:** After sunrise on the 10th of Dhul Hijjah (which is also 'Id al-Ad-ha), a pilgrim has to go to Mina, a place closer to Makkah. At Mina a pilgrim has to do three things:
 - a. **Rami al-Jamarāt (Throwing of Pebbles):** To throw seven pebbles on **Jamarat al-Uqba** - the last of three Jamarāt (but not the first two). Jamarāt are three stone pillars or walls that are symbols for shaytān. The three Jamarāt are called Jamarat al-Ula, Jamarat al-Wusta and Jamarat al-Uqba. Niyyah: *'I am throwing seven pebbles at Jamarat al-Uqba, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.'*
 - b. **Qurbān (Sacrifice):** To sacrifice a goat, sheep, cow or camel. Niyyah: *'I am offering this sacrifice for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.'*
 - c. To shave off one's head (*halaq*) or to clip some hair from the head (*taqsir*). Women are not allowed to shave their head. They only clip some hair. For men it is highly recommended to shave their heads. Niyyah: *'I am performing halaq (or taqsir) for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.'*

5. **Mabeet at Mina:** To continue staying at Mina for two more nights. A pilgrim can go back to Makkah during the day but they must spend the night in Mina. (Mabeet means 'to spend the night'). **On both the 11th and 12th of Dhul Hijjah, the pilgrim must also throw pebbles at the Jamarāt but now at all three of them.** Niyyah at Mina: '*I am spending this night at Mina for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.*'
6. **Tawāf:** To return to Makkah and perform tawāf of the Ka'bah seven times. This is called **Tawāf al-Hajj.** Niyyah: '*I am performing tawāf of the Ka'bah seven times, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.*'
7. **Two Rak'ahs after Tawāf** near the Maqām Ibrāhim. Niyyah: '*I perform 2 rak'ah salāt at-tawāf, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.*'
8. **Sa'i:** between Safa and Marwa. Niyyah: '*I perform sa'i between Safa and Marwa seven times, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.*'
9. **Tawāf an-Nisā:** Another tawāf around the Ka'bah. Niyyah: '*I perform Tawāf an-Nisā, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.*'
10. **Two Rak'ahs for Tawāf an-Nisā** near the Maqām Ibrāhim. '*I pray 2 rak'ah salāt for Tawāf an-Nisa, for Hajj at-Tamattu, for Hijjatul Islam, wājib qurbatan illalāh.*'



This marks the end of **Hajj at-Tamattu** and a pilgrim can then remove his or her ihrām.

What is Harām for a Muhrim

A Muhrim is a person who is in *ihrām*. This period is from the time they put on the ihrām and make their niyyah for Umra or Hajj until the time when they finish all the wājibāt of Umra or Hajj and are allowed to remove the ihrām.

When a person is in ihrām the following 25 actions are harām for them and if they do any of them, there is a penalty (*kaffāra*) that must be paid (e.g. sacrificing an animal):

1. To hunt animals of any kind.
2. To have sexual intercourse, kiss, etc.
3. To recite the 'aqd of nikāh (your own or anyone else's).

4. To witness another person's nikāh.
5. *Istimna* (masturbation) [which is harām even when not in ihrām].
6. To apply perfume to the body or clothes or even to smell perfume.
7. To close your nose from a bad odour or smell (but you can move away).
8. Wearing any clothes that are sewn (for men).
9. To apply kohl to the eyes.
10. To look into a mirror.
11. To lie, boast, scorn and abuse someone.
12. To cover the feet completely (for men) i.e. the upper part of the foot from the tips of the toes to the ankle.
13. To swear in the name of Allāh.
14. To kill insects.
15. To wear a ring (for men), or ornaments (for women) for beauty. Rings like *aqiq* are ok because they are mustahab and not for ornament or fashion.
16. To apply henna.
17. To have your teeth extracted.
18. To take blood from the body (e.g. blood donation).
19. To cover the face (e.g. with a *niqāb*) for women.
20. To cover the head (for men) e.g. for shade or wearing a cap.
21. Applying oil (any kind) on the body.
22. Cutting or removing hair from any part of the body.
23. Clipping or trimming finger or toe nails.
24. To uproot or cut leaves or trees in and around Makkah.
25. To carry a weapon of any kind (sword, dagger, gun, etc.).

Notes:

Before leaving Makkah, it is mustahab to do a final tawāf called *Tawāf al-Widā* followed by 2 rak'ahs near Maqām Ibrāhim.

During 'off-season' when it is not Dhul Hijjah and a person wishes to visit Makkah, it is wājib to enter Makkah in the state of Ihrām and perform the '**Umra at-Tamattu**' exactly as it is described above during the Hajj season. But the Hajj at-Tamattu portion is not done. Hajj at-Tamattu is only done in Dhul Hijjah. So when 'Umra is done at other months, a pilgrim does not go to Arafah, Muzdalifa (Mash'ar) or Mina. Only the wājib acts of Umra are done (that are in Makkah only).

It is highly recommended to go to Makkah for 'Umra during the rest of the year, besides the Hijjat al-Islam that is performed in the month of Dhul Hijjah.

Finally, whenever a person goes for 'Umra or Hajj, it is also highly recommended to go to Madina and visit Rasulullāh (s) and members of the Ahl al-Bayt ('a) buried in Jannat al-Baqi near the Masjid an-Nabawi – the masjid where Rasulullāh (s) is buried.

This is the end of this lesson. The following notes are optional and will be covered by the teacher only if time permits. Otherwise students can read these on their own.

Additional Notes

Besides Rasulullāh (s) who is buried in his masjid, important personalities buried in Jannat al-Baqi (Madina) include:

- 1) Imām Hasan al-Mujtaba ('a).
- 2) Imām Ali Zayn al-Abidin ('a).
- 3) Imām Muhammad al-Bāqir ('a).
- 4) Imām Ja'far as-Sādiq ('a).
- 5) Sayyida Fatima bint Asad ('a), the mother of Imām Ali ('a).
- 6) Umm al-Banin ('a), the wife of Imām Ali ('a) and mother of Hadrat Abbās ('a).
- 7) Hadrat Abbās b. Abdul Muttalib (r.a.) – the Uncle of Rasulullāh (s).
- 8) Hadrat Ja'far b. Abu Tālib ('a), the brother of Imām Ali ('a) also known as Ja'far at-Tayyār.
- 9) Sayyida Safiya (r.a.) and Sayyida Aatika (r.a.), the aunts of Rasulullāh (s).
- 10) Hadrat Ibrāhim ('a) the son of Rasulullāh (s) who died in infancy.
- 11) Sayyida Halima ('a), the nursing foster-mother of Rasulullāh (s).
- 12) Some of the pious wives of Rasulullāh (s) and his companions (ashāb) (r.a.).

Other important sites to visit or see in Madina include:

- 1) The room of Sayyida Fatima ('a) in the Masjid of Rasulullāh (s) – same place as where Rasulullāh (s) is buried.
- 2) The pulpit (minbar) of Rasulullāh (s) near to where he is buried.
- 3) The prayer niche (mihrāb) of Rasulullāh (s) near to where he is buried.
- 4) The *Rawda* – a place between Rasulullāh (s)'s pulpit and grave that is said to be a part of Jannah.
- 5) The Door of Jibrāil (Bāb Jibrāil) – an entrance to the Masjid of Rasulullāh (s) from where the archangel Jibrāil ('a) used to visit Rasulullāh (s). Also the maqām (station) of Jibrāil ('a) inside the Masjid.
- 6) The pillar of Abu Lubāba inside the Masjid of Rasulullāh (s).
- 7) Masjid Quba.
- 8) Masjid Qiblatayn.
- 9) Sab'a Masājid (Seven Mosques) – the place where the battle of Ahzāb/Khandaq took place.
- 10) Masjid Mubāhala – the place where Mubāhala was to take place with the Christians of Najrān.
- 11) Uhud – the place where the Battle of Uhud took place.
- 12) Hadrat Hamza ('a) – the uncle of Rasulullāh (s) who was martyred and buried at Uhud.
- 13) Masjid al-Ghamāmah – where Rasulullāh (s) used to perform 'Id Salāh.

14) Masjid ash-Shajarah – a Miqāt for pilgrims going for Hajj.

The exact place where Sayyida Fatima (‘a) is buried is unknown. She may also be buried in Jannat al-Baqi (‘a) near where the Imāms are buried.

