

Fiqh **(Laws)**

Lesson 1

Jabíra Wudu, Ghusl and Tayammum

Rules Regarding Wudu with a Bandage (Jabira)

Jabira is any bandage, plaster, medicine or ointment on any injury. *Jabira* is also any splint or cast used for supporting any broken part of the body.

When a person has *jabira* and they need to do wudu, ghusl or tayammum, there are special rules for these and they need to do what is called wudu al-jabira, ghusl al-jabira or tayammum al-jabira. *Wudu al-Jabira* therefore means wudu on a bandage or splint. Similarly, *ghusl al-jabira* means ghusl with a bandage or splint.

Before we look at *how* to do Jabira wudu, ghusl or tayammum, let us discuss *when* to do what.

When to Do Jabira Wudu, Ghusl and Tayammum

Jabira Wudu, Ghusl or Tayammum is only permissible when one of the following conditions is true:

- The jabira (e.g. bandage) cannot be removed.
- Water is harmful to the wound.
- There is an unbandaged wound.
- There is an unbandaged fracture.

If the body part that is covered with jabira is...

- a) Not fractured, and
- b) Only partly covered in bandage

...then we must do Wudu al-Jabira.

If the body part that is covered with jabira is...

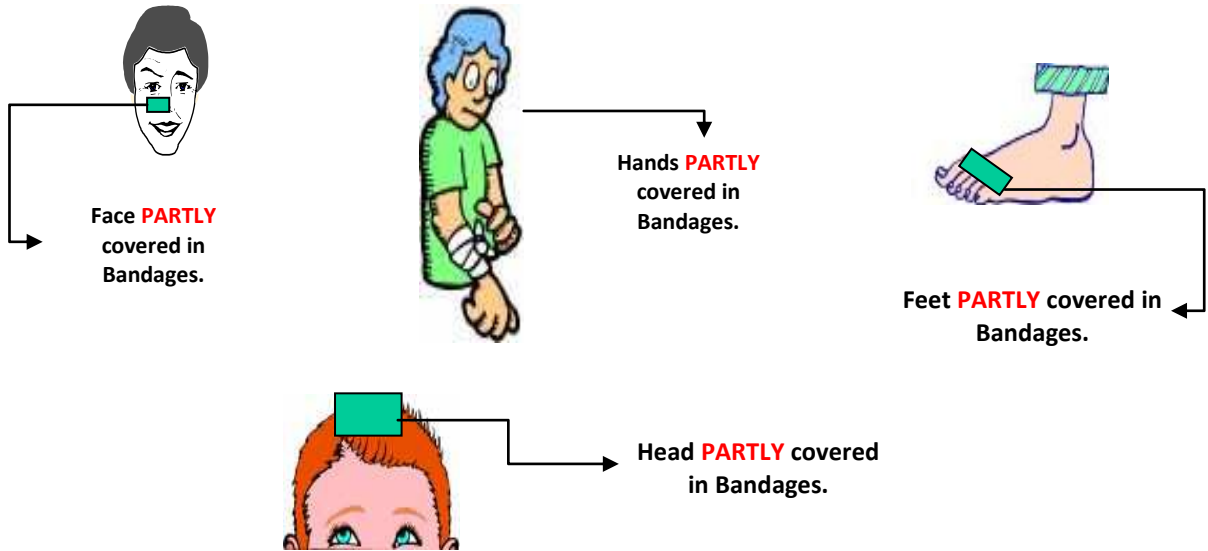
- a) Fractured, or
- b) Completely covered in bandage

...then we must do both, Wudu al-Jabira and Tayammum al-Jabira.

When ghusl is wājib and a part of the body is covered in Jabira then Ghusl al-Jabira is done. If water is harmful to all parts of the body or one part but it would be hard to avoid getting it wet with ghusl to the rest of the body parts, then tayammum is done instead of ghusl. And if the part of the body with Jabira involves the parts of the body wiped in tayammum then the rules of Tayammum al-Jabira will apply.

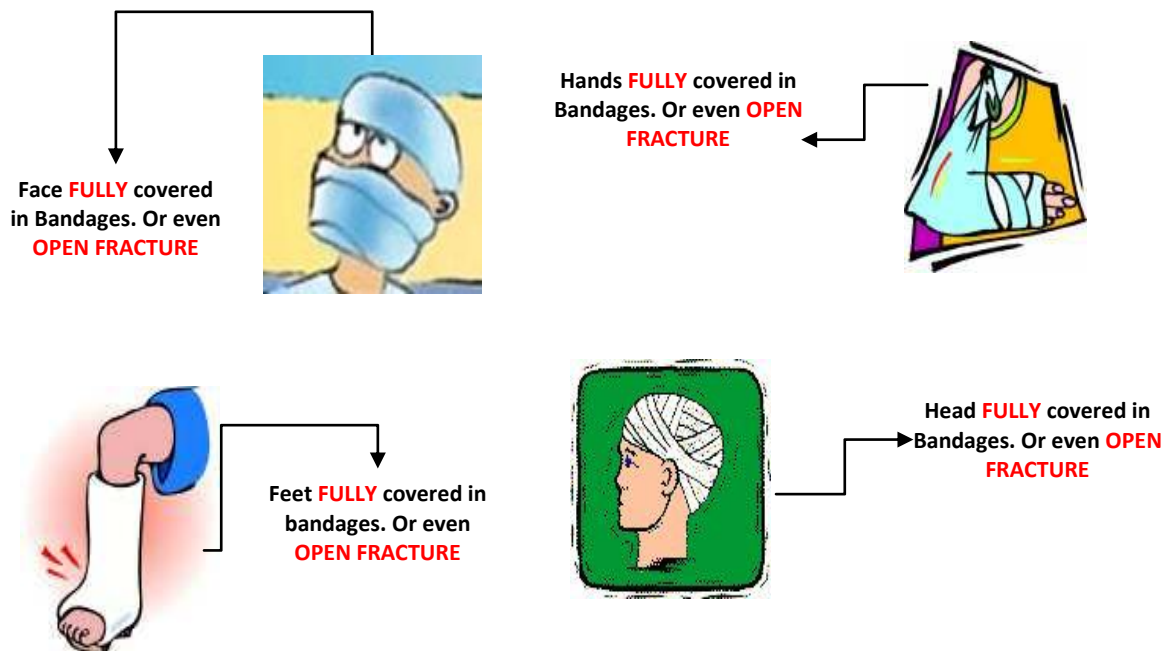
When To Do Wudu al-Jabira Only

Bandage on cut or torn skin on the body parts where Wudu is normally done. Does not Cover Completely.



When To Do Both Wudu al-Jabira & Tayammum al-Jabira

Bandage covers major part of wudu completely. Open fracture with no splint.



How to Perform Jabira Wudu

When a person has a wound, cut, burn or broken limb, if water can be brought to the skin and is not harmful, then wudu should be done in the normal manner. If water is harmless and the bandage can be opened, or if the water can be taken underneath the plaster or bandage, provided that it is clean (tāhir), that should be done (i.e. pour enough water to go through the jabira).

If water is harmful, or the part of the body is covered with a bandage that cannot be removed, a wet hand should be wiped over that bandage, plaster or splint if it is tāhir.

If the bandage is najis and cannot be removed, a clean piece of cloth should be placed over the affected part of the body and the wet hand should be wiped over the clean cloth.

The surrounding uncovered and unaffected areas should be washed or wiped (*mas-h*) in the normal manner.

If there is no place left to wipe on the head or the feet (for *mas-h*), as a measure of precaution, tayammum should also be done. Likewise if the bandage also covers other parts besides those affected (injured, broken, or bound), and it is not possible to open or take water underneath it, tayammum should be performed, along with the jabira wudu.

If, on the parts of the body that are to be washed or wiped in wudu, there is no injury, but water is harmful for some other reason, then tayammum alone should be performed.

How to Perform Jabira Tayammum

If a person does not have water or needs to do tayammum instead of wudu or ghusl but also has a sore, injury or burn on the forehead or on the back of the hand (i.e. parts on which tayammum is usually done), and it is not possible to remove the bandage, then he or she should strike the palm on the ground as is usually done in tayammum but then rub the palm over the bandage (instead of the skin).

Similarly, if there is a bandage on the palm of the hand that cannot be removed, one should strike the hands on the ground with that bandage.

If someone is sick and it is not possible for him to practise tayammum himself, he can find a helper who should first of all try to strike the patient's hand on the ground and give him tayammum. If this is not possible either, the helper can strike his own hands on the ground and rub them on the patient's forehead and the backs of his hands.

When a person is not sure whether they need to perform Jabira Wudu or Jabira Tayammum, they should perform both, Jabira Wudu and Tayammum.

How to Perform Jabira Ghusl

Ghusl with jabira follows the same logic as wudu and tayammum. Islam does not impose hardship or ask unreasonably of a person. When it is possible to wash as ghusl the unaffected parts of the body and wipe only with water the injured and bandaged parts, then that should be done. If even that is not possible and ghusl becomes wājib, then tayammum can be done in place of the ghusl. If the parts of the body involved in tayammum are also in jabira, then Jabira Tayammum should be done (i.e. tayammum with the bandage on).

How to Pray Salāh when Injured

If a person cannot stand in salāh, they can sit and pray and keep a table before them with turbah for sujud. It is wrong to keep the turbah on the palm of the hand and do sajdah on it because the turbah must be on a steady surface during sujud. If a person cannot keep a table, they can merely bend as a gesture for ruku' and bend even further for sujud.

If a person cannot even sit due to illness or injury, they must pray lying down and use their hands and head to bend a little and gesture for ruku' and sujud to the best of their ability.

If a Muslim is conscious but paralysed and cannot even move their hands and head, they must use their eyelids to indicate ruku' and sujud.

