

Fiqh **(Laws)**

Lesson 1

Salāt al-‘Īd

Salāt al-‘Īd is performed on two occasions: ‘Īd al-Fitr (1st of Shawwāl - the day after the end of the fasting-month of Ramadan) and ‘Īd al-Ad-ha (10th of Dhu al-Hijjah, also known as the Festival of the Sacrifice, ‘Īd al-Qurbān).

Salāt al-‘Īd is wājib when a ma’sum Imām is present but in his absence it is mustahab. It can be performed either in congregation (jamā’ah) or individually (furāda). The time for Salāt al-‘Īd is between sunrise and noon (dhuhr). It is recommended that it should be performed immediately after the rising of the sun.

Method of Performance

It is preferable to perform Salāt al-‘Īd under an open sky. When the sun has risen and people have gathered, instead of reciting the adhān or iqāmah, the muadhhdhin must call out ‘*as-Salāh*’ three times (like in Salāt al-Ayāt) and everyone present should rise for the salāh.

Salāt al-‘Īd consists of two rak’ahs. It is like the fajr salāh, except that after the recitation of the two surahs, the first rak’ah has five plus one takbirs, and the second rak’ah has four plus one takbirs. It is recommended that each takbir should be followed by a qunút.

An easy way to remember how to pray Salāt al-‘Īd is to remember that the first rak’ah has five qunúts but the second rak’ah has only four qunúts. (But remember the qunúts are only recommended. The takbirs are wājib.) During qunút, it is recommended to recite the following du’a:

اللَّهُمَّ أَهْلَ الْكِبْرِيَاءِ وَالْعِظَمَةِ وَأَهْلَ الْجُودِ وَالْجَبْرُوتِ وَأَهْلَ الْعَفْوِ وَالرَّحْمَةِ
 وَأَهْلَ التَّقْوَى وَالْمَغْفِرَةِ أَسْأَلُكَ بِحَقِّ هَذَا الْيَوْمِ الَّذِي جَعَلْتَهُ لِلْمُسْلِمِينَ عِيدًا
 وَلِمُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ذُخْرًا وَشَرَفًا وَكَرَامَةً وَمَزِيدًا أَنْ تُصَلِّيَ عَلَيَّ
 مُحَمَّدٍ وَآلِ مُحَمَّدٍ وَأَنْ تُدْخِلَنِي فِي كُلِّ خَيْرٍ أَدْخَلْتَ فِيهِ مُحَمَّدًا وَآلَ مُحَمَّدٍ
 وَأَنْ تُخْرِجَنِي مِنْ كُلِّ سُوءٍ أَخْرَجْتَ مِنْهُ مُحَمَّدًا وَآلَ مُحَمَّدٍ صَلَوَاتِكَ عَلَيْهِ
 وَعَلَيْهِمْ. اللَّهُمَّ إِنِّي أَسْأَلُكَ خَيْرَ مَا سَأَلْتُكَ بِهِ عِبَادُكَ الصَّالِحُونَ
 وَأَعُوذُ بِكَ مِمَّا اسْتَعَاذَ مِنْهُ عِبَادُكَ مُخْلِصُونَ

Translation:

O Allāh, Possessor of Majesty and Greatness! And Possessor of Generosity and Might! And Possessor of Pardon and Mercy! And Possessor of Power and Forgiveness! I ask You, for the sake of this day, which You have made an 'Id for the Muslims and for Muhammad, blessings be on him and his family, a treasure, honour, dignity and more; that You bless Muhammad and his family and that You include me in ever good that You have included Muhammad and his family; and that You remove me from every evil that You have removed Muhammad and his family from. Your blessings be on him and on them. O Allāh! I ask You for the best that Your righteous servants ask You for and I seek refuge with You from what Your most sincere servants seek refuge.

Here now are the **step-by-step instructions** for Salāt al-Īd:

1. Stand up for first rak'ah. Make your niyyah and takbirat al-ihram.
2. Recite Surah al-Fātiha and any other surah (Surah al-A'la (87) is recommended).
3. Then perform the first takbir and raise your hands for qunút. Any dua can be recited in qunút but it is recommended to recite the dua given above.
4. Then bring your hands down.
5. Then perform the second takbir and raise your hands for the 2nd qunút.
6. Then bring your hands down.
7. Then perform the third takbir and raise your hands for the 3rd qunút.
8. Continue this until you have performed five qunúts.
9. After the 5th qunút, bring your hands down. Then perform one more takbir and go into rukú'.
10. Continue praying like fajr salāh until you stand up for the 2nd rak'ah.
11. In the 2nd rak'ah, after Surah al-Fātiha, it is recommended to recite Surah ash-Shams (91).
12. Recite the takbirs and qunúts like the first rak'ah but now only four qunúts are performed (instead of five).
13. Then continue and complete the salāh as normal.

After Salāt al-Īd is over, the Imām (prayer-leader) should deliver two sermons. He should pause and sit in the interval between them, just as in Salāt al-Jumu'ah (that you have learnt about in Book 8).

Zakāt al-Fitr

Zakāt al-Fitr or 'Fitra' is wājib alms that has to be paid at the end of the month of fasting. Every bāligh, sane Muslim has to pay the fitra for himself, all his dependants and all his guests who spend the maghrib before 'Id day (i.e. eve of 'Id) at his house. The fitra amount is one *sa'* (about 3 kilos) of one's staple diet (usually wheat or rice), or its equivalent price, for every person in the house. Dependents and guests include infants, children and adults, male or female, Muslim or non-Muslim. However there is no fitra for a child who is not born until after maghrib of the eve of 'Id or for a person who is mentally handicapped or in a coma.