In Makkah as well, after performing ‘Umra, there are important sites and places to visit. Some of which include:

- 1) It is recommended to try and kiss the Black Stone (al-Hajar al-Aswad) in the side of the Ka’bah. But it is not recommended if you have to push people and behave in a manner that is not appropriate for a Muslim.
- 2) Besides the Ka’bah, see the footprints of Hadrat Ibrahim (‘a) in the Maqām Ibrahim.
- 3) The well of Zamzam – the well is no longer visible. It is mustahab to drink the water of Zamzam found everywhere in Masjid al-Harām.
- 4) Jannat al-Mu’ala – the second holiest cemetery after Jannat al-Baqi. Here is where the following personalities are buried:
 - a. Umm al-Mu’minin, Sayyida Khadija (‘a), the first wife of Rasulullāh (s).
 - b. Hadrat Abu Tālib (‘a), the guardian of Rasulullāh (s) and father of Imām Ali (‘a) is buried.
 - c. The ancestors of Rasulullāh (s) – Abdul Muttalib (‘a) (grandfather of the Rasulullāh (s), Hāshim (great grandfather of Rasulullāh (s), and so on.
 - d. Sayyida Amina bint al-Wahab (‘a), mother of Rasulullāh (s). Some say she is buried in Abwa, a place between Makkah and Madina. Rasulullāh (s)’s father – Abdullah (‘a) – is also buried in Madina – he passed away on his way back from Syria before Rasulullāh (s) was born.
 - e. Qāsim (‘a) the son of the Rasulullāh (s) who died in infancy.
- 5) Masjid Jinn.
- 6) Birth place of Rasulullāh (s).
- 7) Mount Abu Qubays.

Just outside Makkah, you can visit:

- 1) Jabal ar-Rahmah (the Mountain of Mercy) at Arafah.
- 2) Jabal an-Nur (Mountain of Light) where the Cave (*Ghār*) of al-Hira is located. This is where Rasulullāh (s) used to meditate and where the first revelation (opening āyāt of Surah al-Iqra) was revealed to him.
- 3) Cave (*Ghār*) of Thawr where Rasulullāh (s) hid from his enemies on the night of Hijrah on his way to Madina.
- 4) Masjid Kheef in Mina.

For a list of places to visit during Hajj, ‘Umra or Ziyārah, see <http://www.al-islam.org/ziyarat/>

Homework Assignments:

Research on the internet for the answers to the following questions. Your teacher will divide the questions and assign them to you. Write your answers (a few paragraphs) on a separate piece of paper and hand them in at the next class to your teacher for marking:

- 1) What is the story behind the pillar of Abu Lubāba in Masjid an-Nabawi? Why do we remember it in history?
- 2) What is the significance of Masjid Quba? And why is Masjid Qiblatayn called by this name?
- 3) Why is Masjid Jinn in Makkah called by this name?
- 4) Why is Masjid Kheef in Mina important? What is the *thawāb* (spiritual reward) of praying in Masjid Kheef?
- 5) What is the importance of Jabal ar-Rahmah in Arafah? Can you find a hadith about the importance of praying at this mountain?
- 6) What are the four corners of the Ka'bah called? Hint: They all start with the word 'Rukn', which means 'Corner'.
- 7) Ask your parents if they have gone for their wājib Hajj and what it was like. Write an essay with some of their experiences including the best and most difficult experiences in their journey to and from Makkah.
- 8) What is the philosophy behind Hajj? For example, we know that fasting helps us remember the poor, think of the thirst and hunger of the Day of Judgment, etc. What do you think are the benefits of Hajj? Here are some hints:
 - a. People from all over the world, of different colours, nationalities, ages get together.
 - b. Millions of people dress the same.
 - c. Millions of people do the same acts of worship at the same time.
 - d. The white *ihram* resembles the shroud (*kafan*) and the plain of Arafah resembles the place where all people will gather on the Day of Judgement.

Lesson 4

Al-Amr bīl Ma'ruf, an-Nahī 'anil Munkar & Jihād in Islam

Al-Amr bil Ma'ruf & an-Nahī 'anil Munkar

﴿وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ
وَأُولَئِكَ هُمُ الْمُفْلِحُونَ﴾

*There has to be a nation among you summoning to the good, bidding what is right,
and forbidding what is wrong. It is they who are the successful.*

- Surah Al-Imrān, 3:104

﴿كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ
بِاللَّهِ...﴾

*You are the best nation [ever] brought forth for mankind: you bid what is right and
forbid what is wrong, and have faith in Allāh.*

- Surah Al-Imrān, 3:110

Al-Amr bil ma'ruf means 'commanding good' and *an-Nahī 'anil munkar* means 'forbidding evil'. These two acts of worship are from the Furu ad-Din i.e. it is wājib on every Muslim to encourage people to act according to the laws of Allāh and to discourage them from sinful and improper behaviour.



You can encourage and teach those younger to you how to practice *al-amr bil ma'ruf* and *an-nahī 'anil munkar*.

When you see someone skipping something wājib or doing something harām, there are different levels of al-Amr bil ma'ruf and an-Nahi 'anil munkar to be practised. The first level is to use wisdom and love to guide the person. If it does not work, the second level is to show your disapproval and disappointment even if it is with facial expressions such as not being too friendly and happy around them so that they may realize that they need to change and improve themselves. The third level is by speech where you try and admonish them politely but firmly and try and convince them to change, even if it means showing some anger. And if all fails, as a last resort, the final level is to try and physically stop them if it is at all possible.

This last level – of using physical force to stop evil – needs to be clarified: The first time, it is wājib to tell a Muslim to practice a wājib act if they are neglecting it (e.g. salāh, sawm, hajj, zakāh, wearing hijāb, etc.). If they don't listen to you, the second time it is mustahab but you cannot force them. The same is true for nahi 'anil munkar. The first time, it is wājib to tell a Muslim not to practice a harām act if they are doing it (e.g. drinking alcohol, gambling, listening to harām music, etc.) But if they don't listen to you, the second time it is only mustahab. Unless of course by their sinful act they are harming Islam or other people in which case they must be stopped by force.

Al-Amr bil ma'ruf and an-Nahi 'anil munkar are only wājib under the following conditions:

1. When it is possible that a person's advice will be effective. If a person knows that their actions, words or attitude will make a positive difference (especially with a family member or friend) then it is wājib. But if there is no hope that it will make a difference then it is not wājib.
2. The person doing al-Amr bil ma'ruf and an-Nahi 'anil munkar should know the laws of Islam concerning what he or she is bidding or forbidding otherwise they may do more harm than good.
3. The person doing al-Amr bil ma'ruf and an-Nahi 'anil munkar should be practising what he or she is bidding and keeping away from what he or she is forbidding himself or herself. It is wrong to preach what we don't practice ourselves.
4. The person doing harām or not doing what is wājib should be guilty of this constantly. In other words if a person makes a mistake once or forgets once but usually knows and practices correctly, we don't have to point out their mistake.
5. Al-Amr bil ma'ruf and an-Nahi 'anil munkar should not be carried out in a manner that may hurt the feelings of people and drive them further away from Islam. We should always try to be sympathetic, kind and persuasive but never insulting or offensive to others. When Imām Hasan ('a) and Imām Husayn ('a) were young and they saw an old man doing wudu the wrong way, they didn't tell him upfront that he was wrong. They asked him to watch their wudu and tell them who was doing it correctly. The old man realized his mistake and said, 'You are both right. I am the one who is wrong!' This is a

beautiful example of how we should always think of ways to correct people's mistakes without hurting their feelings.

Ask Yourself & Think....



6. It should not put a person's life in danger or put them in harm unless by not doing al-amr bil ma'ruf or an-nahi 'anil munkar, another person will be seriously harmed or will die, OR if Islam is in danger. For example, if a person is oppressing or torturing another person, it is wājib to try and stop them regardless of whether the victim is a Muslim or not.

An effective way for Muslims to practice al-amr bil ma'ruf and an-nahi 'anil munkar is to participate fully in public life and not behave like recluses, and this includes the political life of their society. While participating fully in the life of society, Muslims should not forget their obligations to Allāh or the laws of *shari'ah*, and should always strive to do what is in the interest of religion, the Islamic community, and humanity in general.

Also, when a Muslim takes a responsible role in society, he or she should take extreme care not to fall prey to the evils of power-seeking. Muslims should not go after position or fame for themselves, but only insofar as this is required in order to carry out their religious duty. If a Muslim thinks that he or she can better serve Allāh and the community by attaining higher office or position, every effort should be made to gain it, but that position should always be seen as a trust from Allāh. The utmost should be done to promote goodness and justice and to serve humanity.



Even young children can be taught to promote good and discourage evil Luqmān ('a), who according to some

traditions was a prophet, was known for his wisdom. One of his advices to his son was:

﴿يَا بُنَيَّ أَقِمِ الصَّلَاةَ وَأْمُرْ بِالْمَعْرُوفِ وَانْهَ عَنِ الْمُنْكَرِ وَأَصْبِرْ عَلَىٰ مَا أَصَابَكَ إِنَّ ذَٰلِكَ مِنْ عَزْمِ الْأُمُورِ﴾

*O my son! Maintain the prayer (salāh) and **bid what is right and forbid what is wrong**, and be patient over whatever befalls you. That is indeed the steadiest of courses.*

-Surah Luqmān, 31:17

Bear in mind, no one is perfect and at times, others may correct us or advice us. If someone corrects our mistake (e.g. how we do wudu or pray salāh) or tells us not to behave in a sinful manner, we should not get upset or angry. Instead we should thank them for guiding us and we should be grateful to them for having the courage to practice al-Amr bil ma'ruf and an-Nahi 'anil munkar. It is easy (and harām) to criticize someone behind their back but it takes a lot of courage and love to help someone become better and to tell them politely and directly what they are doing is wrong.