If a person is floating in water and thinks he may drown if he is not rescued and realizes he has not said his salāh, he must offer his entire salāh with a single takbir.

But in all cases, salāh is wājib. Salāh is the cord that connects us to Allāh. It must be the most valuable act to us. And the most precious moments of our lives must be the times when we are fortunate enough to worship our Creator.

Rasulullāh (s) has said about salāh:

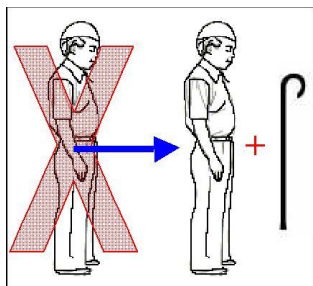
الصَّلَاةُ عَمُودُ الدِّينِ . إِنْ قُبِلَتْ قُبِلَ مَا سِوَاهَا وَإِنْ رُدَّتْ رُدَّ مَا سِوَاهَا

Salāh is a pillar of religion. If it is accepted all else will be accepted. And if it is rejected, all else will be rejected.

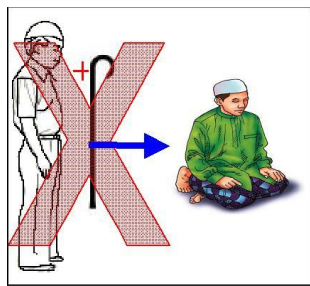
That is why we must give utmost importance to tahārah, wudu and all aspects related to salāh in order to perfect our standing before Allāh five times a day.

SUBSTITUTES FOR QIYAM

AS AN EXAMPLE OF DOING THE BEST YOU CAN WHEN INJURED



If you can't stand freely, use a cane to support yourself during qiyām



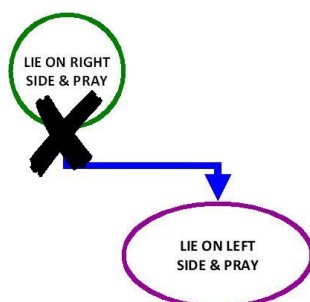
If you can't stand even with a cane, sit and pray



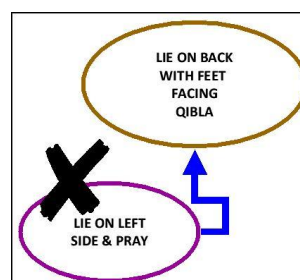
If you can't sit freely, use a pillow or cushion to support your back



If you cannot sit and pray even with a back support, lie on the right side and pray



If you cannot lie on your right side to pray, lie on your left side



If you cannot lie on your side, lie on your back with feet towards qibla.

If you can't move your hands, use your eyelids to indicate ruku' and sujud, and so on.

IF A PERSON CAN STAND FOR A PART OF THE SALAH, THEN HE/SHE SHOULD STAND FOR AS LONG AS HE/SHE CAN & THEN SIT DOWN & CONTINUE THE SALAH

Rules for the Sick and Injured

If someone is suffering from incontinence but there are brief moments when they can control themselves they should perform wudu and salāh during those moments of respite.

If there is no respite but it is possible for the person to keep a container of water nearby and repeat wudu without turning away from qibla when the wudu is broken in the midst of salāh, then they should do so (e.g. when bedridden).

If this is not possible, one wudu will suffice for one salāh. It is preferable to repeat the wudu for the other salāh. The same rule applies to one with a medical condition that makes him or her unable to control the passing of gas (flatulence).

Those who suffer from involuntary urinary or faecal discharge should wear an extra protection of clothing or padding to protect najāsah from reaching other places. If the illness is curable, the person must, if possible, use all resources at his disposal to have it cured. And if he recovers, it is not necessary for him to repeat (as qadā) the salāh performed during illness.

Rules Regarding Doubt in Wudu

One who doubts whether he has performed wudu should perform it again. If one doubts during salāh whether one has performed wudu, the salāh will be bātil (void) and must be performed again. But if one doubts *after* salāh is complete, the salāh is valid and wudu should be performed for subsequent prayers only.

One who knows that he has performed wudu and also that something that invalidates wudu has also taken place, but does not remember which one took place first, must perform the wudu if he has not yet prayed. If the doubt occurs while he is praying, his salāh is bātil. If it occurs *after* salāh then his salāh is valid and he should repeat wudu for subsequent prayers only.

If after completing wudu a person doubts whether the right conditions existed or not (for example whether the water was tāhir or mubāh (i.e. not ghasbi)), then he should not care about these doubts, and his wudu is valid, provided it is only a doubt. If he is sure then of course the wudu is not valid.

Similarly, all the doubts about wudu during salāh must be valid **doubts**. If a person is **sure** he did not perform wudu or his wudu was broken or it wasn't done correctly, then the wudu and salāh is bātil and must be repeated.

If anyone doubts excessively (*kathir ash-shak*) to the extent of becoming whimsical (or has a doubting habit that would be clinically acknowledged as a psychological condition) then he or she should not pay attention to the doubts and should ignore them.

You may also want to review the rules of **Shak in Salāh** taught in Book 8 (Fiqh Lessons 2-4).

Lesson 2

Tawalla and Tabarra

Tawalla is loosely defined as ‘To love Rasulullāh (s), the Ahl al-Bayt (‘a) and their friends (i.e. those who love them)’ and Tabarra, the opposite, is usually defined as ‘To show dislike and keep away from the enemies of Rasulullāh (s) and the Ahl al-Bayt (‘a).’

However, such basic definitions can easily be misunderstood and misused unless explained further.

The Qur’ān, in āyāt such as the following, upholds Tawalla:

﴿قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَاللَّهُ غَفُورٌ رَحِيمٌ﴾

Say: If you love Allāh, follow me, Allāh will love you and forgive you your sins. For Allāh is Forgiving and Merciful.

- Surah Aal Imrān, 3:31

And Tabarra is also mentioned in the Qur’ān in āyāt such as:

﴿إِنَّ الَّذِينَ يُؤْذُونَ اللَّهَ وَرَسُولَهُ لَعَنَهُمُ اللَّهُ فِي الدُّنْيَا وَالْآخِرَةِ وَأَعَدَّ لَهُمْ عَذَابًا مُهِينًا﴾

Those who annoy Allāh and His Apostle - Allāh has cursed them in this world and in the hereafter; and has prepared for them a humiliating punishment.

- Surah al-Ahzāb, 33:57

In hadith and the teachings of Rasulullāh (s) and the Imāms (‘a) as well we are taught that not only should we support good and abstain from evil but we must also support those who support good and keep away from those who do evil.

‘Sitting on the fence’, being indifferent and impartial, and remaining silent over a wrongful act is not acceptable in Islam. A person who does that is a partner-in-crime with the wrongdoer. This is because a tyrant or wrongdoer is encouraged when he knows no one cares and/or no will speak against him or stop him in his sinful act or oppression of others.

For example, the first civil war in Islam (when Muslims fought other Muslims) was during the caliphate of Imām Ali (‘a) in the Battle of Jamal. Some companions of Rasulullāh (s) decided they would not take sides with either party – neither Imām Ali (‘a)’s side nor the side of Talha, Zubayr and Aisha. They decided to stay in their

homes and worship Allāh. Yet Imām Ali (‘a) condemned them for their silence and lack of courage to stand up for the truth and the weakness of their intellect in not seeing who was right and who was wrong.

It is therefore not sufficient to recognize the truth. One must also recognize falsehood so that we are not confused when falsehood pretends and disguises itself as truth. Rasulullāh (s) left the Muslims saying, ‘I leave behind the Book of Allāh and my family – these two will never separate until the Day of Judgement. If you hold on to them, you will never go astray.’²⁷ Rasulullāh (s) also said, ‘Ali is with the truth and the truth is with Ali.’ Then he prayed to Allāh and said, ‘O Allāh, turn truth wherever Ali turns!’

All Muslims – Shi’ah and Sunni - acknowledge these ahādith. These ahādith amongst others give us a yardstick of measure – the truth is always with the Qur’ān and the Ahl al-Bayt (‘a). Even when two parties of Muslims dispute on the interpretation of the āyāt of the Qur’ān, we can refer back to the Ahl al-Bayt (‘a) for clarification.

So far, we can therefore conclude two things: Tawalla and Tabarra is not for the benefit of Rasulullāh (s) or the Ahl al-Bayt (‘a). It is for our own good. And secondly, the reason Tawalla and Tabarra are part of Furu’ ad-Din and not Usul ad-Din is because they are not beliefs or ideas that we carry in our hearts. Rather they are acts of worship that must manifest themselves in our actions (of course based on what is in our hearts). In other words, to praise Rasulullāh (s) and the Ahl al-Bayt (‘a) for their knowledge and character or to weep for their suffering is neither enough nor is it a sign of true love. There are lots of non-Shi’ahs and even non-Muslims in some parts of the world who do that. Tawalla and Tabarra means our actions in emulating Rasulullāh (s) and the Ahl al-Bayt (‘a) and own character must show and prove that those whom we follow were truly the most learned and noble.

If a non-Shi’ah sees a Shi’ah praising the Ahl al-Bayt (‘a) but does not see any of the Ahl al-Bayt (‘a)’s characteristics of piety, honesty, generosity, kindness, integrity, etc. in the Shi’ah, why would he or she want to follow the Ahl al-Bayt (‘a)? In his or her mind, if one who already knows so much about the Ahl al-Bayt (‘a) and claims so much love for them is not affected by their character, why would anyone who is a stranger to them benefit from following them?

This reveals the multiple aspects of Tawalla and Tabarra. Not only do we show courage to stand for truth and oppose wrong when we practice Tawalla and Tabarra, but it is also a form of preaching (*tabligh*) that invites others to get to know Rasulullāh (s) and the Ahl al-Bayt (‘a) better.