Fitra should be given with the niyyah of *qurbatan ilallāh*, any time from the maghrib of the last day of Ramadan until the noon of 'Id day. If a person is praying Salāt al-'Id, they should give out their fitra first before praying. If a person has to give the fitra in advance, he can give it with the intention of lending the money to a needy person beforehand then count it as fitra when the time comes. If a person fails to pay the fitra before the noon of the day of the 'Id, he/she should still give it after, with the niyyah of *qurbatan ilallāh*.

Fitra is paid to the needy and poor among the Shi'ah Muslims. One should try to verify before paying *fitra* that the person being paid is genuinely poor. The poor person to whom *fitra* is given should not be a known sinner, who openly commits sins and does not pray. A sayyid (descendant of Rasulullāh (s) from Sayyida Fātima az-Zahra ('a) and Imām Ali ('a)) cannot receive fitra from a non-sayyid but a non-sayyid can take the fitra of a sayyid.

It is wājib to give fitra to the needy in our own hometown first and it is recommended to give fitra to our own poor relatives and neighbours first (if they are Shi'ah Ithna Ashari Muslims). If there is no one deserving of fitra in our local community then we can send it to those further away to other cities or countries. When we give the poor and needy Zakāt al-Fitra we don't have to tell them what it is or why we are giving it to them.

Other Recommendations

On 'Id al-Fitr it is recommended that we should repeat the following after the maghrib, isha and fajr salāh that we pray before the 'Id Salah:

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ - اللَّهُ أَكْبَرُ اللَّهُ أَكْبَرُ لَا إِلَهَ إِلَّا اللَّهُ وَاللَّهُ أَكْبَرُ اللَّهُ أَكْبَرُ
وَلِلَّهِ الْحَمْدُ اللَّهُ أَكْبَرُ عَلَيَّ مَا هَدَانَا

Translation: In the Name of Allāh, the Beneficent, the Merciful. Allāh is greater. Allāh is greater. There is no god except Allāh and Allāh is greater. Allāh is greater and all is praise is for Allāh. Allāh is greater for what He has guided us to.

For 'Īd al-Ad-ha, after reciting the above, we should also add the following recitation:

اللَّهُ أَكْبَرُ عَلَى مَا رَزَقْنَا مِنْ بِهِيمَةِ الْأَنْعَامِ وَالْحَمْدُ لِلَّهِ عَلَى مَا أَوْلَانَا

Translation: *Allāh is greater for what He has sustained us with from the animals and praise is for Allāh for the favours He has shown us.*

On the day of the two festivals ('Īds) it is also recommended to perform ghusl and to wear new clothes.

For 'Īd al-Fitr, it is recommended to eat something first and then go for the Salāt al-'Īd. But for 'Īd al-Ad-ha, it is recommended to pray Salāt al-'Īd first and then to eat something. **It is harām to fast on either one of these two 'Īds.**

Lesson 2

The Nawāfil

Every Muslim must pray 17 rak'ahs every day. These are the fajr, dhuhr, 'asr, maghrib and 'isha prayers.

In addition to these, there are 34 more rak'ahs that are not wājib but highly recommended to pray every day. These are called the Nawāfil prayers (singular is Nāfila prayer).

Importance of Nawāfil

Islām wants every Muslim to come as close as possible to Allāh by loving Him with all one's heart, mind and body. This can only happen when we worship Allāh, not because we *have to* but because we *want to* and we love Allāh. When we do something wājib, we don't have a choice. We have to do it. We do it only because we are afraid of punishment in the Hereafter. But when we do something mustahab, it is out of choice. So Allāh loves us even more for that act of sincerity.

Of course it doesn't make sense to do something optional (mustahab) and ignore something wājib. For example, it is mustahab to fast every Monday and Thursday of the week. But it does not make sense to do it if we do not fast in Ramadan when it is wājib. Similarly, it is silly to give charity (*sadaqa*) and not give Khums and Zakāh, or to go for Ziyārah and Umra but not go for Hajj, and so on. Unless of course there is a valid reason for such actions. In the same manner, we are encouraged to pray the nawāfil *in addition* to the daily wājib prayers.

Imām Hasan al-Askari ('a) has said, 'The signs of a faithful (*mu'min*) are five: praying fifty-one rak'ahs a day (meaning 17 wājib plus 34 nawāfil), going for the ziyārah of Imām Husayn ('a) on the Day of 'Arba'in (20th Safar), wearing a ring on the right hand (e.g. aqiq ring), a mark of sajdah on the forehead, and reciting the Basmalah ('Bismillahir Rahmanir Rahim') loudly in Salāh (for the two surahs during qiyām).'

The Nawāfil Prayers

The Nawāfil Prayers are as follows:

1. 2 rak'ah nāfila *before* praying Fajr Salāh
2. 8 rak'ah nāfila *before* praying Dhuhr Salāh
3. 8 rak'ah nāfila *before* praying 'Asr Salāh
4. 4 rak'ah nāfila *after* praying Maghrib Salāh
5. 1 rak'ah nāfila that is prayed as 2 rak'ah sitting *after* praying 'Isha Salāh, and
6. 11 rak'ah nāfila anytime between midnight and Fajr Salāh

Note that the nāfila of Maghrib and 'Isha is prayed *after* the wājib salāh and not before.

A mustahab salāh can never be more than 2 rak'ah. So when we have to pray 8-rak'ah or 4-rak'ah nāfila, it means we have to pray it in units of two i.e. 2 rak'ah, then another 2 rak'ah, then another 2 rak'ah, and so on.

The 1-rak'ah nāfila after Isha is prayed as 2 rak'ah sitting. Your teacher will demonstrate how to pray whilst sitting.