The Consequences of Neglecting al-Amr bil Ma'ruf and an-Nahi 'anil Munkar

When people stop practising al-Amr bil ma'ruf and an-Nahi 'anil munkar, then evil and corrupt people take over the community and at times even the power and leadership of the country. The result is that they then oppress people and no one can stop them. As a punishment for not practising al-Amr bil ma'ruf and an-Nahi 'anil munkar, Allāh does not answer the prayers of people asking for help when they are ruled by an oppressor because they did nothing to stop evil when it was spreading.

Human societies are like a big ship in which all the individuals of the society travel and live together. When you see someone digging a hole in his side of the ship, you will always do your best to stop him because otherwise you will all sink and drown. Even if the person says, 'mind your own business, this is my part of the ship. I paid for it.' You still won't keep quiet because his actions put you in danger. Similarly, we should not be indifferent or quiet when we see wrong and evil spreading in our community and society.

On the moral responsibility of the community to enjoin good and forbid evil, numerous traditions (*ahādith*) are related to show how Allāh holds the entire community accountable and even punishes the 'good' if they keep quiet and/or are indifferent to the action of transgressors. For example:

It is reported from al-Imām Muhammad al-Bāqir, peace be on him, that Allāh, the Mighty & Exalted, revealed to Nabi Shu'ayb ('a): 'I am about to punish from your nation, a hundred thousand. Forty thousand from the worst of them and sixty

thousand from the best of them.’ So he (Shu’ayb), peace be on him, said: ‘Lord! These (forty thousand) are evil. But why the good?’ So Allāh revealed to him again: ‘They (the good) flatter the sinners and are not angered with what I am angered.’

Rasulullāh (s) said to Imām Ali (‘a), ‘O Ali, if Allāh guides someone through you, it is better for you than everything that the Sun has ever shone upon (i.e. better than the whole world).’

During the time of Rasulullāh (s), Allāh revealed concerning some of the Jews in Madina with the following words:

﴿...سَنَكْتُبُ مَا قَالُوا وَقَتْلَهُمُ الْأَنْبِيَاءَ بِغَيْرِ حَقٍّ وَتَقُولُ ذُوقُوا عَذَابَ الْحَرِيقِ﴾

...We will record what they have said, and their killing of the prophets unjustly, and We shall say, ‘Taste the punishment of the burning.’

- Surah Al-Imrān, 3:181

﴿فَبِمَا نَقْضِهِمْ مِيثَاقَهُمْ وَكُفْرِهِمْ بِآيَاتِ اللَّهِ وَقَتْلِهِمُ الْأَنْبِيَاءَ بِغَيْرِ حَقٍّ...﴾

Then because of their breaking their pledge, their defiance of Allāh’s signs, their killing of the prophets unjustly...

- Surah an-Nisā, 4:155

Even though the people from the Banu Isrāil who murdered the prophets of Allāh lived long before Rasulullāh (s), the reason why the Jews at the time of Rasulullāh (s) are being associated with the crime is because they were still proud of their forefathers and did not condemn the actions of their forefathers who had killed prophets. And therefore they have a share in the crime and will be punished for it as well.

That is also why in the salutation (ziyārah) of Imām Husayn (‘a) we say to the Imām:

لَعْنُ اللَّهِ أُمَّةً ظَلَمْتِكَ وَلَعْنُ اللَّهِ أُمَّةً قَتَلَتْكَ وَلَعْنُ اللَّهِ أُمَّةً سَمِعَتْ بِذَلِكَ فَارْضِيَتْ بِهِ

May Allāh curse the nation that oppressed you. May Allāh curse the nation that killed you. **And may Allāh curse the nation that heard about it and was pleased with it.**

So when we see wrong being done and we keep quiet, that means we don’t care and are therefore pleased with it and ok with it. We become the same as the ones committing the evil.

In Nahj al-Balāgha, sermon (*khutba*) 201, it is recorded that Imām Ali (‘a) said:

O People, certainly what gathers people together is (their) agreement (to good or bad) and (their) disagreement. For only one individual killed the camel of Thamud but Allāh held all of

them in punishment because of all of them joined him in their consent. Thus Allāh said:

﴿فَعَقَرُوهَا فَاصْبَحُوا نَادِمِينَ فَأَخَذَهُمُ الْعَذَابُ...﴾

But **they** hamstrung her (the camel), whereupon **they** became regretful. So the punishment seized **them**...

-ash-Shu'arā, 26:157-8

Jihād

Another *wujub* from the ten Furu' ad-Din that is also related to al-Amr bil Ma'ruf and an-Nahi 'anil Munkar is **Jihād**. Allāh praises those who do Jihād in many āyāt of the Qur'ān. For example:

﴿لَا يَسْتَوِي الْقَاعِدُونَ مِنَ الْمُؤْمِنِينَ غَيْرُ أُولِي الضَّرَرِ وَالْمُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فَضَّلَ اللَّهُ الْمُجَاهِدِينَ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ عَلَى الْقَاعِدِينَ دَرَجَةً وَكُلًّا وَعَدَ اللَّهُ الْحُسْنَىٰ وَفَضَّلَ اللَّهُ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ أَجْرًا عَظِيمًا﴾

Not equal are those of the faithful who sit back - except those who suffer from some disability - and those who do jihād in the way of Allāh with their possession and their persons. Allāh has graced those who do jihād with their possessions and their persons by a degree over those who sit back. And to each Allāh has promised the best reward, and Allāh has graced those who do jihād over those who sit back with a great reward.

- Surah an-Nisā, 4:95

The word Jihād literally means 'to struggle' and in Islam it means 'to struggle for the sake of Allāh'. There are actually two types of Jihād in Islam. One is called *Jihād al-Akbar* (the Greater Jihād) and it refers to struggling against one's self such as against sinful habits. Jihād al-Akbar is taught under Akhlāq as different topics (such as fighting greed, envy, hatred, miserliness, selfishness, love of the world and so on).

The other type of Jihād is called *Jihād al-Asghar* (the Lesser Jihād) and it refers to armed struggle, meaning to go to war in order to defend Islam or to fight against oppressors, invaders of Muslim lands and tyrants. This is the Jihād that we are discussing in this lesson.

Jihād is a higher level of al-Amr bi l-ma'ruf and an-Nahi 'anil munkar. It means to exert the greatest possible effort to remove obstacles to human beings' progress towards Allāh. Some people define Jihād as 'Holy War'. But this can be easily misunderstood. Jihād can be positive. For example, to struggle by every possible means to spread education and literacy and to 'fight' ignorance is a form of jihād.

Secondly, it is *harām* to go to Jihād for worldly reasons like to take over land or to force others to become Muslims. Even though some caliphs in history (like the Umayyads and the Abbasids) did that, it was not Islamic. It was only to expand their dynasties. The only permissible way to spread the message of Islam is by *tabligh* (propagation) and this is done by dialogue and preaching, the way Rasullāh (s) did.

Jihād can only be declared by a *ma'sum* Imām or his representative (a marj'a) and it is only to stop the enemies of Islam when they wish to destroy Islam, kill Muslims, oppress innocent people or take over Muslim lands. When a *ma'sum* Imām or the Nāib (representative) of a *ma'sum* Imām calls for Jihād, it is wājib on all bāligh Muslim men to respond and go for jihād, regardless of where they live and whether they have had any previous military training or not (unless a condition is specified and only the Muslims of a particular region or qualification are asked to respond).

One who dies in jihād is called a martyr (*shahid*) and it is the noblest form of death and the highest form of sacrifice one can give i.e. sacrificing one's life. We are also taught in hadith that one who dies whilst eagerly awaiting for Imām al-Mahdi ('atfs) to return and restore peace and justice in the world, dies a martyr even if he or she dies in bed (i.e. a natural death). And in some hadith, we are told:

مَنْ مَاتَ عَلَى حُبِّ آلِ مُحَمَّدٍ ، مَاتَ شَهِيدًا

One who dies with the love of the family of the Prophet (s), dies a martyr.

Love of Ahl al-Bayt ('a) of course means following their teachings and practising their ways as well. We should always pray to Allāh for the death of a martyr (*shahid*).

It is important to stress that Islam does not like or wish to kill human beings or 'exterminate' wrongdoers. It wants to eradicate and remove sin and corruption.

Evil deeds or sins are seen as a disease. The solution is to treat it. When a doctor sees a patient with an illness, he does not hate the patient or try to get rid of him. He tries to cure him and get rid of the sickness with medicine, as far as possible.

Sometimes when the sickness gets too far out of hand, the doctor may have to take more serious measures like surgery or to amputate a limb, etc. only to save the patient's life. This may seem very cruel and painful but it is not to torture the patient. It is to save his life.