Tabarra needs to be discussed in greater detail, as it is easier to misunderstand.

²⁷ This is famously known as the *Hadith at-Thaqalayn* (The Hadith of Two Weighty Matters).

It is true that Islam does not want us to support the enemies of Rasulullāh (s) and the Ahl al-Bayt ('a) and wants us to even keep away from those who love their enemies or are pleased with and support their actions.

In the Qur'ān for example, Allāh condemns the Jews who killed the prophets of Allāh (3:181, 4:155) and when Rasulullāh (s) and the Imāms ('a) were asked why the Jews at the time of Rasulullāh (s) were being condemned when those who killed the prophets lived much earlier, they said, 'It is because they were pleased with the actions of their forefathers and did not condemn it.'

Similarly, Imām Ali ('a) is reported to have 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 all of them joined him in their consent. Thus Allāh said, *But **they** hamstrung her...so the punishment seized **them**...* (Qur'ān, 26:157-8).

- Nahj al-Balāgha, Sermon 201

In Ziyārat al-Wāriṭh, Imām Ja'far as-Sādiq ('a) has taught us to recite the following when addressing Imām Husayn ('a):

فَلَعَنَ اللَّهُ أُمَّةً قَتَلَتْكَ، وَلَعَنَ اللَّهُ أُمَّةً ظَلَمَتْكَ، وَلَعَنَ اللَّهُ أُمَّةً سَمِعَتْ بِذَلِكَ فَرَضِيَتْ بِهِ

*So may Allāh curse the people who killed you. And may Allāh curse the people who oppressed you. And may Allāh curse the people **who heard of that and were pleased with it.***

So it is very clear then that Tabarra, in the same sense as al-Amr bil ma'ruf and an-Nahi 'anil Munkar, requires us to distance ourselves clearly from the wrongdoers, the tyrants and the enemies of Islām, Rasulullāh (s), the Qur'ān, and the Ahl al-Bayt ('a).

But what is important to realize is that Tabarra is to ensure that we do not lose our souls and become part of those who are cursed in the Hereafter and to also encourage us to stand up and support the truth.

Unfortunately many Muslims and Shi'ahs think Tawalla and Tabarra is only about showing a lot of passion and emotion, promoting polemics amongst the Muslim sects, and inciting others who disagree with us by openly cursing those who hurt the Ahl al-Bayt ('a) even if it offends others.

Yes, even the Qur'ān mentions the curse of Allāh and the angels and the whole world on the evildoers (āyah 2:161 and 3:87 for example). However cursing is a prayer to Allāh – to remove His mercy from those who do not deserve it. Cursing is not about shouting and throwing fists in the air and inciting others and behaving in an unruly manner that is not becoming of a Shi'ah of the Ahl al-Bayt ('a).

The first thing we must learn to do is to distinguish between people who are *ignorant* about the right of the Ahl al-Bayt ('a) and the crimes that were committed against them versus those who *know* the truth and are still hateful to the Ahl al-Bayt ('a).

Those who are ignorant must not be approached with hate and curses. That is not the meaning of Tabarra. Even if they do follow the enemies of the Ahl al-Bayt ('a), remember they are ignorant. How do you guide someone who is sincere but ignorant? Will he listen to the truth if you offend him and curse those he looks up to? How did Rasulullāh (s) and the Imāms ('a) deal with those who were ignorant of their right? How did Imām Hasan ('a) deal with the rude man from Syria who followed Mu'āwiya? How did Imām Ali Zayn al-Abidin ('a) speak to the old man in the streets of Kufa who was cursing him and not aware of who he was?

It is one thing to practice Tabarra against the original enemies of the Ahl al-Bayt ('a) or even those who hate the Ahl al-Bayt ('a) today despite knowing the truth. And it is another thing to practice Tabarra against the vast majority of people who simply are ignorant of the truth.

Always remember, Islam does not like hate when an 'enemy' can be overcome with love. Islam does not like confrontation if a dispute can be resolved with dialogue. Islam does not like war if peace can achieve the same goal. Rasulullāh (s) and Imām Ali ('a) always hesitated to start a battle and never threw 'the first arrow' until they had no choice but to fight and defend themselves.

The Qur'ān tells us:

﴿وَلَا تَسْتَوِي الْحَسَنَةُ وَلَا السَّيِّئَةُ ادْفَعْ بِالَّتِي هِيَ أَحْسَنُ فَإِذَا الَّذِي بَيْنَكَ وَبَيْنَهُ عَدَاوَةٌ كَأَنَّهُ وَلِيٌّ حَمِيمٌ﴾

Good and evil [conduct] are not equal. Repel [evil] with what is best. [If you do so,] behold, he between whom and you was enmity, will be as though he were a sympathetic friend.

- Surah al-Fussilat, 41:34

Those who pretend to love the Ahl al-Bayt ('a) excessively and in doing so curse others openly, and are offensive and rude in their speech and behaviour, are neither true Shi'ahs nor are they practising Tawalla and Tabarra. And those who believe there should be no Tabarra at all and no cursing of any form in Islam are also wrong because they are naïve.

The truth is that there *are* individuals – in history and even today – who truly hate Rasulullāh (s) and the Ahl al-Bayt ('a) and their Shi'ah. And they would love to kill and destroy them. These – we must practice Tabarra against them. And there are those who simply follow others in ignorance. These we must try and reach out to and guide through polite speech, dialogue and the best of manners and character. And even

when we practice tabarra, it can be through propagating the truth, creating awareness, and decent behaviour. We don't have to be rude and shout and abuse. Certainly that is not the behaviour of a Shi'ah. Of course even when we wish to curse those who deserve it, we can do so as taught to us in duas. We shouldn't swear and curse using crude and vulgar language.

The cursing (*la'n*) in duas and ziyārah are not wrong. We *should* recite them but bearing in mind that cursing is also a form of du'a asking Allāh to remove His mercy and favours from these who do not deserve it.

Finally, when practising Tawalla and Tabarra, always ask yourself: Do I possess the qualities that I love in the Ahl al-Bayt ('a) that I am praising them for? How do I start possessing some of those qualities? That is true Tawalla. And ask yourself: Do I possess any of the qualities that I hate in the enemies of the Ahl al-Bayt ('a) and if I were in their place, how would I have behaved? How do I ensure that I do not have any of those evil and sinful characteristics? That is true Tabarra.

And before doing something in public as an act of Tawalla or Tabarra, always ask yourself: Is this action going to help the cause of Islam, Rasulullāh (s) and the Ahl al-Bayt ('a)? Or is it going to turn people off and away from them?

If it will attract people towards Rasulullāh (s) and the Ahl al-Bayt ('a) then it is for their sake and true tawalla and tabarra. But if it will turn people off and deny them the chance of knowing who these great personalities really were, then it is not for Rasulullāh (s) and the Ahl al-Bayt ('a) – it is for our own egos; and shaytān has disguised our own selfish needs as love for Rasulullāh (s) and the Ahl al-Bayt ('a) so that we think and believe it to be Tawalla and Tabarra.

Class Discussion 1:

What can we change in our practise of Tawalla and Tabarra and how we mark the wilādah and shahādah of Rasulullāh (s) and the Ahl al-Bayt ('a), especially in the months of Muharram and Safar so that non-Muslims and other non-Shi'ah Muslims are attracted to Islam and to get to know these great personalities better?

Can you list three ideas of Tawalla and Tabarra that we can practice as individuals and three ideas that we can practice as a community, and changes we can make in our masājid and community centres? (For example, quoting historic facts with full references from reliable sources.)

Class Discussion 2:

You have studied about al-Amr bil Ma'ruf, an-Nahi 'anil Munkar and Jihad in Book 10. These Furu' ad-Din acts were related to general matters of all kinds like encouraging people to doing good and following the Shari'ah and preventing them from evil. Tawalla and Tabarra are linked more closely to loving the good and disassociating from the evil. But can you see any similarities between all these concepts?

Class Discussion 3:

Talk about how you can love someone through your actions besides showing emotions and reciting poetry and words of praise. Now talk about how you can hate evil itself and disassociate from it without hating the person who practises it in ignorance? How can you tell apart a person who is wrong ignorantly (and should be dealt with in kindness) versus a person who is wrong knowingly and maliciously and should be truly cursed, kept away from and even fought against to stop his evil against Rasulullāh (s), the Ahl al-Bayt ('a) and their Shi'ah?

Your teacher will pick one of these discussions and allow you to share your understanding. This will give your teacher the opportunity to confirm if your understanding of these concepts is correct and to modify your understanding as necessary. So you are encouraged to share your thoughts and what you have understood in this lesson.

Lesson 3

Trade and Business (Tijarah) in Islam

Halāl Occupations

It is wājib for a Muslim to earn his livelihood through work and to participate in the productive activities of society. One should not be a burden on society but an asset to it, and anyone who is able-bodied should not live off the government or from private charity. According to Islam, since women have to take the heavy responsibility for raising and upbringing the new generation, it is the responsibility of their men to earn a living and meet the home's financial needs, even though it is not forbidden for women to work if it does not have any detrimental effect on their children.

All work that is productive for society and is not harām in shari'ah is considered dignified in Islam. Rasulullāh (s) once worked as a shepherd; Imām Ali ('a) worked as a simple labourer in order to prove this point. The Qur'ān says that Nabi Musa ('a) worked for ten years as a hired labourer (28:26). What is undignified is to beg and depend on others and to become a burden on society. All respect is due to one who earns his or her livelihood through effort and hard work.

Devoting one's life to studies and research, which may be religious studies, medical research, or any other such academic or scientific activity is highly praised in Islam. This is a shared responsibility (wājib kifāi), which means that there must be some people in every society who should do this.