In each salāh, you can recite any surah you like after Surah al-Fātiha. It is prayed like the Fajr salāh except that your intention will be 'I am praying nāfila of fajr (or dhuhr, etc.) 2 rak'ah mustahab *qurbatan ilallāh'*.

Out of all these nawāfil, there are two that are very special and need to be explained further. These are Salāt al-Ghufayla and Salāt al-Layl (next lesson).

Salāt al-Ghufayla

Salāt al-Ghufayla is a highly recommended (mustahab) salāh that is prayed between Maghrib and 'Isha salāh. And since the nāfila of Maghrib is 4 rak'ah after Maghrib salāh, you can pray two out of the four-rak'ah nāfila as Salāt al-Ghufayla and the other two rak'ahs like a normal salāh.

There are only three things (besides the niyyah of course) that make Salāt al-Ghufayla different from any other 2-rak'ah mustahab salāh and these are:

1. In the first rak'ah after Surah al-Fātiha, instead of reciting a second surah, we recite the following verse (āyah) of the Qur'ān:

﴿وَذَا النُّونِ إِذْ ذَهَبَ مُغَاضِبًا فَظَنَّ أَنْ لَنْ نَقْدِرَ عَلَيْهِ فَنَادَى فِي الظُّلُمَاتِ أَنْ لَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ إِنِّي كُنْتُ مِنَ الظَّالِمِينَ. فَاسْتَجَبْنَا لَهُ وَنَجَّيْنَاهُ مِنَ الْغَمِّ وَكَذَلِكَ نُنْجِي الْمُؤْمِنِينَ﴾

And the Man of the Fish, when he left in a rage, thinking that We would not put him to hardship. Then he cried out in the darkness, 'There is no god except You! Glory be to You! I have indeed been among the wrongdoers!' So We answered his prayer and delivered him from the agony; and thus do We deliver the faithful.

- Surah al-Anbiya, 21:87-88

2. In the second rak'ah after Surah al-Fātiha, instead of reciting a second surah, we recite the following verse (āyah) of the Qur'ān:

﴿وَعِنْدَهُ مَفَاتِحُ الْغَيْبِ لَا يَعْلَمُهَا إِلَّا هُوَ وَيَعْلَمُ مَا فِي الْبُرِّ وَالْبَحْرِ وَمَا تَسْقُطُ
مِنْ وَرَقَةٍ إِلَّا يَعْلَمُهَا وَلَا حَبَّةٌ فِي ظِلْمَاتِ الْأَرْضِ وَلَا رَطْبٌ وَلَا يَابِسٌ إِلَّا فِي

كِتَابٍ مُبِينٍ﴾

With Him are the treasures of the Unseen; no one knows them except Him. He knows whatever there is in land and sea. No leaf falls without His knowing it, nor is there a grain in the darkness of the earth, nor anything fresh or withered but it is in a manifest Book.

- Surah al-An'ām, 6:59

3. In the qunút of the 2nd rak'ah, we recite the following:

اللَّهُمَّ إِنِّي أَسْأَلُكَ بِمَفَاتِحِ الْغَيْبِ الَّتِي لَا يَعْلَمُهَا إِلَّا أَنْتَ أَنْ تَصَلِّيَ عَلَيَّ مُحَمَّدٍ
وَآلِ مُحَمَّدٍ وَأَنْ تَفْعَلَ بِي

[Meaning: O Allāh! I ask you for the sake of the unseen treasures that no one knows except You, that You bless Muhammad and the family of Muhammad and do for me...]

Then we ask Allāh for any wish we may have. Then we recite the following to finish our qunút:

اللَّهُمَّ أَنْتَ وَلِيُّ نِعْمَتِي وَالْقَادِرُ عَلَى طَلْبَتِي تَعْلَمُ حَاجَتِي فَأَسْأَلُكَ بِحَقِّ مُحَمَّدٍ
وَآلِ مُحَمَّدٍ عَلَيْهِ وَالسَّلَامُ لِمَا قَضَيْتَهَا لِي

[Meaning: O Allāh! You are the Guardian of my blessings and have power over what I seek. You know my wish. So I ask you for the sake of Muhammad and the family of Muhammad, peace be on him and on them, when You fulfill it for me.]

The rest of the salāh is the same as any salāh.

Lesson 3

Nawáfil (cont'd)

Salāt al-Layl

The 11-rak'ah midnight nāfila salāh is called Salāt al-Layl or Salāt at-Tahajjud. It is the most important nāfila salāh and is not attached to any wājib salāh. It can be prayed any time between midnight and Fajr time, but it is recommended to pray it just before Fajr time. It usually takes about half an hour to complete. So to pray it, you must wake up half an hour before Fajr time.

There are very many ahādith recommending Salāt al-Layl and even in the Qur'ān, Allāh says:

﴿وَمِنَ اللَّيْلِ فَتَهَجَّدْ بِهِ نَافِلَةً لَّكَ عَسَىٰ أَنْ يَبْعَثَكَ رَبُّكَ مَقَامًا مَّحْمُودًا﴾

And during a part of the night, pray tahajjud, as a nāfila (extra) for yourself. Maybe your Lord will raise to a position of great glory.