Similarly, human beings all together, in one society, are like one body. When one part of it is sick with a spiritual illness (i.e. an evil habit or sin), Islam does not hate the people who cause or promote that illness. First it tries to use every medicine possible to cure it by kind persuasion (in the form of al-amr bil ma'ruf) and pleading with the wrongdoers to stop their habit (through an-nahi 'anil munkar).

When nothing works and there is a danger of the whole society becoming spiritually sick and losing the success and eternal happiness of their souls in the hereafter, a

spiritual doctor (like Rasulullāh (s) or a ma'sum Imām ('a)), with guidance from Allāh, may have to carry out a "surgical operation", in order to save the rest of the society that is still not infected with the spiritual illness. This may be done by ordering jihād. It is only as an absolutely necessary last resort, and is limited only to the part that is affected. And it stops as soon as the danger to the rest of the human society is gone.

In other words, jihād is not used to take over people's land, to become rich, to force people to become Muslims, etc. even if some Muslim leaders did that in history. Islam condemns their actions. We see repeatedly in the history of battles fought by Rasulullāh (s) and Imām Ali ('a), that they kept trying to avoid a battle even when the enemy stood opposite them in the battlefield and the fight only broke out when the enemy began it and refused to listen to reason. But once the fight was in full motion, then of course they did not show any cowardice and they rained upon the enemy with full force to stop them.

Supposing someone you love was sick and you suspected they needed surgery, would you let anyone carry out the surgery? That would be foolish. You will only allow it after a qualified doctor has told you so and you are convinced there is no other way and this is the best solution. And you will also want the best doctor to carry out the surgery. In Islamic law, therefore, not everyone or anyone can declare Jihad. It has to be a *ma'sum* (infallible) who represents Allāh and is guided by Him. A representative of an Imām such as a marj'a can do so under very special circumstances and with very limited power.

The reason for this strict rule is that life is a creation of Allāh. No one has the right to destroy it and/or kill others unless Allāh authorizes it through His representative (such as a prophet or Imām). During the days of ghayba of the Imām ('atfs), jihād is not allowed. The only exception is if oppressors and the enemies of Islam attack an Islamic nation. In this case Muslims are allowed to fight back and defend their land and their rights. And this too, the representative of the Imām (i.e. the marj'a who is considered to be the most learned) has to order it.

Lesson 5

Ghusl & Hunoot of Mayyit

Introduction

In this Book we will study some matters that are wājib regarding the rites for a Muslim after death. Specifically, we will study how to wash the dead body of a Muslim, how to shroud it and the final prayers that are said over a dead Muslim's body before burial. In the next Book (Book 11) we will review other matters such as the recommended acts to perform when you are besides a Muslim who is dying, as well as recommended acts to perform after a Muslim has passed away and during the funeral. The burial of a Muslim is also wājib and will be discussed in Book 11.

The ablution for the dead (*ghusl*), the shrouding (*takfin*), and the burial (*tadfin*) of a Muslim is an obligation on every bāligh sane Muslim. However It is a communal duty (*fard al-kifāya* or *wājib al-Kifāya*): This means if it is carried out by one or some of the community, the rest are free of this obligation; but if it is carried out by none, all are held responsible and will have committed a major sin.

If a Muslim is certain that there are others who are arranging the last rites (ablution, shrouding, burial) of a dead person, it is not wājib for him or her to become involved. But if he or she is doubtful about this, they must act immediately. If one leaves the job half done, then, also, it is the duty of others to complete it.

If a person is certain that the last rites of a dead Muslim have been performed incorrectly, he or she must make sure that they are repeated correctly, but if there is only doubt about this, it is not wājib to act.

All of the above mentioned rites should, as a matter of precaution, be performed with the permission of the guardian (*wali*) of the deceased. The *wali* of a wife is her husband, and of the father is the eldest son. In all cases the *wali* is the nearest adult male relative who inherits the most according to the Islamic law. If the dead person has appointed someone to arrange his or her last rites, that person is to be considered the (*wali*) in these matters.

Ghusl al-Mayyit

The ritual ablution or washing (*ghusl*) is wājib for all dead Muslims even if it is the body of a Muslim infant, someone who was mentally handicapped and even an illegitimate child. A miscarried child of four months or more should also be given *ghusl*, but an aborted child of less than four months should be wrapped in a cloth and buried without giving the *ghusl*.

The person who gives a corpse the *ghusl* must be:

1. Shi'ah Ithna Ashari Muslim
2. Aware of the rules regarding ghusl al-mayyit
3. Of sound mind (sane) – 'āqil
4. bāligh (except in an emergency)
5. Same gender as the dead person (with some exceptions)

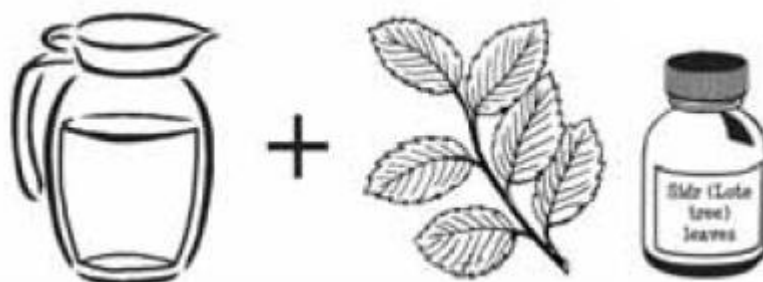
A wife may give the ghusl for her husband's corpse and vice versa, but the recommended precaution (*ihtiyāt mustahab*) is that they should avoid this. However, both men and women can give ghusl to the corpse of a child of the opposite sex who is less than three years old. In cases of emergency, when persons of the same sex are not available for giving the ghusl, *mahārim* (pl. of *mahram*) of the opposite sex can give it, but they should wash the body under a cloth or some kind of cover.

Ghusl al-mayyit must be done with the niyyah of *qurbatan ilallāh*. It is harām to charge a fee for performing the ghusl for a corpse. If someone undertakes it for the sake of money, it will be bātil. However one can charge for providing the means or things that will be necessary to perform the ghusl i.e. for the place, the water, etc.

Procedure of Ghusl

It is wājib to wash the corpse three times in the following sequence:

1. First, with water mixed with *sidr* leaves (the leaves of a berry tree also called the lotus tree).



2. Second, with water mixed with camphor.



3. Third, with pure (*mutlaq* or *khālis*) water.



The manner of ghusl al-mayyit is exactly as any ghusl (like ghusl for *janāba*) using the sequential method (*al-ghusl at-tartibi*). If a person dies in the state of *janābah* or *haid*, it is not necessary to give them ghusl for that. The ghusl al-mayyit will suffice.

Step-by-Step

1. Take permission from the *wali* to give ghusl to the corpse.
2. Lay down the corpse where the ghusl is to be carried out, with its feet facing the qibla.
3. Place a piece of cloth large enough to cover the private parts of the corpse.
4. Remove all the remaining clothing on the corpse. The private parts of the corpse should be properly covered: it is a sin to look at them except in the case of the spouse, although even in this case it is better that they should be covered. If a man is giving ghusl to a man, or a woman to a woman, it is better that, with the exception of the private parts, the corpse be bare.
5. Remove any rings, jewellery, watch or obvious impurity or unnatural attachments to the body unless it is not possible to remove the object or impurity easily or without harming the body.
6. Before starting the three wājib ghusls mentioned above, wash the entire body with soap and water just to ensure there is no impurity, bleeding, etc. This is just a general wash and cleansing and does not have to be done according to the rules of ghusl or in sequence.
7. All the persons performing the ghusl al-mayyit should make a niyyah of what they are doing in obedience to Allāh's command.
8. Now commence the first ghusl using water mixed with *sidr*. All involved should make their niyyah. Niyyah: '*I am giving ghusl to this corpse with sidr water, wājib qurbatan ilallāh.*' The head and neck should be washed thoroughly, then the right half of the body, and then the left half of the body in the manner of the ghusl of *janābah*. Ideally there should be at least three people involved. One would hold the head up, turn the body to the left and right, etc. the second would pour the water and the third would use his or her hands to rub the body gently and ensure the water reaches everywhere e.g. behind the head, the back, etc.

9. Those giving ghusl can wear plastic or latex gloves and when washing the private parts, the water should be poured under the cloth covering the private parts ensuring the cloth does not move and expose the body.
10. The second ghusl given with water mixed with camphor follows the same method: Niyah: '*I am giving ghusl to this corpse with camphor water, wājib qurbatan ilallāh*', then wash head, then right side and finally left side, from top to bottom.
11. The third ghusl given with pure water again follows the same method. Niyah: '*I am giving ghusl to this corpse with khālis (pure) water, wājib qurbatan ilallāh.*'

Note:

Sidr and camphor must not be present in such quantities that the colour of the water is changed, so that the water would no longer be called 'water' and would be considered mixed (*mudāf*). Nor should they be present in such small quantities that it could not be said that the water is mixed with sidr or camphor. Ideally, the water should have the scent of sidr leaves or camphor but not have changed in colour. If enough sidr or camphor cannot be found, as much as is available should be used; if only one, or neither, of them is found, ghusls 1 and 2 should, as a precaution, be given with pure water instead, and then tayammum should be given.