Industry and agriculture are especially emphasized in hadith. It is through them that contributions are made to the material production and well being of society. The aim of every person should not simply be how to earn more but how to contribute more to the spiritual and moral, as well as the material, aspects of society. Agriculture is mentioned as a great favour from Allāh in the Qur'ān (56:64-8). Rasulullāh (s) said that when a Muslim cultivates a plant or a crop, whatever a man or a bird eats from it is counted as charity from him, and he will be rewarded for it.

One of the followers of Rasulullāh (s) was planting a tree when he was very old. A person asked him: 'Do you expect it to bear fruit in your life time?' He replied: 'The fruit might be eaten by people after me, but I will be rewarded for it.'

The reason that agriculture is emphasized is that no society can safeguard its independence unless it is self-sufficient in food.

In hadith, trade is also much emphasized, and the Qur'ān encourages Muslims to enter into business. Rasulullāh (s) said that 'An honest trade is like jihād in the way of Allāh.'

Office jobs are also permitted but Islam encourages self-employment and business, trade, industry or agriculture. Those communities whose members have an enterprising spirit and engage in business always flourish more because they are not limited by how much they earn and not being content with a fixed salary and secure income. They work harder and place their trust more in Allāh because they take a greater risk in what they will earn the next day.

That said, Muslims who engage in business are required to know the Islamic rules relating to commercial dealings and to avoid those earnings that are forbidden by Islam. So they must be aware of what is halāl and harām in business.

Harām Occupations and Businesses

1. Trading in *najis al-'ayn* substances. For example, buying or selling intoxicants (alcohol, drugs), pigs and dogs is absolutely harām without exception. Some matters that are najis al-'ayn can be traded in if there is some benefit in it that is not against Islamic law. For example, selling animal manure as fertilizer, selling blood to hospitals, trading in products made with animal hair or bone (except for dogs and pig).
2. Items that are najis but not *najis al-'ayn* are ok to sell and deal with even if they are mutanajjis. For example, food items that can become tāhir with washing are ok to trade in but the Muslim buyer should be informed about it.
3. Dealing in alcohol is absolutely harām (forbidden), directly or indirectly. As a precaution one should even avoid dealing in medicines that have alcohol in them. Selling grapes if it is known that it will be used for making wine is *harām*. But if it is not known and sold with the intention of selling it as a fruit, then it is ok. Although if one is doubtful of their use, it is better to keep away from such trades. When it comes to alcohol, Rasulullāh (s) has cursed a person who deals with it in any manner, directly or indirectly (selling, serving, transporting, advertising, packaging, sitting at the same table with the drinker, etc.)
4. Trade in the meat, skin or anything in the carcass of animals that are *harām* to eat or are halāl but were not slaughtered according to the laws of shari'ah (i.e. not dabiha (halāl meat)) is not permitted. The meat or skin or animal parts being offered for purchase by a non-Muslim or being imported from a non-Muslim country must be assumed to be najis and therefore harām. One has to be sure that the animal was lawfully slaughtered unless one is buying it from a Muslim and/or a Muslim country.
5. Buying or selling wild animals is harām.

6. Trading in instruments of harām activities. For example it is harām to buy or sell dice and cards that are used in gambling or any kind of musical instruments. However it is permissible to deal with things that can be used for both halāl and harām purposes if the intention is only to promote the halāl activities e.g. electronic devices like TVs, computers, etc.
7. Dealing in things that are used in time-wasting activities (called *lahw wa la'ib*) is also harām.
8. Any profession, research or work that strengthens the enemies of Islam, directly or indirectly and helps them against Muslims and Islam is harām. It is also harām to sell arms and weapons to persons or governments that you know will use them against Muslims.
9. Dealing, selling or purchasing usurped or stolen goods and/or property or wealth. By 'usurped' is meant any product(s) whose real owner is someone else or which has been obtained through illegitimate means. This includes property being sold without the permission of the real owner or even payment being made with money or goods that is known to be stolen or harām.
10. Fraud or trading in adulterated things. It is harām to sell something into which something else is mixed so as to cheat the buyer or make more profit, without the buyer knowing it. For example, selling milk diluted with some water, without the buyer knowing it. Or selling something as an 'original' when it is a fake, and so on.
11. Any transaction that involves usury or interest. Usury or Interest is called *Ribā* and is harām in Islam. This means for example, lending money to someone on the condition that it will be returned with an additional sum as *interest*. Or selling any commodity at a higher rate against the same commodity, for example, selling 3 tons of wheat for 5 tons of wheat. The same is true with gold or silver. However it is ok if you lend someone money and when they pay you back, they give you more out of their own freewill. Also, it is permitted to deposit money with non-Muslims (e.g. a non-Muslim Bank) and to take any interest they may offer, if they do so on their own free will.
12. Begging from others is harām. Even if a person is poor, he should preserve his honour and dignity as far as possible. On the other hand, Muslims are told not to turn beggars away because one who begs sells his dignity in exchange and must be in very great need to do so.
13. Trading in Endowments. An endowment is called *waqf* in Islam. It is usually something that someone has donated free for a specific purpose. E.g. a person gives a piece of land as *waqf* to be used as a cemetery, masjid or orphanage for Muslims. Or someone gives trees or a property as *waqf* so that the produce from the orchard or the rent from the property may be used to cover the expenses of maintaining a masjid or school. It is harām to buy or sell *waqf* property unless it is ruined and there is no alternative to selling it. In this case every effort should be made to see that the price obtained for it is used in the same or a similar place.

14. Hoarding essential goods is harām. No one is allowed to hoard anything e.g. to keep a product for longer than its usual period in order to sell it later for more than its usual price.
15. To take advantage of people's needs for essential goods is harām. For example, when one realizes there is a shortage of rice in the market, to bump up the price and sell it at double or triple the normal price in order to profit from people's need for the commodity.
16. To profit by gambling or playing the lottery (of any kind) or buying/selling lottery tickets.
17. Making the sculpture of humans or animals is harām.
18. To work in or help in the construction and/or building of an unislamic place of worship (e.g. a church, temple, etc.).
19. To buy/sell matters that are clearly harām such as selling or buying pornographic material.
20. Working at restaurants or food places where one will be forced to sell or serve pork or alcohol. Working at movie theatres if some of the movies shown promote immoral values or are detrimental to Islam and its values. In any case, it is best to avoid such jobs.

Makruh Occupations and Trades

1. To sell one's land unless you wish to purchase another land with the money.
2. To be a butcher and slaughtering animals as a full-time occupation unless there is no one else to provide halāl meat to Muslims.
3. To sell shrouds (*kafan*), unless it is a side business or providing a need for Muslims because no one else is providing it.
4. To deal in business with people of low character (thieves, smugglers, etc.).
5. To do business between the time of Fajr and sunrise.
6. To make one's primary business buying and selling wheat and barley and other such staple food items.
7. To interfere in a deal being made by a Muslim by making your own offer.
8. To swear in Allāh's name during a transaction, even when it is true.

Mustahab Acts in Business

1. Not to discriminate between Muslim buyers in the price of a commodity, selling it for more to some and less to others.

2. Not to be greedy in the price of a commodity and not to keep a high profit margin.
3. To always give a little more of the thing one sells, and take a little less of the thing one buys. For example, when measuring out the weight of something you are selling, always add a little more after measuring. When buying something and measuring it out yourself, always measure a little less if the seller is not going to measure it himself.
4. If a buyer regrets having purchased something and wishes to return it, even though you are not obliged to take it back, it is *mustahab* for you as the seller to take it back, especially if you can re-sell it again.

Cheating, Stealing, Adulteration of Goods, Embezzlement

These are all *harām* but can take many forms. For example, stealing is not just taking an object out of a shop without paying for it or the owner's consent. It can include:

- To hide the defect of a thing one sells to another person.
- To cheat during an exam.
- To borrow money off a person and then never pay it back.
- To collect money for a charity, and then spend it on yourself.
- To purchase a train or bus ticket to get from A to B and then use that same ticket to go to place C, even though knowing that is not allowed.
- Not to return money when a cashier accidentally gives you more change or undercharges you.

The End Does NOT Justify the Means

Some people may argue that 'the end justifies the means' meaning as long as the end result is good, how we go about getting to the end does not matter. In Islam it *does* matter. For example, cheating people to raise money for building a masjid is *harām*. The end is noble but the means does not justify it.

Some ignorant Muslims also believe that it is ok to cheat if it is not against Muslims. This is also wrong. Cheating is always *harām* because you gain at someone else's expense through tricking others, and you gain something without working for it and deserving it.

Most importantly, when we cheat, we don't hurt the person we cheat as much as we hurt our own souls.

Double-Role Professions

Some professions can have a harām and a halāl aspect. You must therefore think carefully before pursuing them as they could lead you to roles that would put you in an awkward situation. For example:

- When Ayatullah Khui and Ayatullah Sistāni were asked: Is it haram to work for a bank or charge a customer interest on behalf of a bank or financial institution? Their reply was: If the work involves direct dealing with interest then yes, it is harām. But if it is working for the bank but not dealing with interest e.g. computer technician, janitor, driver, guard, etc. then it is ok. Which means one has to be careful not to be promoted to a role that involves interest, when working for a financial institution.
- What if you take a summer job to serve burgers, fries, pop, etc. that are not halāl to non-Muslims but then you are asked to sell pork?
- What if you work at a convenience store or book/magazine store that also requires you to sell lottery tickets and pornographic magazines?

So any career you decide to undertake, ask yourself questions like:

- What opportunities and positions would I work in as a beginner in the field?
- What positions would I typically get promoted into?
- Will I be able to maintain my hijāb including avoiding the close interaction or physical contact with non-mahrams?
- Will I have to take up studies at the university that may affect my faith or cause me to speak/write against Islam?
- Will I be able to say my daily salāh and fast in the month of Ramadan in this profession?