- Surah al-Isra, 17:79

Step-by-Step Salāt al-Layl

1. The first 8 rak'ahs are prayed as usual, in units of 2 rak'ah each. The niyyah will be 'I am praying 2 rak'ah salāt al-layl qurbatan ilallāh'.
2. Then pray 2 more rak'ahs with the niyyah of 'I am praying 2 rak'ah **salāt ash-shaf' qurbatan ilallāh'**. In this salāh, do not recite qunūt. This makes it 10 rak'ahs so far.
3. Then pray 1 rak'ah (standing) with the niyyah of 'I am praying 1 rak'ah **salāt al-witr qurbatan ilallāh'**. This is the most important part of salāt al-layl. After reciting Surah al-Fātiha and another surah, perform the qunūt and in the qunūt, recite the following:

- a. First recite:

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
 لَا إِلَهَ إِلَّا اللَّهُ الْحَلِيمُ الْكَرِيمُ
 لَا إِلَهَ إِلَّا اللَّهُ الْعَلِيُّ الْعَظِيمُ
 سُبْحَانَ اللَّهِ رَبِّ السَّمَاوَاتِ السَّبْعِ
 وَرَبِّ الْأَرْضِينَ السَّبْعِ
 وَمَا فِيهِنَّ وَمَا بَيْنَهُنَّ وَمَا فَوْقَهُنَّ وَمَا تَحْتَهُنَّ

رَبُّ الْعَرْشِ الْعَظِيمِ وَ سَلَامٌ عَلَى الْمُرْسَلِينَ
 وَالْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ
 وَ صَلَّى اللَّهُ عَلَى مُحَمَّدٍ وَ آلِهِ الطَّاهِرِينَ

- b. Then recite seven times:

هَذَا مَقَامُ الْعَائِدِ بِكَ مِنَ النَّارِ

[This is the position of one who seeks refuge in You from the fire]

- c. Then recite seventy times:

أَسْتَغْفِرُ اللَّهَ رَبِّي وَ أَتُوبُ إِلَيْهِ

[I seek forgiveness of Allāh my Lord and I turn to Him]

- d. Then pray for 40 Muslims, either living or dead, and ask Allāh to forgive them. Don't forget your parents, siblings, and family members who have passed away. You can mention their names as follows:

اللَّهُمَّ اغْفِرْ لِي _____

[O' Allāh, forgive _____ (say their name) _____]

- e. If you do not have any names of people to mention, you can simply recite:

اللَّهُمَّ اغْفِرْ لِلْمُؤْمِنِينَ وَ الْمُؤْمِنَاتِ

[O Allāh forgive all believers, male and female]

You can even mix the 40 names and mention some by name and some only with the general '*all believers, male and female*' as above.

- f. Then say 300 times:

الْعَفْوِ

[(I ask for Your) pardon]

Then do the takbir, go to rukú' and complete the salāh as normal. It is perfectly ok to hold a book in your hand when reciting these duas in qunút, until you have memorized them. You can also find other duas to recite before and after salāt al-layl as well as the meaning of all the duas, from <http://www.al-islam.org/salatullayl/>

Lesson 4

Zakāh & Khums

Definition and Importance

Just like Salāh and Sawm, Khums and Zakāh are also acts of worship (*'ibādah*) that are wājib on all Muslims. The words 'Khums' literally means 'one-fifth' and the word 'Zakāh' means 'alms'.

Khums is the one-fifth (20%) tax that all bāligh, sane ('āqil) Muslims are required to pay on their annual savings. It is paid only on savings on which khums has not been paid previously and after subtracting all normal expenses.

Zakāh is also an annual tax like Khums that must be paid by every sane and bāligh Muslim but Zakāh is only paid on certain kinds of items such as specific agricultural produce and livestock, and on gold and silver. Zakāh is therefore nowadays usually applicable to specific individuals only, such as farmers.

Remember these are not mere taxes, but acts of worship. Just as Salāh is an act of worship that involves the performance of certain acts and recitations, and sawm involves physical hardship, thirst, and hunger, these two acts can also be seen in terms of their own kind of sacrifice one makes for the pleasure of Allāh and for one's own spiritual growth. A Muslim should hold neither life nor wealth dearer than the pleasure of Allāh. In Salāh and Sawm we sacrifice our time, comfort, desires and life, while with Khums and Zakāh we get the honour of spending our wealth in the way of Allāh. Moreover, these are not voluntary acts of charity but obligatory (*wājib*).

The Qur'ān has emphasized that one cannot hope to gain spiritual perfection and the pleasure of Allāh unless one spends one's wealth for others and gives selflessly:

﴿لَنْ تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فَإِنَّ اللَّهَ بِهِ عَلِيمٌ﴾

You will never become truly righteous until you spend from what you love most. And whatever you spend of anything, indeed Allāh knows it.

- Surah Al-i Imrān, 3:92

By paying Zakāh and Khums, we show our concern for the poor and needy. We say to them that we care about them, and that we are good Muslims because we are not greedy and mean. By paying Zakāh and Khums, we are also thanking Allāh for all the things He has given to us and we thank Him by sharing the extra we have with others.

The main differences between Khums and Zakāh is **what** they are payable on and **who** is given.

Khums is given as the right of Prophet Muhammad (s) and his family. It has been mentioned in many ahādith of the Imāms that one who does not pay Khums has stolen a share belonging to Rasulullāh's family. In the next chapter we shall learn more about who is given Khums and how it is distributed during the present age of ghaybah of the Imām (a). Khums plays a very important role in maintaining the Islāmic society, in the propagation (*tabligh*) of Islām and in the independence of the 'Ulama from the influence of governments.

Zakāh means alms but its literal meaning is 'something which purifies'. Both Khums and Zakāh are religious taxes that purify a person from selfishness and greed as well as purify the wealth itself by making those less fortunate share in a portion of it. By paying the religious taxes a person shows his/her belief that wealth is a means and not an end in itself; the ultimate end is to gain the pleasure of Allāh, our Lord.

All wealth, power and possessions belong to Allāh. Allāh entrusts it to us in order to test whether we can act responsibly and with piety. The first and foremost purpose of Khums and Zakāh is to prove our loyalty to our Master (i.e. Allāh). At every moment of our life, our health and well-being are His gifts to us. If Allāh does not give us these things, we have no power and no right to claim them for ourselves. So we should never forget to give thanks to Allāh. Khums and Zakāh are ways of our thanksgiving to Allāh. That is how an act of spending becomes an act of worship.