Mustahab Acts During Ghusl al-Mayyit

1. At least two persons should be engaged for giving ghusl. One should pour water on the dead body, while the other should change its sides.
2. The soles of the feet of the dead body should face Qibla.
3. Ghusl should not be given under the open sky, but in a covered place or a house.
4. Wudu may be given to the dead body before the ghusls.
5. The main person giving ghusl should be on the right side of the body, and before each of the three ghusls, they should wash their own arms up to the elbows.
6. If the dead person has Ghusl Janābah due, then it may be given before the three Ghusls of Mayyit. But this is not wājib. Similarly, if a woman dies in the state of *haid*, no ghusl for it is necessary and the three wājib ghusls will suffice.
7. All involved in washing the body should recite du'as and ask for the forgiveness of the dead person throughout the ghusls.
8. When the ghusls are over, the dead body should be dried with a towel before starting the *takfin* (shrouding).

Tayammum

In case that water is not available for the three ablutions, or only enough for one or two of them, *tayammum* should be given in place of the omitted *ghusls*. The same applies if the corpse is not in a state to be washed with water (e.g. due to injury).

How to Perform Tayammum al-Mayyit

If it is possible, the corpse's hands should be placed on earth and then rubbed on his forehead and the back of his hands in the manner of tayammum (taught in Book 5). However, the person who is performing the tayammum should also place his own hands on the earth and then rub them on the corpse's forehead and the back of its hands.

When tayammum is done for a corpse for all three *ghusls*, as *ih̥tiyāt wājib* (obligatory precaution), a fourth tayammum should be performed for all three *ghusls*.

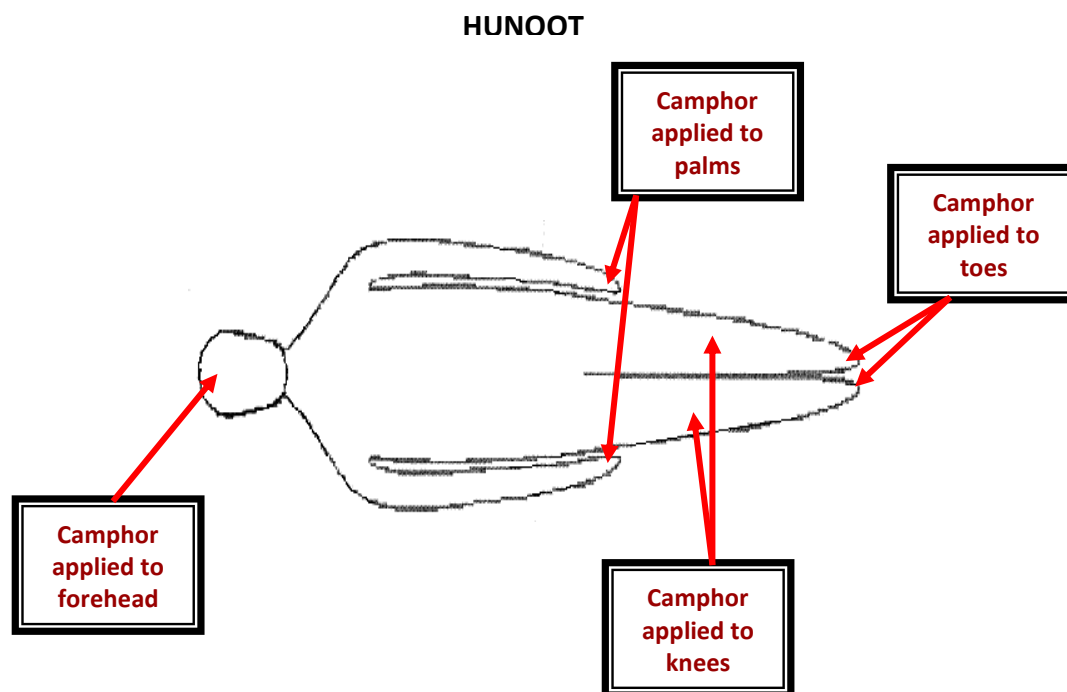
Camphorating (Hunoot)

Hunoot means rubbing with camphor the seven parts of body that touch the ground during the sujud of the daily prayers. Hunoot is *wājib* and should be performed after the *ghusl al-mayyit*. It is *mustahab* to perform it *before* the shrouding but there is no harm if it is done during or after the *takfin*. The forehead, the palms of the hands, the knees, and the big toes should be rubbed with powdered, fresh camphor. To rub camphor on the nose is *mustahab* (recommended).

Camphor should be rubbed first on the forehead; but there is no recommended order for the remaining places. As an obligatory precaution (*ih̥tiyāt wājib*), the camphor should not be mixed with any scent, but it is recommended to mix it with a little earth from Karbala, but only a little, so that the mixture will still be regarded as camphor. The camphor mixed with the turbah of Karbala should only be rubbed on the forehead and palms but not on the knees or toes.

The camphor must be fresh and have fragrance. If it is stale and without fragrance, it will not suffice.

Since it is also *wājib* to use camphor in one of the three *ghusls* of mayyit, if there is only a small amount of camphor available that is not enough for both the *ghusl* and the *hunoot*, the *ghusl* should be given priority and the *hunoot* will no longer be *wājib*.



It is also mustahab to place two pieces of fresh, green twigs in the grave with the dead body. These two twigs are called *jaridatayn* and are usually placed on either side of the arms of the deceased or on either side of the grave or coffin.

Lesson 6

Takfín, Salát al-Mayyít & Ghushl Mass al-Mayyít

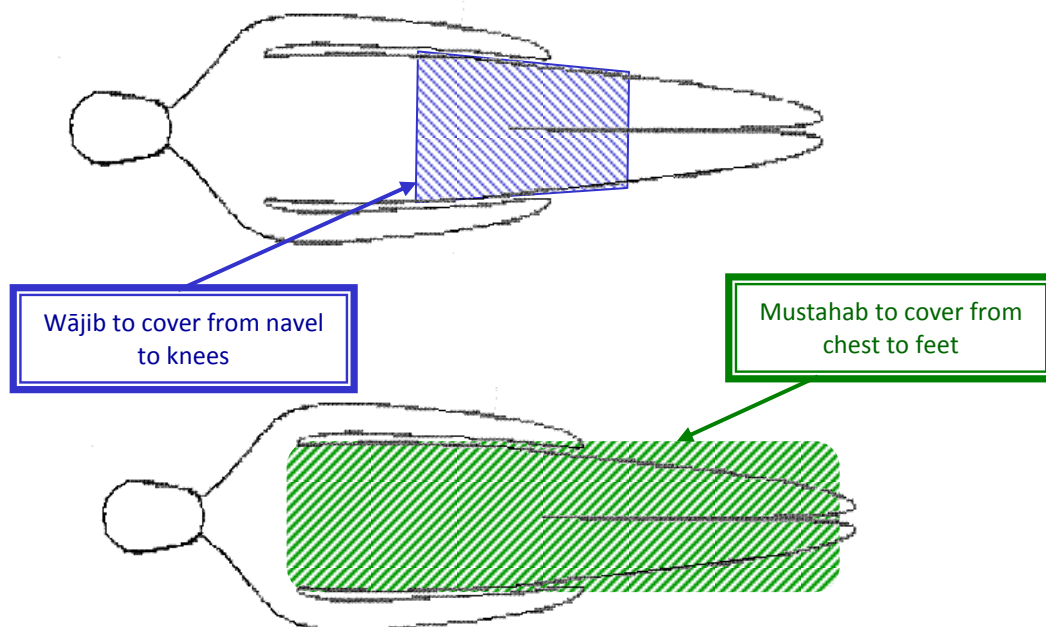
Takfin

Like Ghushl al-Mayyit, shrouding the corpse (takfin) of a Muslim is also *fard al-kifāya* (a communal duty). Takfin is done after the ghushl is over, the body is dried and *hunoot* has been done.