Conclusion

In the end, remember, there is no profession or career where there won't be a challenge regarding halāl and harām. What is important is to:

- a) Know the shari'ah
- b) Listen to your conscience
- c) Be strong in faith and have the courage to say 'No' when you have to
- d) Be willing to quit your job or leave an opportunity if you have to, but never sell your faith and your eternal life in the hereafter for the temporary life of this world

Lesson 4

Tijārah in Islam (cont'd)

The Islamic Etiquette of Doing Business

1. No interest should be transacted.
2. No swearing in the name of Allāh even if one is speaking the truth.
3. Seller should not conceal defect of his own goods.
5. Seller should not falsely praise the quality of his goods.
6. Buyer should not find fault falsely in the goods he or she is buying.

Condition of the Buyer and Seller

1. Both the buyer and seller must be adults (**bāligh**).
2. Both must be sane.
3. Both should not be **safih** (prodigal, which means wasting money on useless, trivial, and/or meaningless things).
4. Both should have a proper **niyyah** (intention).
5. Both should be under no force or coercion to buy or sell.
6. Both should be the owners of the property/product and money involved in the transaction.

Interest and Usury

The basic element of *Interest* or *Usury* is the exchange of one commodity for the same commodity with an increase in payment. The Islamic law strictly prohibits *Usury* (the practice of lending money at a rate of Interest).

The practice of Usury is equal to acting with hostility against Allāh and Rasullāh (s). The Qur'ān says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنتُمْ مُؤْمِنِينَ فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ﴾

O you have faith! Be conscious of Allāh and abandon what remains of usury, should you be faithful. And if you do not, then be aware of a war from Allāh and His Messenger....

- Surah al-Baqarah, 2:278-9

There are many reasons given in hadith as to why charging others interest is *harām*. Primarily it is a form of exploitation where a person who has more takes wrong advantage of another who has less and is in need. The person who charges interest expects to make profit without working for it. He or she only lends money to people and, taking advantage of their need, constantly makes more profit. This leads to a society of debt where the rich keep getting richer and the poor keeping sinking in debt and get poorer.

It is for this reason that banks and financial institutes encourage people to only pay off a minimum amount of their credit card bill, mortgage loan, car loan, etc. The more a person remains in debt, the more the financial institution can keep charging them an interest. Often a person ends up paying a significant amount of money in interest. People, for example, who take a loan with interest to pay off their home mortgages over 25 years, are really paying for the home's value for 20 years only. For the other 5 years they are only paying interest on the loan they borrowed.

Some of the ways to reduce the evil of usury that surrounds us are:

1. Always try and pay off your credit card bill in full every month. Never keep an outstanding amount that results in you having to pay the bank interest.
2. Try and pay off your mortgage and car loan as quickly as possible. This may mean delaying other expenditures like furnishing and decorating your home to your liking but it is still a wiser decision than living with debt all your life. If possible, purchase a smaller home or a home in a suburb where the cost of houses is lower, so as to avoid paying interest more than necessary. Once your home is paid for, you can always consider selling it at a higher rate and then moving into a bigger home.
3. If Allāh has blessed you with wealth, consider giving interest-free loans to relatives and Muslim brothers and sisters whom you trust. Such interest-free loans are called *qard al-hasanah*. Those who receive it should always keep to their promise and pay off the loans as agreed so that the *qard al-hasanah* system works and others can be helped by this as well. An example of this is student-sponsorship schemes where graduates are supposed to pay back their student loans after they start working. Those who do not keep their promises deny other students from benefiting from the student loans that is supposed to come from the repayments the first students were supposed to make.
4. Always live within your means. Do not try to compete with others or live above what you can afford.

Interest increases the gap between the rich and poor in society. A few rich people control the economy and the lives of the majority who have less.

Interest also encourages people to keep their money in banks that will pay them back higher earnings as investments. If this were not possible, the individuals would perhaps have invested their money in businesses and trades that would encourage employment for others. Instead the money kept in the bank is used by the bank to lend money to others and to make greater profit (through interest) whilst giving the investor only a small share of the profit.

When interest rates are higher on the borrowing of loans, the production cost of goods rises. That in turn results in higher prices of commodities. Furthermore, since the rich continue getting richer, they can afford to bid higher prices of goods especially those items whose availability is scarce. But the poor continue to suffer as they cannot afford the rising cost of essential commodities.

Taking Interest from Non-Muslims

According to Ayatullah Sistāni, a Muslim cannot take Interest from non-Muslims who live in Islamic countries under the protection of the Islamic state. It is *ih̄tiyāt wājib* not to take Interest from all other non-Muslims as well and *harām* to take interest from a Muslim.

However, in case where a non-Muslim (in both cases above) agrees or offers to pay interest out of their own free will, then the amount may be accepted not as interest but with other intentions.

In summary: When dealing with individuals do not give or take interest. When dealing with institutions in a society where you cannot avoid this you may take the interest from a bank if it is offered to you freely and you should do your best to keep any payments of interest to a minimum (mortgages, student loans, car loans, credit card interest, etc.).

Homework: To understand the evils of interest and how banks take wrong advantage of individuals and profit from them, watch **Money as Debt** and **Money as Debt II** by Paul Grignon on Youtube. Your Diniyat teacher may also arrange to watch this in class if time permits.

Dealing with Lost Property

If you find lost property on the street or in a public place, try and find the owner by announcing it and asking around. If after a while you lose hope of finding the owner, give it away in charity with the intention that the real owner will be rewarded for giving it in charity. You too will be rewarded for your honesty and for spending it in charity on behalf of the owner.

If it is a large sum of money or an expensive item that someone may come looking for at the local police station and you trust that the police will act faithfully, then hand it over to the police.

If it is within a premise, give it to someone in charge. For example, at a masjid, give it to the masjid administrators; at a shopping mall, hand it over to the lost-and-found department; at a school, give it to the office; at a bank or commercial store, give it to the customer service department, bank manager, etc.

Remember: In Islam, just because you found something does not entitle you to keep it. The only exception is if you find hidden treasure and go looking for it (like diving in the sea, mining in a cave, etc.) And the rules for this are found in the risāla of the *marāj'i* under the rules of Zakāh and Khums.

Lesson 5

Dabiha (Laws of Slaughtering Animals)

Dabiha Conditions by Which Meat Becomes Halāl

An animal that dies naturally or is not slaughtered in the prescribed Islamic manner of *dabiha* cannot be eaten and its meat is considered unclean. But an animal, (a) whose flesh can be eaten, and (b) that is slaughtered in the prescribed Islamic way is considered clean and lawful (halāl) and can be eaten.

The person who slaughters an animal must be a sane, adult, Muslim, male or female; even a child may slaughter an animal as long as he or she is of an age to be able to distinguish good from evil.

Slaughtering should be performed with an instrument made from iron or steel, and it must be sharp. However, if iron or steel is not available, any sharp implement can be used to slaughter the animal.

The animal should be placed on its side (or held up on its rear) in such a manner that the front of its head, its four legs and belly face the qibla at the time of slaughter. It is not necessary that the animal should be exactly facing the qibla, but only facing such a direction that common speech would say that it was.

The slaughterer should also face the qibla. If the slaughterer, knowing this law deliberately does not turn the animal in this direction, the meat of that animal cannot be eaten; but if he or she does not know the law, does not know the direction of the qibla, or was unable to place the animal correctly, or keep it correctly positioned, the slaughter is valid.

After placing the knife on the throat of the animal, the slaughterer should say, with the niyyah of slaughtering the animal: bismillah ('In the name of Allāh'), preferably in Arabic. If the person deliberately omits to say this, the animal cannot be eaten, but if he or she accidentally forgets, the slaughter is valid.

The slaughterer should cut through the four main blood vessels of the animal's neck, cleanly and completely. It is also necessary that after the blood vessels have been cut the animal should move, even if it only moves its eyes or tail, in order to prove that it was not dead before being slaughtered.

Slaughtering an animal where other animals can look on, or slaughtering an animal one has bred and raised oneself are disapproved (makruh).

A Summary of the Laws of Dabiha

1. The one who carries out the slaughtering must be a Muslim
2. If possible, the instrument used to slaughter should be made of iron
3. The creature to be slaughtered must be made to face the Holy Ka'bah
4. The person performing the slaughter must mention the name of Allāh as he slaughters the animal
5. There must be a normal emission of blood from the animal after the slaughter
6. The animal must show some sign of movement after being slaughtered, especially if there was some doubt whether the animal was alive before being slaughtered

Hunting

In hunting it is not necessary to cut the throat of the animal in the manner of slaughtering. As long as the animal dies while being hunted in the manner described below and its flesh is permissible to eat, it will be *halāl* and *tāhir* to eat.

The animal or bird must be killed with a sharp-pointed weapon that pierces its body. If the animal or bird is shot, the bullet or shot must have pierced the animal's skin, and this must be the direct cause of death. If it is killed by beating with sticks or stones, or only by the pressure of the weapon and not by its sharpness, it cannot be eaten and is considered *najis*.

The hunter must be a Muslim, and should say *bismillah*, preferably in Arabic, at the time of shooting or using the weapon. However, if he accidentally forgets to say the *basmalah*, the hunt is still valid.

The animal must be hunted intentionally. If, for example, a person fires a shot, and by chance kills some animal, it cannot be eaten, nor is its carcass considered *halāl*.

If the hunter reaches the animal or bird while it is still alive and there is time to ritually slaughter it, then the animal must be slaughtered according to the rules of *dabiha*.

Halāl and Harām Food

The easiest way to understand what foods are *halāl* and what are *harām* in Islam is to divide all foods that human beings normally consume into two groups: Plants and Animals.