The second important purpose of Khums and Zakāh is to help the less fortunate in the community and to achieve a relatively just and fair distribution of wealth in society. In an Islāmic society all must live together as one family and share their wealth. Every member of society should have the means to live. If one group lacks it, it is the duty of the others to support them and get them to stand on their own feet.

Zakāh and Khums save the society from the evils of poverty as well as of plenty, where the poor constantly become poorer and the rich always become richer. They ease social tensions, and generate feelings of love between the rich and the poor. Most societies live by one of two extremes. In some societies the government controls all the wealth and no one can be too rich regardless of how hard they work. And in others the rich get richer and keep everything they earn and the poor get poorer because they never get a chance to improve their life situation. Islām uses Khums and Zakāh to help create a balance in society where people can be rich and rewarded for their efforts but the poor are not neglected either.

Zakāh and Khums in Qur'ān

During the time of Rasulullāh (s) most of people's wealth was in the form of agricultural produce, livestock, gold and silver so most of the time people had to pay

Zakāh instead of Khums. Nowadays most peoples' wealth is in the form of salaries, business profits and property. That is why it is more common for people to pay Khums. But it is also useful to keep in mind that Zakāh has a specific meaning (as we have been discussing so far) as well as a general meaning. In the general sense, Zakāh simply means to give alms to others. So it can include the specific Zakāh, general charity (*sadaqa*), the Zakāh given on 'Id day (Zakāt al-Fitr) and even Khums. That is why the term "Zakāh" is mentioned so frequently in the Qur'ān.

One of the āyāt of the Qur'ān that commands us to give Zakāh is:

﴿وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَمَا تُقَدِّمُوا لِأَنفُسِكُمْ مِنْ خَيْرٍ تَجِدُوهُ عِنْدَ اللَّهِ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ﴾

And maintain the prayer (salāh) and give the zakāh. And good that you send ahead for your souls, you shall find it (waiting for you) with Allāh. Indeed Allāh sees best what you do.

- Surah al-Baqarah, 2:110

The verse (*āyah*) of the Qur'ān that commands us to give Khums is:

﴿وَأَعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ﴾

Know that whatever thing you may come by, a fifth (khums) of it is for Allāh and the Messenger, for the relatives and the orphans, for the needy and the traveller...

- Surah al-Anfāl, 8:41

There are many ahādith from Rasullullāh (s) and the Imāms ('a) that explain these āyāt of Qur'ān in more detail and teach us what items to pay Khums and Zakāh on and whom to give it to. We shall learn the rules concerning these in the next two lessons.

Lesson 5

Khums (cont'd)

Items on Which Khums is Payable

There can be many things on which a Muslim is required to pay Khums. For example, any riches or treasures he/she finds from the earth, from mines, from diving in the sea, and so forth. For now however, we will only learn about the two most common times when Khums is usually paid:

1. On surplus income
2. When halāl wealth or property is mixed with harām

Surplus Income

Khums is payable on all kinds of earnings including profit from business, salaries and wages. At the end of the year a Muslim first calculates his total income. Then he or she subtracts from this total income all his or her normal expenses as well as any amount of money on which khums was paid in the previous years. Thereafter, whatever savings is left as surplus, one-fifth (20%) of it is given out as khums and the balance 80% is considered to be 'clean money' on which no khums will ever be paid again in the future.

When a person calculates his or her total income at the end of the year for khums, they should add up all their assets like bank balances and cash, as well as new unused items of clothing bought over a year ago, excess unconsumed food that has been kept for the whole year, and all those household items which are considered luxuries and above that person's status. This ensures a person does not 'hide' money in possessions to avoid paying khums.

If a person dies and it is known that they never paid khums, their khums must be calculated and paid out from their legacy before it is distributed to the heirs.

Even if a person has an ongoing debt like a mortgage, they still need to pay khums on their savings. They can however reduce how much khums they pay by paying more towards their mortgage and settling any other ongoing loans and debts *before* the khums becomes due.

Definition of expenses: When we say a person can deduct his or her expenses from their annual savings *before* paying khums, we mean essential expenses such as food, rent, transport, utilities, medical expenses, tuition fees, taxes, debt repayment, wages of employees, and so forth. We don't mean luxurious spending like expensive jewellery, an expensive car that is above a person's standard of living and so on. If a person wishes to incur such expenses (that are above his or her expected status in

society), they must still calculate the value of their expensive purchases in their annual savings.

Similarly, the cost of essential needs does not include the cost incurred for improving a business. Life-insurance premiums cannot be counted as expenses, but is a kind of saving although the premiums paid for other kinds of insurance (house and car for example) can be counted among household expenses.

Lawful (*halāl*) Wealth Mixed with Unlawful (*harām*) Wealth

If a person has earned wealth unlawfully (e.g. by gambling) and it is mixed with his lawful wealth and he or she has no idea how much is lawful and how much is unlawful, this can be 'cleaned' by paying khums once on the whole amount. Thereafter it can be assumed that the remaining 80% is halāl.

Unlawful (*harām*) wealth means any wealth acquired by means not permitted in the Shari'ah, or any wealth whose real owner is someone else. Of course it doesn't change the fact that person has still committed a sin by acquiring the wealth unlawfully and they are obligated to repent and undo what they can e.g. return wealth to the rightful owner if stolen or taken unlawfully.

If *harām* wealth is not mixed with *halāl* wealth and a person *knows* the amount that is not his or hers, but does not know the real owner of that amount, he or she should give it as alms to the poor on behalf of its owner. If he knows the owner, but does not know the exact amount of the property that is not his, he or she has to come to an understanding with the owner; otherwise they must refer the case to a marj'a or Islāmic judge.