The corpse must be shrouded with at least three pieces of cloth, which should all be wide and long enough to enable them to wrap generously around the body:

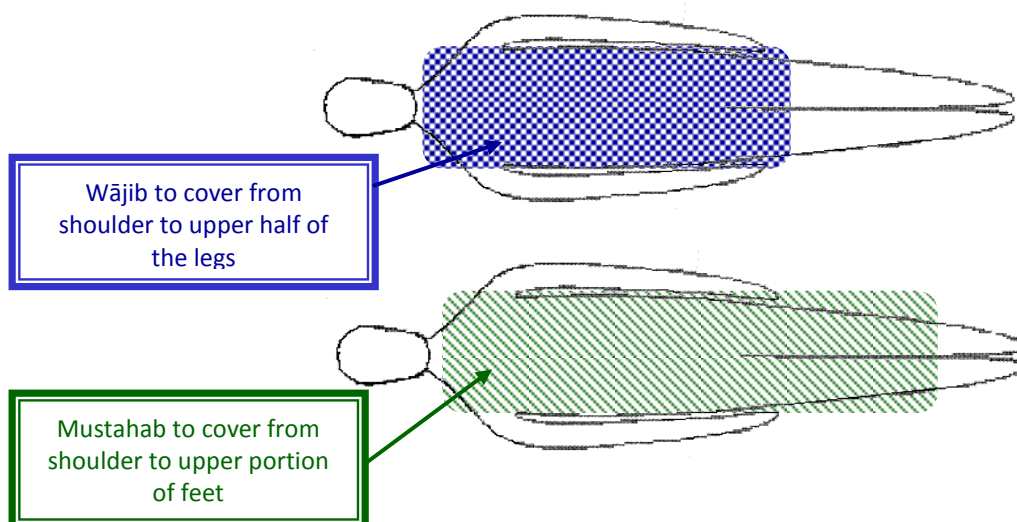
1. **A cloth for the waist:** It is *wājib* for this cloth to cover the body from the navel (just below waist line) down to the knees. And it is *mustahab* if it covers the corpse from the chest to the feet.

THE APPROXIMATE SIZE OF THE FIRST CLOTH IS 60" X 54" (150cms x 135cms)



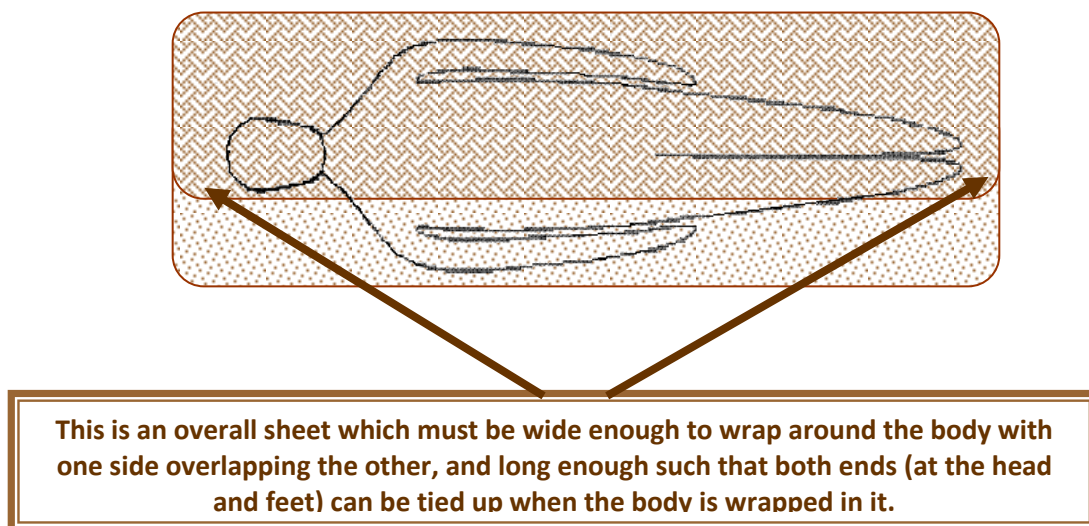
2. **A shirt cloth:** it should cover the corpse from the shoulders to the thighs (*wājib*). It is *mustahab* to cover from the shoulders to the upper portion of the feet.

THE APPROXIMATE SIZE OF THE SECOND CLOTH IS 36" X 110" (90cms x 275cms)



3. **A cloth to cover the whole corpse:** it should be wide enough to wrap around the whole body, and long enough to be tied at both the head and the foot of the corpse

THE APPROXIMATE SIZE OF THE THIRD CLOTH IS 60" X 90" (150cms X 225cms)



Rules About the Cloth Used as Kafan

These three pieces of the shroud (*kafan*) are wājib, although there are some other recommended pieces. A person who is in *ihrām* should also be shrouded, like any other corpse.

It is mustahab that the kafan should be white cotton cloth. If the kafan is being taken from a large reel of cloth, it is better not to cut the cloth with a metal instrument. Instead the hand can be used to rip the cloth.

The wājib three pieces of the shroud should not be so thin that the corpse may be seen underneath them. The kafan should not be of pure silk, unless no other cloth is available. Similarly, it is not permitted, except in emergency, to shroud the corpse with cloth made of the wool or the hair of an animal that is forbidden to eat, or with the hide of an animal whose meat is permitted.

It is permitted to use cloth made of the wool or hair of an animal whose meat is permitted, although the recommended precaution (*ihtiyāt mustahab*) is not to use these two materials.

The pieces of the shroud must not be of usurped (*ghasbi*) material. If the shroud is made of usurped material, it should be removed from the body of the dead person, even when he is buried. The shroud, also, should not be of najis material except in cases of emergency. If it becomes najis it should be cleaned or the unclean part should be removed, even when the body is placed in the grave. If it is impossible to clean it or remove the unclean material, the whole shroud should, if possible, be changed. If there is bleeding from a wound, the part of the corpse from which the bleeding comes may be covered with some impermeable material and sealed off so that the blood does not leak out and stain the shroud.

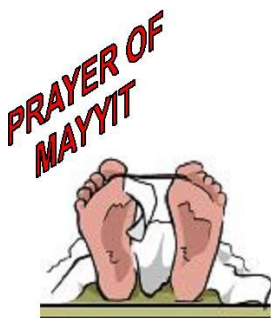
It is recommended that a person should purchase his or her own shroud while alive, or should mention in his or her Will the source of his or her shroud. Otherwise it may be provided out of the original wealth of the deceased. However, a wife's shroud should be provided for by her husband, even if she has her own wealth.

Mustahab Additions to the Kafan

There are several other mustahab additions to the kafan that have not been described here in detail. For example, for a man, it is mustahab to tie another piece of cloth around the head like a turban, a cloth around the first wājib piece like a belt and even a separate smaller piece of cloth just to cover the private parts (like an underwear). Similarly, there are pieces like these for a woman except that the piece on the head is tied like a scarf and there is an extra piece tied around the chest.

These extra pieces should be learnt about by those who regularly help with the ghusl and takfin of Muslims. But to keep it simple, for those who only need to know what is wājib (for emergencies), the mustahab additions are not being covered in these notes. You can find out more from the *risāla* of your marj'a.

Salāt al-Mayyit



The prayer for the dead (*salāt al-mayyit*) must be performed (i.e. is *wājib*) for all adult deceased Muslims and for children who are six years of age or older as long as at least one of their parents is Muslim. If a child was not six years old but knew what *salāh* was, then, as *ihtiyāt wājib*, *salāt al-mayyit* should also be performed. Otherwise for younger children, the *salāt al-mayyit* can be prayed only with the *niyyah* of *rajā* (i.e. not as *wājib* but just for the *thawāb*). It is neither necessary nor *mustahab* to pray *salāt al-mayyit* for a still-born child.

The *salāh* for the dead person should be said **after** the *ghusl al-mayyit*, the *hunoot*, and the shrouding (*takfin*). If it is performed before the above-mentioned rites, it will be considered void (*bātil*).

If a dead person is buried without the *salāh*, or it is discovered later that the *salāh* was invalid, the *salāh* for the dead must be performed after burial on the grave before the body has decomposed.

Performing the *salāh* for the dead for a deceased person more than once is normally disapproved, but if the deceased is a religious figure of repute, due to his piety, knowledge, or service to Islam, it is desirable.

The *salāh* for the dead can be performed at any permissible (non-*ghasbi*) place, but it is disapproved to pray it in a *masjid* (the Grand Mosque (*Masjid al-Harām*) in Makkah being an exception).

Even though *Salāt al-Mayyit* is *wājib al-kifāi*, it is highly recommended and there is great spiritual reward for as many Muslims as possible to join in the *salāh*.

General Rules Regarding Salāt al-Mayyit

Salāt al-Mayyit is different from other prayers in several respects. In this *salāh* it is not necessary for the persons who performs it to have done *wudu* or *ghusl*. Nor is it necessary for the clothes or body to be clean (*tāhir*), though it is recommended that those who perform this *salāh* should be in a state of ritual purity (*tahārah*) and should have done *wudu* or *tayammum*.

As is the case in all other prayers, the person who is praying for the dead must face the *qibla*.

It is *wājib* that the corpse should be placed on its back in front of those who are performing the *salāt al-mayyit*, such that the head of the corpse should be to the right of the people and the feet to the left of them (whilst they are facing *qibla*).

There must not be any curtain or obstacle between the corpse and those performing the salāh. The corpse may be placed in a coffin, but there should not be any considerable distance between the coffin and the place where those who pray are standing. If the salāh is said in congregation (jamā'ah), then everyone should stand in continuous rows such that everyone is connected with each other and therefore to the corpse.