The Plant Family

Plants include vegetables, fruits, legumes, grains, and so on. These are all halāl unless:

- a) They are known to be harmful to human beings e.g. poisonous or narcotic substances.
- b) They are mixed with something najis or harām. For example, a drop of alcohol in a sauce or soup would make it harām to drink or eat it. Lard in a croissant would make the croissant harām. Animal fat from an animal that is not halāl or was not slaughtered Islamically, mixed with fries or chips would make it harām, even if only the same spoon was used to flip a harām burger and the fries. The fries are touched with najis oil and therefore cannot be eaten.

Animals

Animals can further be divided into three groups:

- Land Creatures
- Sea Creatures
- Birds

Halāl and Harām Land Creatures

The animals whose meat is halāl include cattle (cows and buffaloes), sheep and goat.

It is important to distinguish between an animal's meat being halāl/harām for consumption and being clean/unclean (tāhir/najis). An animal's meat can be harām but its carcass can still be tāhir. And conversely, if halāl meat becomes najis (e.g. with drops of alcohol) then it becomes harām to eat, not because it wasn't slaughtered properly or is not halāl but because it is najis. In other words, the meat we consume must be halāl but additionally, any food we consume must also be tāhir.

As a rule, the carcasses of all animals that have spurting blood (i.e. their blood spurts out when a blood vessel is cut) are *najis* unless the animal is hunted or slaughtered according to the rules of *dabiha*. Even if an animal whose flesh is harām to eat was hunted or slaughtered according to the Islamic law, its carcass will be clean (tāhir). However, the carcasses and bodies of pigs and dogs are unclean (*najis*) in all circumstances.

The carcasses of all animals that do not have spurting blood are considered tāhir regardless of how they died or were killed.

The Unlawful Parts of a Lawfully Slaughtered Animal

There are some parts of a halāl animal that are harām to eat regardless of how it was slaughtered or hunted. These are: the blood, the male or female generative (sexual) organs, the pineal gland (found in the brain), the spinal cord, the nerves at either side of the spine, the gall and urinary bladders, the glands, the spleen, excrement and the eyes. All those parts that are unattractive or off-putting should be avoided as well.

In summary:

- | | |
|--------------|--|
| Halāl | <ul style="list-style-type: none">▪ Domestic animals that have a cleft hoof except for pig e.g. cow, goat, sheep, lamp, camel.▪ Certain wild animals (not kept in enclosures) e.g. mountain sheep and goats, wild buffaloes, gazelles and deer. |
| Harām | <ul style="list-style-type: none">▪ Dog and Pig.▪ Animals with canine teeth or fangs (lions, tigers).▪ Most wild animals (monkeys, elephants, giraffes, hares).▪ Domestic animals without hooves or cleft hooves (e.g. rabbits, cats).▪ All reptiles.▪ Most insects.▪ Halāl animals that die naturally or are not slaughtered Islamically. |

Halāl and Harām Sea Creatures

As a rule, for any fish to be halāl, it must:

- Have scales.
- Be alive when it is removed from the water i.e. it should not be dead in the water when it is pulled out with a net, fishing line, or any other means. If a person knows for sure that a fish was dead in the water (e.g. it washes up the shore) then that fish is harām to eat even if it has scales. Its carcass however is clean (tāhir) when touched.

Examples of halāl fish are salmon, tilapia, tuna and snapper. Examples of harām sea creatures are shark, whale and eels. Crustaceans (who usually have an exoskeleton) like crabs and lobsters are harām except for shrimps and prawns that are halāl to eat.

Halāl and Harām Birds

The typical birds that are halāl to eat are what are referred to as poultry i.e. chicken, hen and roosters. Birds whose meat is halāl to eat (when slaughtered Islamically):

- Flap their wings and don't glide (like hawks and eagles). If this is not easy to determine, then if the back of the feet have a spur it is halāl otherwise it is harām.
- Have feathers covering their whole body.
- Are not considered to be 'Birds of Prey' (like vultures).

Creatures like bats are harām (whether we consider them to be a mammal or a bird).

Examples of Halāl Birds



Examples of Harām Birds



Note: In special cases where one is in danger of dying through starvation, anything - including haram and najis things - can be consumed to save life. In fact it is wājib to eat or drink it to save your life (e.g. pork, blood, dead carcass, etc.). However, this must be done as a last resort and only the absolute minimum must be eaten, just to stay alive.

Guidelines to Eating at Restaurants

When eating out, it is important to establish who owns the restaurant. If it is owned by a Muslim who apparently is mindful of religion then no further investigation is necessary and all food served is halāl.

If a Muslim who appears to be unmindful of the religious laws owns it, for instance he serves or allows alcohol on his premises, then he must be questioned about the source of his meat, the handlers of the food and its contents. You can eat there only if you are certain that it is halāl. But even if it is halāl you should try to avoid eating there because you are supporting the business of a restaurant that serves or allows alcohol.

If a restaurant is owned by a non-Muslim or the ownership is unknown, then the meat cannot be eaten, unless one becomes convinced that it is halāl and has been cooked by a Muslim.

For non-meat foods, the method of preparation has to be checked. For instance, when buying fries, one has to ask the owner whether the oil used for frying is vegetable oil or animal fat. And also whether the meat products are fried in the same oil or not. And also whether the instruments (spoon, containers, etc.) are shared or not.

Products that are advertised as suitable for vegetarians or fish based products like cod or salmon burgers are halāl, unless you are sure that the contents include animal products (e.g. fried in animal batter) or that they have been handled by people other than Muslims or Ahl al-Kitāb i.e. Christians and Jews.

It is harām to eat or drink out of containers made of real gold or silver, wherever you are (home, restaurant or elsewhere).

Common Harām Ingredients

Whenever you are shopping for food, always check the ingredients of what you are about to purchase. The following ingredients are harām to eat or drink and you should not buy or eat any product that contains them, even if it is a very small amount:

- 1 Pork - Also avoid anything with non-halāl meat in its ingredients e.g. In frozen pizzas.
- 2 Alcohol - May sometimes appear in ingredients as rum e.g. in cakes or candy.
- 3 Pepsin - Usually found in cheese and cheese products. Rennet is ok according to Ayatullah Sistāni.
- 4 Gelatin - Usually found in marshmallows, cookies, candy.
- 5 Lard - Usually found in cookies and bakery products (muffins, donuts, croissants). If the bakery product does not mention lard then it is halāl to eat e.g. at a coffee shop.

Remember, for non-meat products, if it is not explicitly mentioned in the ingredients, you can assume it is halāl (e.g. when buying bakery products). But for meat and meat products, you need to verify and be sure - you should not *assume* it is halāl.

Lesson 6

Burial Rites

﴿كُلُّ نَفْسٍ ذَائِقَةُ الْمَوْتِ وَإِنَّمَا تُوَفَّقُونَ أُجُورَكُمْ يَوْمَ الْقِيَامَةِ فَمَنْ زُحْزِحَ عَنِ النَّارِ وَأُدْخِلَ الْجَنَّةَ فَقَدْ فَازَ وَمَا الْحَيَاةُ الدُّنْيَا إِلَّا مَتَاعُ الْغُرُورِ﴾

Every soul shall taste death, and you will indeed be paid your full rewards on the Day of Resurrection. Whoever is delivered from the Fire and admitted to paradise has certainly succeeded. The life of this world is nothing but the wares of delusion.

- Surah Al-i Imrān, 3:185

In Book 10, we learnt some of the wājib rites in Islam that must be performed on a Muslim's body when he or she dies. In particular we learnt how to wash a Muslim's corpse (*ghusl al-mayyit*), how to shroud it (*takfin*), and how to pray *salāt al-mayyit* over it. We also learnt about *ghusl mass al-mayyit* that is wājib on a person who touches a dead body after it has grown cold and before it has been given *ghusl al-mayyit*.

In this Book we will study the wājib rules regarding the burial of a Muslim but we will also review some of the recommended (*mustahab*) rites to perform when you are near a Muslim who is dying and even after he or she passes away.

At the Time of Dying

When a person is about to die, this is called the time of *Ihtidhār* in Arabic. And the pangs and anguish they may feel are referred to as *sakarāt al-mawt* (the pangs of death).

What a Dying Person Needs To Do

1. He or she should ensure they have left a will behind. They should inform those around where to find the will and it should be read before the funeral rite and burial for any specific instructions.
2. If he or she has their own *kafan*, they should inform those around where to find the *kafan*.
3. If it is a man, he should inform his eldest son or nearest of kin about any missed *salāh* and fasts and if Hajj was wājib but not done as well as any outstanding *khums* and *zakāh*. He should ask for all this to be settled as soon as possible and before inheritance is distributed. A woman can also ask her next of kin to fulfil any missed wājibāt and in particular if she has any debts that need to be settled.

4. He or she should ask for forgiveness from all around and especially from those who they know may be upset with them. They should also ask Allāh for forgiveness of sins and for the intercession of Rasūlullāh (s) and his Ahl al-Bayt (‘a). Recite Kalima, istighfār, salawāt and any āyāt of Qur’ān they know, as much as possible.

Here are some things we can do for a dying Muslim, to help them as they prepare to leave this world:

Wājib Actions to Do For a Dying Person

Turn them or lay them down on their back (if not already on their back), whether adult or child, male or female, with their feet facing towards qibla. The body should also be placed in this position after demise and during the washing (ghusl al-mayyit). But after ghusl al-mayyit, instead of the feet facing the qibla, the body is kept perpendicular to qibla, such that when people stand facing the qibla, the head of the body is to their right and the feet is to their left. (This was taught in the previous Book).

Mustahab Actions to Do For a Dying Person

1. If a person is struggling and facing difficulties and pain in the moment of death, it is recommended to place his or her body where he or she used to perform salāh. And to recite for them Dua al-‘Adila.
2. Help the dying person to recite the shahadatayn and if they cannot, then it is recommended to pronounce the following shahadatayn over the dying person as follows:

نَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَنَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ

We bear witness that there is no god but Allāh.