Items on Which Khums in Not Payable

There is no khums on the following items:

1. *Mahr* (dowry), that is wājib for a husband to give to his wife at the time of marriage
2. The earning or property of a child who is not bāligh
3. Inheritance

How to Keep Track of Your Khums Annually

Calculating khums can be very confusing if you don't have a **Fixed Khums Date**. The first step is to have a fixed date in the year when you will calculate your khums every year. This could be your birthday or the first or last day of any month.

It is also helpful to maintain a spreadsheet or document where you can keep track of how much savings you had the previous year and what the 'clean money' balance is for you this year.

Thereafter you simply need to update your spreadsheet every year. On your khums date, check the balance in all your bank accounts and how much cash you have; subtract the clean money from previous years; also subtract any immediate expenses for this month such as your mortgage payment or rent, your telephone, water, electricity bills, school fees that you need to pay before your next pay check, outstanding amount on your credit card that still needs to be paid, and so on.

Thereafter, calculate your new net savings (total savings minus expenses) for this year. Divide it by 5 (20%). One-fifth is khums and the remaining 80% should be added to the clean money for next year.

Here is a sample spreadsheet to give you an idea:

A Sample Spreadsheet of How to Maintain Your Khums Year-by-Year

A	B	C	D	E	F
1	Total Balances for This Year	Amount	Conversion Rate (to local currency)	In Local Currency	
2	Bank Account 1			2000.00	
3	Bank Account 2			1000.00	
4	Cash in Hand			50.00	
5	Retirement Savings Account			1200.00	
6	Foreign Currency	200.00	1.5	300.00	
7	Total Savings this year			4,550.00	In Local Currency
8					
9	<u>Deductions</u>				
10	Home Mortgage (or rent)			1,000.00	
11	University fees and expenses (books, other equipment)			750.00	
12	Home and Car Insurance			200.00	
13	Home Utilities (tel, water, electricity, heating)			200.00	
14	Government taxes			500.00	
15	Other immediate expenses (household, cellphone, food, gas)			200.00	
16	Credit Card Outstanding Bill			50.00	
17	Clean Khums Money balance (b/f from previous years)			1,500.00	
18	Total Expenses			4,400.00	
19					
20					
21	Net Savings (on which Khums has to be paid)		(E7 - E18)	<u>150.00</u>	
22					
23	Khums (20%) for This Year =		(E21 / 5)	30.00	
24	New Clean Khums Money Balance for Next Year (c/f)		(E17 + (E21 - E23))	1,620.00	
25					
26					
27					
28	Where Khums was Paid This Year				
29	<u>Islamic Institution Paid To</u>	<u>Amount Paid</u>	<u>Date Paid</u>	<u>Rcvd Marja Receipt (Y/N)</u>	
30		30.00			

Whom to Give Khums & How It is Distributed

Khums is divided into two equal parts. One part is the share of the living Imām and is called Sahm al-Imām. The other part is the share of the poor and needy Sādāt – the descendants of Rasulullāh (s) from Imām Ali (‘a) and Sayyida Fātima (‘a) on whom alms (*sadaqa*) is harām. This second part is called Sahm as-Sādāt.

During the ghayba of Imām al-Mahdi (‘atfs), we give the Sahm al-Imām to our Marj’a because he represents the Imām (hence he is called Naib al-Imām) and we trust he would know best how to spend the money for a cause that the Imām (‘atfs) would be pleased with.

If we know of a worthy cause such as the building of a masjid or helping an orphanage or some tabligh work or humanitarian cause, we can ask our Marj’a for permission to give our share of Sahm al-Imām to that project. Usually he would allow it after verifying its details.

Sometimes organizations and institutions working on a project like building a masjid will ask your Marj’a for permission to collect Khums for their project. The Marj’a will give them a written permission (called an *ljāza*) to collect khums to a maximum fixed amount and for a fixed period of time. You can then choose to give them your annual khums after they show you the written permission and you are satisfied that it is from your Marj’a. But you must insist that the organization still gets you an official receipt from the Marj’a (for your records and to ensure that what you have given is accounted for).

For Sahm as-Sādāt as well, you give it to the Marj’a and he distributes it to the poor Sādāt. A poor Sayyid is one who lacks the means for one year’s respectable living (in accordance to his or her status and the society they live in). Sahm as-Sādāt can also be given to poor orphans from Rasulullāh (s)’s descendants. To qualify to receive khums, a poor Sayyid must be a Shi’ah Ithna Ashari and someone who prays and does not commit sins openly.

As a necessary precaution, each sayyid should be given only that amount which will suffice for one year’s expenses (according to his status) and no more.

It is necessary to verify whether a person is really a sayyid or not before giving him a part of the *khums*. The claim to be sayyid is not enough: either two trustworthy (‘adil) persons should attest to it, or he should be well known among people to be a sayyid.