When the salāh is said in congregation, it is recommended that the Imām should stand in front of the middle of the corpse (i.e. around the waist of the corpse) if the corpse is that of a male, and in front of the chest if the corpse is that of a woman. The distance between the coffin and the Imām of the congregation should be so little that if the wind blows, his cloak (*abā*) or loose clothing would touch the coffin.

It is recommended that those saying the salāt al-mayyit should stand barefoot. Before the salāh, it is recommended that instead of the adhān the faithful should be summoned to the prayer by calling '*as-salāh*' three times. Even if there are only two people praying the salāt al-mayyit, the one following should stand behind the Imām. A woman in the state of *haid* (menses) can pray salāt al-mayyit but she should stand alone and not join the lines in the congregation.

How to Pray Salāt al-Mayyit

1. If the Imām who will lead Salāt al-Mayyit is not the guardian (*wali*) of the deceased, he should first ask permission from the *wali*.
2. The Imām and those performing this salāh should make the niyyah that they are performing it for such-and-such a person *wājib qurbatan ilallāh* (i.e. in order to carry out the instructions of Allāh and to seek closeness to Him).
3. Then five *takbirs* should be made, each *takbir* followed by a certain supplication. It is recommended to raise one's hands up to the ears during each *takbir*. The Imām of the congregation should read the supplications aloud, and those in the congregation should repeat them quietly:

a. After 1st Takbir:

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَشْهَدُ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ

I bear witness there is no god but Allāh and that Muhammad (s) is Allāh's Messenger

b. After 2nd Takbir:

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ

O Allāh, bless Muhammad (s) and the progeny of Muhammad (s)

c. After 3rd Takbir:

اللَّهُمَّ اغْفِرْ لِلْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ

O Allāh, forgive all the faithful – men and women

d. After 4th Takbir:

if it is a man:

اللَّهُمَّ اغْفِرْ لِهَذَا الْمَيِّتِ

O Allāh, forgive this dead body

if it is a woman:

اللَّهُمَّ اغْفِرْ لِهَذِهِ الْمَيِّتَةِ

O Allāh, forgive this dead body

e. The 5th Takbir marks the end of the salāt al-mayyit. The corpse is now ready to be taken away for burial.

There are longer versions to each of the four supplications after each takbir and you can review them in the *risāla* of your marj'a. But you should learn the above minimum for emergencies when you are travelling and there is no scholar around and you have no access to the *risāla* but are required to perform the salāt al-mayyit. (Since *ghusl al-mayyit*, *hunoot*, *takfin*, *salāt al-mayyit* and *tadfin* are *fard al-kifāya*, you must know the minimum rules for each at all times.)

Another reason to learn the minimum recitations for salāt al-mayyit by heart is that a person who joins a salāt al-mayyit in congregation late, should still recite all the five takbirs and supplications.

In summary:

Salāt al-mayyit has five takbirs (“Allāhu Akbar”)

1. After the first takbir, *kalima ash-shahadatayn* is recited.
2. After the second takbir, *salawāt* is recited.
3. After the third takbir, a prayer is offered for all the believers and muslims.
4. After the fourth takbir, a prayer is offered especially for the deceased one.
5. After the fifth takbir, the prayer comes to an end.

After the completion of salāt al-mayyit, it is recommended to recite:

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ

Our Lord! Give us good in the world and in the hereafter good. And protect us from the punishment of the Fire.

The five takbirs must be said without any unnecessary interval that disrupts the sequence (*tartib*) of the *salāh*. If *salāt al-mayyit* is performed in congregation (*jamā'ah*), everyone has to recite the whole *salāh*. It is not correct just to say 'Allāhu Akbar' and remain silent between the takbirs.

Ghusl Mass al-Mayyit

Ghusl mass al-mayyit is a *wājib* ghusl that must be done for touching a corpse after it goes cold and before it is given *ghusl al-mayyit*. (The Arabic word *mass* literally means 'to touch' and is pronounced 'muss'). This is *wājib* regardless of whether a person touches a corpse voluntarily or involuntarily, in sleep or while awake, and even if just a person's fingernails touched the body. The only exception is if one's hair touches the body or one touches the hair of the corpse and it is long enough so that the head is not touched. In this case, it is recommended but not *wājib*.

If a person touches a body before it has become completely cold, even though he or she may have touched a part which has become cold, it is not *wājib* to perform the ghusl.

After the dead body of a Muslim has been given *ghusl al-mayyit* then no ghusl is necessary for touching it.

Ghusl mass al-mayyit is also *wājib* for touching a severed part of the body which contains a bone, whether it belongs to a living person or has separated from a dead body (before it is given ghusl). But no *ghusl* is *wājib* for touching a part of the body which does not contain the bone.

If a person touches the bone or teeth of a deceased person he must perform *ghusl mass al-mayyit*, but it is not necessary after touching the bone or tooth of a living person which does not have flesh attached to it.

Someone who touches the body of a dead child, even a miscarried fetus who is at least four months old, must perform *ghusl mass al-mayyit*. For touching a fetus that is less than four months it is not *wājib* but still recommended to perform *ghusl mass al-mayyit*.

One who has touched a corpse cannot perform the daily *wājib salāh* etc. before performing *ghusl mass al-mayyit*. However, unlike in *janābah* and other such states of uncleanness, in the case of touching the dead it is not *harām* to stay in a *masjid* or to recite the *wājib sajdah āyāt* of the *Qur'ān*.

Also, whereas one does not have to do wudu for salāh after ghusl of *janābah*, after one performs *ghusl mass al-mayyit*, they still do have to perform wudu before salāh.

Note: Because salāt al-mayyit does not require one to be tāhir or in wudu or ghusl, you can pray salāt al-mayyit without *ghusl mass al-mayyit*. For example, if you are involved in washing the dead body then quite likely *ghusl mass al-mayyit* will be wājib on you. But you can complete the hunoot, takfin and even pray the salāt al-mayyit before going home to perform the *ghusl mass al-mayyit*.

Lesson 7

Gender-Specific (for Boys)

Not Shaving Beard

Allāh dislikes men who imitate women and women who imitate men. He created men and women to be physically distinct and gave each gender their own physical beauty. Allāh caused a beard to grow on man's face as a sign of being a man. Thus no gender should imitate the other.

Towards this goal, shaving the beard is harām for boys and men. According to Ayatullah Ali as-Sistāni even the part of the beard that grows on the cheeks is wājib to keep and harām to shave. It is not necessary that the beard should be very long. It is permitted for a man to trim his beard and highly encouraged that he keeps it clean. A medium growth is best where it is not too short so that it cannot be seen, nor too long so that it appears untidy and unkempt. The moustache should not be allowed to grow too long. It should be trimmed so that it does not cover the lips.

Grooming the beard does not mean 'playing' with it and trying different 'styles'. It simply means not leaving it to look dirty and not trimming it so short that a person across the room cannot even tell if you have a beard or not.

Keeping a beard is a part of a Muslim's '*adālah* (being just). One of the qualities of an '*ādil* (just) Muslim is that he does not sin and disobey Allāh openly and publicly.

In the Western society that we live in a beard is also often seen as a sign of a man being religious. A Muslim man who keeps a beard will therefore find it also acts as a form of chastity just like the hijāb does for a woman. The hijāb that a woman wears is a sign of her religious beliefs and keeps men from flirting with her while acting as a form of chastity and protection for her.

All the Prophets and Messengers of Allāh ('a) always grew a beard and so did all the Imāms ('a) and their pious companions.

Just as a Muslim woman wears hijāb to school, work, etc. and is not ashamed to be seen as a practising Muslim, you too should be proud to keep your beard at school, work, etc. and not be ashamed of keeping it.

When a young man wishes to marry a girl who is pious and God-fearing, one of first things he checks is whether she observes hijāb. Similarly, when a Muslim girl who seeks a pious husband sees a suitable man who wears a beard, it tells her that he is respectful of the laws of shari'ah and he is not ashamed to obey Allāh in public. This means our physical appearance and practices are very important. They reflect the faith in our heart: whether it is the decent clothes we wear, how clean we look or dress, or the beard or hijāb we wear. All these say something about us to others and

will later in life, influence who we attract into our lives, who we become, what we do for a career, where we end up living, etc.

This doesn't mean that a woman who does not wear hijāb or a man who shaves cannot be pious. And we shouldn't judge others especially when we don't even know their personal circumstances and the reason for their behaviour. Our concern should first and foremost be about ourselves – not others. We must try and practice Islam as much as possible and do all we can to be as pious as possible. A pious man attracts a pious wife and raises pious children, for the pleasure of Allāh. He enjoys true happiness both in this world and the hereafter. And that should be our goal.

When most men in the Muslim community keep a beard, it encourages others to do the same. Equally, when we shave our beard we set a precedence and encourage other Muslim men around us to shave.