And we bear witness that Muhammad is his servant and His Messenger.

3. There are several recommended supplications (du’as) that a dying person can recite or those near him or her can recite. These can be found in the books of du’as. It is also recommended that as many surahs of the Qur’ān as possible should be recited for the dying person’s comfort, especially Surah Yāsin (36), Surah as-Saffāt (37), Surah al-Ahzāb (33), āyah 254 of Surah al-Baqarah (2), and āyah 54 of Surah al-‘Arāf (7). If possible, these should be recited near the head of the person.

Makruh Actions to Do For a Dying Person

1. To leave a dying person all alone

2. To sit near the dying person in the state of *janābah* or *haid* (for women)
3. To place hands or any object (especially heavy objects) on the stomach or body of the dying person
4. To talk too much or cry too much in the presence of the dying person

What to Do Just After Death

1. Close his or her eyes and lips and straighten their arms and legs
2. Remove any jewellery, accessories on the body, etc. that may be difficult to remove later when the body grows cold
3. Cover the whole body with a cloth sheet
4. If it is during the night, do not leave the body in darkness
5. Inform people of the demise, especially the immediate relatives and local residents who can attend the funeral

It is strongly recommended that the last rites (ghusl, kafan, etc.) and the burial should not be delayed, unless there is some special reason.

A Word on Death

A Muslim should never be afraid of dying. A true faithful Muslim (a *mu'min*) believes death is not the end. It is only a bridge that takes one to another, more permanent and more beautiful world. Allāh also says this in the Qur'ān clearly:

﴿بَلْ تُؤْثِرُونَ الْحَيَاةَ الدُّنْيَا وَالْآخِرَةُ خَيْرٌ وَأَبْقَى﴾

Rather you prefer the life of this world, while the Hereafter is better and more lasting.
- Surah al-'Ala, 87:16-17

According to Imām Hasan al-Askari ('a), a *mu'min* has nothing to fear about death. It is like a bath after one has dirt on the body. It cleans him or her and after a brief suffering or pain, a true faithful never ever suffers again for eternity. This is of course provided he or she did their best to obey Allāh, always doing what is wājib, keeping away from harām and asking for forgiveness from Allāh and making up for any mistakes they made in life.

One of the marks of a *mu'min* is that they don't expect happiness and peace and comfort in this world. If they get moments of physical comfort, they are grateful to Allāh but they expect most of their reward and happiness to come in Paradise (Jannah), which is the true home and permanent place of stay for the faithful.

A Shi'ah once came from Kufa to Madina to see Imām Ja'far as-Sādiq ('a) and complained to him about his suffering. "Be patient," said the Imām, "for Allāh will give you relief." Then Imām al-Sādiq ('a) remained silent for a while. Then he turned towards the man and said, "Tell me about the prison of Kufa, how is it?"

"May Allāh protect you," the man replied, "It is confining in space, putrid in smell and its inmates are in the worst of conditions."

"But you are in a prison too," said the Imām ('a), "do you expect to (always) be at ease? Do you not know that the world is a prison for the faithful?"

And according to Imām Muhammad al-Bāqir ('a), the soul of a (dead) faithful (*mu'min*) is asked – when it is being washed: "Would it please you to be returned to the body that you resided in?" And it replies: "What am I to do with (more) suffering, loss and grief?!!"

This means the next world is far more beautiful and comforting for a *mu'min*. Rasullullāh (s) has said, "The world is a paradise for the faithless and a prison for the faithful (*mu'min*)."²⁸ And the opposite is true for the life after death.

Accompany a Funeral Procession

There are very many ahādith stressing the importance of attending funerals. Attending a funeral has very many benefits. It gives honour to the Muslim who has passed away. It comforts the family and loved ones of the deceased. It reminds us of the next world, our permanent and real home. It reminds us of our own mortality and how we too will one day be washed, shrouded, prayed over and buried by others. There is tremendous *thawāb* (spiritual reward) in attending a funeral.

It is not recommended to laugh, joke, talk too much or even smile at a funeral if it hurts the feelings of the relatives of the deceased Muslim. Instead a person should pray to Allāh constantly for forgiveness of the Muslim who has passed away and for his or her own forgiveness as well, whilst doing their best to comfort the relatives and loved ones of the deceased.

Amir al-Mu'minin Imām Ali ('a) was once accompanying a funeral when he heard someone laugh. He got angry and said, 'Is it that death is only for others? Is it that we will never die? Is it that those whom we see departing on their journey of death will come back to us? We lay them down in their graves and then enjoy their estate (as if we will live forever after them)!'

And Imām Ja'far as-Sādiq ('a) has said, 'Amongst the rights of a faithful (*mu'min*) is that when he sneezes, you should invoke Allāh's Name (to bless him)²⁸, and if he is in

²⁸ By saying 'yarhamukallāh' (May Allāh have mercy on you!) (or 'yarhamukillah' for women).

pain, you should try and relieve him of it; if he is sick, you should visit him, and if he dies, you should attend his funeral and accompany his body to the cemetery.'

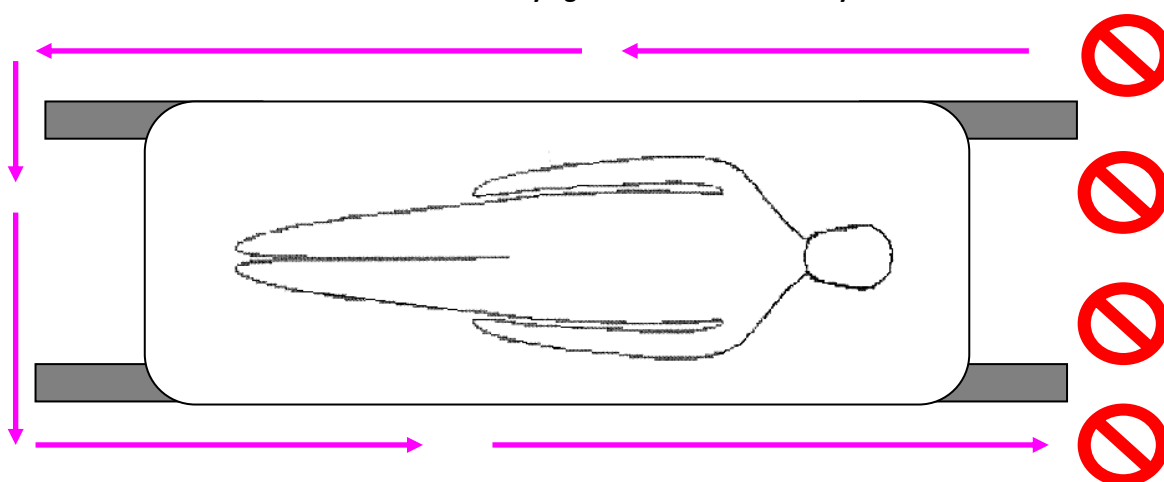
Carrying the Coffin

When the coffin is being carried to the hearse and also from the hearse to the grave at the cemetery, it is mustahab that at least four people (in each corner) should place and carry the coffin on their shoulders (not up in the air).

For the other Muslims who help with the coffin, it is mustahab to start from the side where the right shoulder of the corpse lies and then move anti-clockwise and carry it, helping one another. The bearers of the coffins should not pass under the coffin or in front of it.

CARRYING A DEAD BODY

Mustahab at all times for 4 people to place the four corners of the janāza (coffin) on their shoulders while carrying it towards the cemetery.



Also Mustahab to start bearing the janāza from the side where the right-hand shoulder of the corpse lies, and to continue in an anti-clockwise direction. The bearers should not move across the front of the janāza or underneath it.

Visiting the Cemetery (Ziyārat al-Qubur)

Those who have passed away should not be forgotten after their burial. Some people try and remember their loved ones who have passed away by erecting an expensive tombstone over their grave or placing flowers and incense on it all the time, and so on. While this is not *harām*, remember this is for the comfort of the relatives who are alive. It doesn't benefit the one who has passed away. The one who has passed away is most in need of prayers to help him or her in the other world.

It is makruh to build up a grave into a permanent structure (e.g. with a tombstone) unless it is the grave of a scholar (*'ālim*) and whose grave can inspire others to become religious, gain religious knowledge, and so forth.

Some of the ways in which we can help our loved ones who have passed away are:

1. If the deceased had any debts to settle, pay it off e.g. pay back any money they borrowed from anyone.
2. If the deceased had any missed wājibāt (such as lapsed salāh, fasts, khums, zakāh, hajj, etc.) to make up for the missed wājibāt and even pay someone to pray, fast and/or go for hajj on behalf of the deceased.
3. Reciting Surah Yāsin and other surahs of the Qur'ān and other du'as for the thawāb of the deceased. It is better to do this at the grave although it can be done from home as well.
4. To visit the cemetery, especially on Thursdays or Fridays and to pray for the dead there and remind ourselves of death.
5. To feed the poor, give charity and help others on behalf of the deceased. Their name does not have to be announced in public. The reward received by the deceased is the same and in fact there is greater reward for a good deed done in private than for the same deed done in public (with the announcement of the name of the donor or for whom it is done).
6. To remember the deceased in *salāt al-layl* (the midnight nāfila salāh).
7. To generally ask Allāh to forgive the sins of the deceased and to keep them in close proximity with Rasullāh (s) and the Ahl al-Bayt ('a) and to unite us with them in Jannah on the Day of Judgement.

Lesson 7

Burial Rites (cont'd)

﴿أَيْنَمَا تَكُونُوا يُدْرِكُكُمُ الْمَوْتُ وَلَوْ كُنْتُمْ فِي بُرُوجٍ مُّشِيدَةٍ﴾

Wherever you may be, death shall overtake you, even if you were in fortified towers.