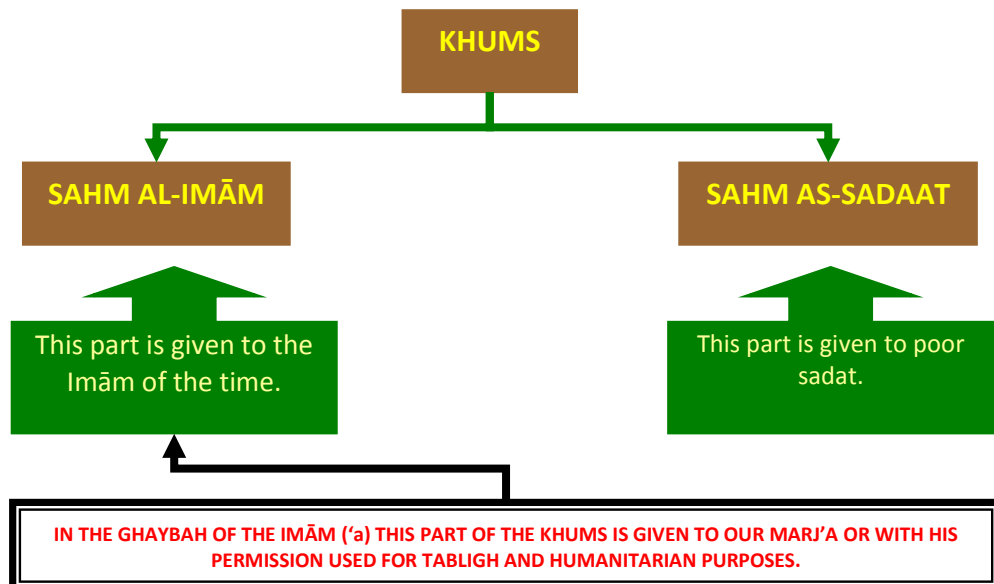
If there are needy sayyids in one’s own locality, it is preferable to pay them first. However, if there are not enough deserving persons in one’s locality, one can also distribute the *khums* in other localities or give it to the Marj’a who will distribute it appropriately. Either way, it is best to ask your marj’a before giving khums to anyone or any project.

So in summary:

- a) You can give the Khums money directly to your Marj'a (or the Marja's *wakil* (deputy) - someone with written authorization to collect Khums on behalf of him), or
- b) You can give the khums money towards a humanitarian cause or tabligh project for which the permission of your Marj'a has been taken and you have verified the *Ijāza*, or
- c) You can request for your own *Ijāza* for a cause or project where you would like the Khums to be spent.

Remember: Khums is not your money. It belongs to the Imām and the poor Sādāt. So even when you give it to the Marj'a or ask for an *ijāza*, you cannot insist on where it is to be used or spent. You can only request. And the Marj'a does not have to give you an *Ijāza* to your liking.

And finally, the fact that most marāj'i will give you permission to spend your khums in the deserving cause that you believe in, shows that those who accuse the marāj'i of 'making money' or that taqlid is 'only about khums' are simply false allegations aimed at reducing the importance of the institution of marja'iyah. Our marāj'i live the simplest of lives. When we ask for their permission (*ijāza*) on where to spend the khums that is due on us, it is simply because we believe they are the most learned in religious matters and therefore closest in understanding to where the living Imām ('atfs) would have permitted the Islāmic dues to be spent.



Lesson 6

Zakāh

Zakāh, like Khums, is a wājib tax on every sane ('āqil), bāligh Muslim. But unlike Khums, Zakāh is wājib on specific items only. And whereas Khums is 20% of one's surplus income, Zakāh varies depending on the specific item and the quantity that is accumulated for a whole year.

Items on which Zakāh is Wājib

Zakāh is wājib on nine items. If a person has any of these items beyond a certain quantity for over a year, then they must give zakāh for each item that they have (or its equivalent value):



1. Wheat



2. Barley



3. Dates



4. Grapes or Raisins (Dried Grapes)

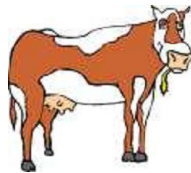


5. Camels

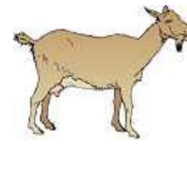


6. Gold coins

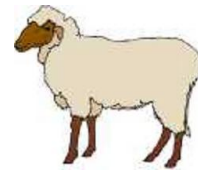
7. Silver coins



8. Cattle (Cows and Buffalos)



9. Sheep and Goats



As an example, if a person has 850 kgs of wheat, barley, dates or raisins, at the end of the year, they must pay zakāh equal to 5%-10% depending on how the crops were watered (with rain, irrigation, etc.). If a person has 70 kgs of gold, then their zakāh would be 2.5% of the total value. If zakāh has been paid once on a quantity, it does not have to be paid every year again. The percentage will vary depending on the quantity of gold. And the same for silver – the zakāh varies depending on the quantity.

For the animals as well, it depends on the type and quantity of animals. For example, if a person has up to 5 camels, the zakāh is one sheep (or its cost). If a person has up to 10 camels, the zakāh is 2 sheep, and so on. If a farmer has 40 sheep or goats, the

zakāh will be one sheep or its value. For a detailed breakdown of the zakāh applicable, see the risāla of your marj'a. You will find the risāla of Ayatullah as-Sistāni at <http://www.al-islam.org/laws/>.

Zakāh is not wājib on one's earnings, salaries, etc. but it is recommended for a business person to pay zakāh on their business capital and on the profits he or she gains from his or her business for the blessing and to increase one's wealth. If a person chooses to do this, they would pay 2.5% as zakāh.

The Distribution of Zakāh

The following āyah of Qur'ān tells us whom to give zakāh (which is called *sadaqāt* in the āyah):

﴿ إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ
وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَإِنَّ السَّبِيلَ فَرِيضَةٌ مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴾

Sadaqāt are only for the poor and the need, and those employed to collect them, and those whose hearts are to be reconciled, and for [the freedom of] the slaves and the debtors, and in the way of Allāh, and for the traveller. [This is] an obligation from Allāh, and Allāh is All-knowing, All-wise.