Types of Wājib Ghusl

In Islam, there are seven types of wājib ghusl. These are summarized below. The last three are for women only:

1. **Ghusl al-Janābah:** This is wājib after a man or woman becomes *mujnib*. A man becomes *mujnib* whenever semen ejaculates from his body. A woman becomes *mujniba* only after having sex.
2. **Ghusl al-Mayyit:** This is a wājib ghusl given to the body of a deceased Muslim.
3. **Ghusl Mass al-Mayyit:** This is wājib on a Muslim who touches a dead body after it has become cold and before it has been given *Ghusl al-Mayyit*.
4. **Ghusl for a Nadhr:** A *nadhr* is an oath or promise that a person makes to Allāh that he or she will do something (e.g. ghusl or fast, etc.) if they get what they are making the pledge for. Sometimes it is called *qasam* or '*ahd*.
5. **Ghusl al-Haid:** This is done by women only after the end of a regular monthly menstruation cycle that lasts between 3-10 days.
6. **Ghusl al-Istihādha:** This is performed by women during an irregular bleeding.
7. **Ghusl an-Nifās:** This is done by women after the bleeding that occurs after childbirth.

Janābah

In Book 8, you already learnt about Janābah, its ghusl and the rules for it. You should review the rules of Janābah relating to Ghusl, Salāh and Sawm.

Briefly:

Whereas a man becomes mujnib (or in the state of janābah) as soon as semen comes out of his body (for whatever reason), a woman only becomes mujniba after having sex.

Before a man or woman in janābah can pray or fast, they must do the wājib ghusl of janābah.

In the case of salāh, If the time before *qadā* for the salāh is very little, they should perform tayammum and pray the wājib salāh and then perform the ghusl.

And in the case of fasting (*sawm*), it is *harām* for a man and woman to do anything that will make them mujnib during the month of Ramadan when fasting (from fajr to maghrib).

If a Muslim becomes *mujnib(a)* in the night, he or she must do the Ghusl of Janābah before Fajr time for the next fast otherwise he or she will have to pay (*qadā*) for the fast and pay an additional *kaffāra* (which is feeding 60 poor people or fasting 60 days) for breaking the fast intentionally.

If there is not enough time for ghusl al-janābah before fajr, they should do tayammum instead so that their fast will be valid. And then they should do ghusl as soon as possible and before praying fajr.

What is Harām in the State of Janābah

1. Touching the letters of the Qur'ān, the names of Allāh, and the names of the prophets (*anbiyā*) and the fourteen ma'sumeen ('a).
2. Entering the sacred masjid of Makkah (Masjid al-Harām) and the sacred masjid of Rasulullāh (s) (Masjid al-Nabawi) in Madina.
3. Staying at other masājid or taking anything in or out of the masjid. However, passing through masājid without stopping is allowed. A mosque is only the area that is designated as a 'masjid' and does not include a hall where people pray but also have other functions (e.g. a Husainiya).
4. Reciting any of the four āyāt of Qur'ān for which sajdah is wājib. These are: Surah as-Sajdah (32) āyah 15, Surah al-Fussillat (41) āyah 38, Surah an-Najm (53) āyah 62, and Surah al-Iqra (96) āyah 19.

Lesson 7

Gender-Specific (for Girls)

Types of Wājib Ghusl

In Islam, there are seven types of wājib ghusl. These are summarized below. The last three are for women only:

1. **Ghusl al-Janābah:** This wājib after a man or woman becomes *mujnib*. A man becomes *mujnib* whenever semen ejaculates from his body. A woman becomes *mujniba* only after having sex.
2. **Ghusl al-Mayyit:** This is a wājib ghusl given to the body of a deceased Muslim.
3. **Ghusl Mass al-Mayyit:** This is wājib on a Muslim who touches a dead body after it has become cold and before it has been given *Ghusl al-Mayyit*.
4. **Ghusl for a Nadhr:** A *nadhr* is an oath or promise that a person makes to Allāh that he or she will do something (e.g. ghusl or fast, etc.) if they get what they are making the pledge for. Sometimes it is called *qasam* or *'ahd*.
5. **Ghusl al-Haid:** This is done by women only after the end of a regular monthly menstruation cycle that lasts between 3-10 days.
6. **Ghusl al-Istihādha:** This is performed by women during an irregular bleeding.
7. **Ghusl an-Nifās:** This is done by women after the bleeding that occurs after childbirth.

Nifās

In previous Diniyat books, you have learnt about *Haid* and *Istihādha* and the wājib ghusls related to them.

The bleeding that women experience at the time of giving birth to a child or when a foetus is miscarried is called *nifās*.

The maximum duration of *nifās* is ten days, but there is no minimum limit - the bleeding may stop in a few moments.

When the bleeding after childbirth or miscarriage continues for more than ten days, a woman should consider the first ten days of her bleeding as *nifās*

and the rest as *istihādha*. If a woman usually has a regular menstrual period (*haid*) both in duration and dates and she experiences *nifās* for more than ten days, then she should consider the period equal to her menses (*haid*) as *nifās* and the rest as *istihādha* even if it includes the dates in which she had the habit of menstrual bleeding.

All acts that are *harām* for a woman in *haid* are also *harām* during *nifās*. Similarly those things that are *wājib*, *mustahab* and *makruh* in *haid* are likewise in *nifās*. For example, a man cannot divorce his wife during her *haid* period. Therefore he cannot divorce her during *nifās* either.

After the first ten days following childbirth, a woman is supposed to perform the *wājib* ghusl for *nifās* and pray, fast and perform all acts that are permitted for *istihādha*. It is a sin not to do the ghusl for *nifās* without reason and/or not to practice what is *wājib* or to keep away from one's duties and think of oneself as ritually unclean after ten days, regardless of whether the bleeding has stopped after ten days or before it stops (when it is considered to be *istihādha*).

In Book 8, you learnt about the matters that are *harām* for a woman during *haid* (and therefore *nifās*). You should review them again. Additionally, it is *harām* for a woman to have sexual relations with her husband during *haid* and *nifās*. Once her bleeding stops, she can have sexual relations with her husband again but it is recommended that she does the ghusl of *haid* (or *nifās*) first.

Janābah

When a woman has sex she becomes ritually impure i.e. is in the state of Janābah. To come out of Janābah, she must do a *wājib* ghusl (just like any other ghusl but with the niyyah of Janābah) called Ghusl al-Janābah.

Before a man or woman in janābah can pray or fast, they must do the *wājib* ghusl of janābah. After the ghusl of janābah, a man or woman do not have to do wudu for salāh unless something happens that would normally break the wudu (like passing gas, falling asleep or urinating after the ghusl).

In the case of salāh, If the time before qadā for the salāh is very little, they should perform tayammum and pray the *wājib* salāh and then perform the ghusl. But if they delayed doing the ghusl until there wasn't enough time, then they have committed a sin nonetheless and should ask Allāh for forgiveness.

And in the case of fasting (sawm), it is *harām* to have sex during the month of Ramadan when fasting (from fajr to maghrib). If a man or woman enters janābah in the night, he or she must do the Ghusl of Janābah before Fajr time for the next fast otherwise he or she will have to pay (qadā) for the fast and pay an additional kaffāra (of feeding 60 poor people or fasting 60 days) for breaking the fast intentionally. If a man or woman delays the ghusl of janābah until there is not

enough time before fajr, they should do tayammum instead so that their fast will be valid. And then they should do ghusl before praying fajr. It is nonetheless a sin to delay the ghusl of janābah intentionally until there is not enough time to pray or start fasting and one is forced to do tayammum.

When a woman is in the state of janābah, the things that are harām during *haid* are also harām during janābah and they are listed here:

What is Harām in State of Janābah

1. Touching the letters of the Qur’ān, the names of Allāh, and the names of the prophets (*anbiyā*) and the fourteen ma’sumeen (‘a).
2. Entering the sacred masjid of Makkah (Masjid al-Harām) and the sacred masjid of Rasulullāh (s) (Masjid al-Nabawi) at Madina, even if it is only in order to pass through them. As an *ihtiyāt mustahab*, one should not pause or stop within the area around an Imām’s tomb.
3. Staying at other masājid or taking anything in or out of the masjid. However, passing through masājid without stopping is allowed. A mosque is only the area that is designated as a ‘masjid’ and does not include a hall where people pray but also have other functions (e.g. a Husainiya).
4. Reciting any of the four āyāt of Qur’ān for which sajdah is wājib. These are: Surah as-Sajdah (32) āyah 15, Surah al-Fussillat (41) āyah 38, Surah an-Najm (53) āyah 62, and Surah al-Iqra (96) āyah 19.

What is Makruh in State of Janābah

1. Reading more than seven āyāt of the Qur’ān
2. Touching the cover or blank pages of the Qur’ān (even if writing is not touched – which is harām)
3. Applying henna
4. Rubbing oil on the body
5. Sleeping
6. Eating or drinking

If a person needs to eat, drink or sleep before doing ghusl al-janābah, it is recommended for them to do wudu first.