- Surah an-Nisā, 4:78

Burial (Tadfin)

It is wājib on every Muslim to bury the corpse of a Muslim.

If it is not possible to bury a corpse in the ground, it can be placed and sealed in a coffin or room set aside for this purpose.

In two cases, the corpse can be buried at sea instead of in the ground:

- If a person dies at sea and there is no way to prevent the body from decomposing, or there is some obstacle to its being kept on board till land is reached.
- When it is feared that an enemy will break into the grave and disfigure the corpse.

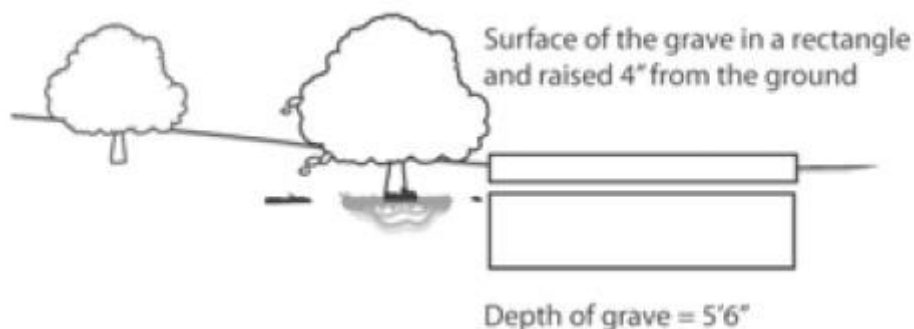
In these two cases, the corpse should be given ghusl al-mayyit, hunoot, shrouding and salāt al-mayyit; then, as a precaution, it should be covered with a rug and the rug tied at the end, and a stone or heavy object fastened to its feet; and then it should be lowered into the water. All possible precautions should be taken to prevent the corpse from becoming an immediate prey for the beasts of the sea.

It is harām to bury a Muslim in the graveyard of non-Muslims and vice versa. It is ok if a part of a large cemetery is reserved for Muslims only and there are other non-Muslims in the grounds as well.

A Muslim must also not be buried in usurped (*ghasbi*) ground. Nor is it permitted to bury a corpse in another grave, unless the previous corpse has completely decomposed. It is preferable to bury the dead in the nearest cemetery unless another cemetery has some special priority.

Digging the Grave

The grave should be dug in the ground sufficiently deep to prevent animals reaching the corpse or the odour of the corpse escaping.



Taking the Corpse to the Cemetery

It is mustahab that when the coffin is taken to the grave, it should be placed on the ground several metres away from the grave, then brought a few metres nearer to the grave, and for a second time placed on the ground, then brought nearer and placed by the side of the grave.

If the corpse is that of a man, it should be kept in line with the foot of the grave i.e. with his head at the foot of the grave; if it is that of a female, it should be placed beside the grave. When the corpse is finally raised prior to lowering it into the grave, there are several recommended du'as to recite. Here we give the English only to give you an idea of what is recited:

In the Name of Allāh and through Allāh, and by virtue of the community of the Prophet of Allāh, may Allāh bless him and his Progeny and grant them peace. O Allāh, to Your mercy, not to Your punishment. O Allāh, make wide his/her space in the grave, call him/her by his/her record, strengthen him/her with steadfast words, and spare him/her the torment of the grave.

O Allāh, appoint for him/her one of the gardens of Paradise, not one of the pits of the Fire.

O Allāh, Your slave, the son/daughter of your man and woman slave, rests with You; You are the best resting place for him/her.

Lowering the Body into the Grave

The corpse of a man should be lowered into the grave from the foot of the grave headfirst; the body of a woman should be lowered into the grave from the side of the grave. The corpse should be taken out of the coffin and lowered into the grave gently. If laws of the country do not allow the body to be buried without a coffin, then the coffin should be lowered into the grave.

As the body/coffin is being lowered, at this point it is recommended that the following du'a should be recited in a lowered tone:

O Allāh, hollow out the earth on his/her two sides, raise up his/her actions, and cause him/her to encounter the pleasures [of Paradise] from You.

It is recommended that those who lower the corpse into the grave should have a bare head and bare feet. If the body is that of a woman, those who enter the grave should be her close relatives; if they are not present or unable to enter the grave, her other relatives should do so. If the grave is too deep for anyone to go down and receive the coffin, a winch (pulley-like mechanical device) is used to lower the coffin.

Placing the Corpse in the Grave

When the corpse has been lowered into the grave, the pieces of cloth tied to the head and foot of the shroud should be opened. The corpse should be laid into the grave on its right side (shoulder) so that the face is towards the qibla and its back is not on ground but on the sidewall of the grave. The right cheek should be on the ground. A little mud or clod of earth should be placed against the back of the body so that it will not turn over. The head of the body should be placed on a pillow made of earth.

If the body is being buried with a coffin, it should be made to lie on its side inside the coffin and some earth can be placed under its head (as a pillow to support the head) inside the coffin. All this may have to be done before the coffin is lowered into the grave with a winch.

The Talqin

After placing the corpse in the described position, it is recommended to recite the talqin for it. The person in the grave (or near the coffin) should place his right hand on the right shoulder of the corpse, and the left hand on its left shoulder. Then that person, or someone else, should read out the talqin. The one who has placed his hands on the shoulders of the corpse should shake the corpse's shoulders firmly each time the name of the deceased is mentioned in the talqin. The person reciting it should try and recite it close to the ear of the dead person.

If the body is being lowered in a coffin into a deep grave using a winch, the talqin is recited *before* it is lowered so that someone can hold the shoulders of the corpse and shake it gently as necessary.

The talqin is recited in Arabic and can be found in the *risāla* of the marā'ij'i.

Filling the Grave

After the recital of the talqin, those who are in the grave should come out from the foot of it. All people present, except the near relatives of the deceased, should push soil into the grave. They should push the soil in with the back of their hands (palm facing down, shovelling the earth with the top part (back) of their hand and saying:

إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ

We are from Allāh, and to Him we shall return

They should also recite:

O Allāh, reduce his/her isolation, make his/her loneliness easy, remove his/her fear, settle upon him/her of Your Mercy that which will make him/her able to dispense with the mercy of anyone apart from You, for Your Mercy is for those who seek it.

If the grave is deep and the body was lowered in a coffin, the *mu'mineen* can push some soil with their hands and thereafter an excavating vehicle is used to pour the bulk of the soil back into the grave.

It is recommended that after the soil has been pushed in, the grave should be built as a square or rectangle, raised three inches above the ground. Some sign (a stone, a piece of wood, etc.) should be placed on the grave. Then some water should be poured upon the grave and those present should thrust their fingers in the grave (such that it leaves finger marks) and recite Surah al-Fātiha and Surah al-Ikhlās (*Qul Huwa Allāhu Ahad*), and also Surah al-Qadr (97) seven times. This is called *Tanzil*. They should seek Allāh's forgiveness for the deceased.



It is also recommended that after those attending the funeral have dispersed, the near relatives and the wali²⁹ of the deceased, or anyone nominated by them, should return and read the talqin again for the deceased.

Mourning and Condolence

Patience (*sabr*) on the death of near relatives especially that of one's child is highly recommended. When remembering the deceased, one should say *inna lil lāhi wa inna ilayhi rāji'un*. It is forbidden to scratch one's body or face through grief, or slap one's face or harm oneself in any other manner. If a man or a woman scratches his

²⁹ 'Wali' is the guardian. For an unmarried girl it is her father and of a married woman it is her husband. For a man, it is the eldest son. When such a *wali* is not present, it is the closest relative present (the one who inherits the most from the deceased).

or her face or tears their hair, etc, he or she should, as a recommended precaution, feed or clothe ten persons as a penalty and atonement (*kaffāra*).

Tearing at, or ripping one's clothes is not allowed under any circumstances; even in the case of the death of one's father or brother this should be avoided as an *ih̥tiyāt wujubi*. It is also *ih̥tiyāt wājib* not to weep too loudly at the death of a relative. Instead one should remember the deceased, recite the Qur'ān for them, and ask for Allāh's forgiveness for them.

The only exception for expressing grief loudly (such as crying loudly or slapping one's chest or head) is for the ma'sumeen ('a) (i.e. Prophets and Imāms) and members of the Ahl al-Bayt ('a) close to them. This is especially encouraged for Imām Husayn ('a) and the martyrs of Karbala. It is highly recommended to weep for them loudly and to express grief. However one should still not harm oneself or behave in a manner that discourages people from Islam and the message of Imām Husayn ('a).

It is recommended that neighbours, friends and others should visit the relatives of the dead and express their condolences. It is also recommended that food should be sent to the house of the deceased for three days. However, it is disapproved to remind the near relatives of the deceased when some time has elapsed.

Salāt al-Wahsha and Salāt Hadiya al-Mayyit

It is recommended that on the first night after the burial, the *wali* or a near relative of the deceased should perform a two *rak'ah* salāh for the deceased called the *Prayer of Desolation (Salāt al-Wahsha)*. It can be performed at any time during the first night after the burial, but preferably in the early night after the 'Isha salāh. Salāt al-Wahsha is performed as follows.

In the first *rak'ah* Surah al-Fātiha should be recited followed by Ayāt al-Kursi (Verses of the Throne, 2:255-257). In the second *rak'ah*, after Surah al-Fātiha, Surah al-Qadr (97) should be recited ten times. After the conclusion of the prayer, one should recite salawāt and say: '*O Allāh assign the reward of these two rak'ahs to the grave of <so-and-so>... (name the deceased).*'

For the rest of the Muslims, unless the *wali* of the deceased has requested them to pray Salāt al-Wahsha, they should instead pray two *rak'ahs* like any *mustahab salāh* with the niyyah of *Salāt Hadiya al-Mayyit* (a salāh as a gift to the deceased).