- Surah at-Tawbah, 9:60

Zakāh can therefore be distributed to any of the following eight groups:

1. Fuqara. The needy. A needy person is one who is unable to meet his or her annual expenditure, in relation to his status.
2. Masākin. The poor. A poor person is one who lives even below the level of the needy.
3. 'Amileen. The salary of those who are employed to collect zakāh on behalf of the Islāmic government i.e. the tax collectors.
4. Mu'alafat al-Qulub. Those non-Muslims whom Rasulullāh (s) or the Imām or his representative thinks advisable to help from zakāh so as to gain their sympathy for Islām and Muslims.
5. Riqāb. To free those who have been slaves. (This is no longer applicable in our time.)
6. Ghārimen. Those in debt. To help pay off their debts if they are having difficulty repaying them.
7. Fi Sabilillāh. To help in religious matters and anything that can be considered as a cause of Allāh e.g. building a masjid or a school, improving roads in a Muslim land, helping Muslims at war (jihād) when they are attacked and need to fight to defend themselves and their country, etc.

8. Ibn as-Sabeel. A traveller who has run out of money and does not have the means to return home (even if he is a rich man in his own country).

In all the cases above, the recipient of zakāh must be a Shi'ah Ithna Ashari Muslim who is not a reputed sinner and who is not a dependent of the person paying the zakāh.

The zakāh of a non-sayyid should not be given to sayyids unless they are in dire need and what they have been given from khums (*sahm as-sādāt*) is not sufficient for them. But the zakāh of a Sayyid can be given to help a non-sayyid.

When the Imām is present, zakāh should be given to him. During the ghayba of the Imām if a person cannot find anyone deserving to receive the zakāh, they may give it to the deputy (nāib) of the Imām i.e. the marj'a they follow or to persons appointed by the marj'a as his agents (*wukala*) for this purpose.

Fitra – Another Form of Zakāh

Besides the main form of Zakāh (called Zakāt al-Māl), there is also a specific Zakāh that is paid every year on the 1st of Shawwal (the day of 'Id al-Fitr). It is alms that is given at the end of the month of Ramadan to help the poor. This zakāh is also wājib on every bāligh, sane Muslim and is called Zakāt al-Fitr or simply Fitra. And it has been explained in Lesson 1 (under Salāt al-'Id).

Lesson 7

Gender-Specific (for boys)

This lesson is a revision from Book 8 (Fiqh Lessons 6 and 7). Students are encouraged to ask questions and seek clarification on issues related to these topics.

Istibra

The method of performing Istibra after urinating was taught in Book 7 and Book 8. If you're still not sure how and why it is done, discuss it in class. The method is given here briefly.

Method of Performing Istibra

1. If after the passing of urine, any part of the body also becomes najis, it should be washed and purified first.
2. Thereafter the part under the root of the urinary organ should be pressed thrice with the middle finger of the left hand.
3. Then the thumb should be placed above the urinary organ and the index finger should be placed below it and it should be pressed thrice up to the point of circumcision.
4. Finally, the front portion (fore part) of the organ should be shaken three times.

And finally the urinary organ must be cleaned twice (wājib), (better thrice) with water.

Signs of Bulugh

A boy is considered to be bāligh when any one of these three signs appear in him:

1. The body begins to produce and discharge semen.
2. Growth of pubic hair on the abdomen. Pubic hair is described as 'hard' hair. Soft hair is not a sign of becoming bāligh.
3. The boy reaches the age of 15 according to the Islāmic (lunar) calendar.

As a boy starts maturing physically, he will also experience the growth of hair under the armpits, as well as facial hair (mustache and beard). If a boy does not see pubic hair and his body does not start giving out semen until the age of 15 (Islāmic calendar), he must assume he is bāligh on his 15th Islāmic birthday.

Once a boy is bāligh, all the matters of wājib and harām in Islām apply to him, as they do to all sane adult Muslims. For example, Salāh five times a day, Sawm in the month

of Ramadan, Khums and Zakāh if he has earnings, Hajj, matters related to Tahārah and Najāsah, and so forth. A bāligh boy should therefore make an intention of the marj'a he will refer to in any fiqh issue that he needs advice and guidance on i.e. he should make an intention for taqlid.

Personal Hygiene - Removal of Pubic Hair

It is makruh for a man or woman to leave public hair (the hair that grows in the armpits and abdomen once one becomes bāligh) so long that it is unsightly or dirty. It is recommended to shave or at least trim pubic hair.

Janābah

When semen comes out from the body of a man, voluntarily or involuntarily, due to a halāl or harām act, the man is said to be *junub* or in the state of janābah. Janābah is a state of being ritually impure and one cannot pray or fast until Ghusl al-Janābah is done with a wājib niyyah.

After the ghusl of janābah, there is no need to do wudu for salāh unless something happens that would normally break your wudu (like passing gas, falling asleep or urinating after the ghusl).

If the time before *qadā* for salāh is very little, tayammum should be performed followed by the wājib salāh and thereafter ghusl should be done.

Janābah and Sawm

Making oneself junub breaks one's fast unless one becomes junub unintentional i.e. whilst asleep. Remaining in the state of janābah also breaks a fast and a person who is in the state of junub must perform ghusl of janābah before the time of Fajr (when the fast starts).

If a man does anything intentional (halāl or harām) that results in ejaculation of semen from his body, whilst he is fasting, the fast becomes bātil. He will have to repay that fast as qadā (after the month of Ramadan) and also pay a penalty (kaffāra) for it, which is to feed 60 poor people or to fast for 60 days after the month of Ramadan (of which 30 days must be continuous). This qadā and kaffāra are wājib for each fast broken on purpose.

However if it is involuntary e.g. a man who is asleep while fasting experiences ejaculation in his sleep and wakes up in the state of janābah, then he should perform ghusl as soon as possible and his fast would still be valid.

If a man becomes junub in the night before a wājib fast, and does not perform the wājib ghusl of janābah before the adhān of fajr (i.e. the start of the fast), then his fast is void and he must pay its qadā and kaffāra.

If a person set the alarm with the intention of waking up and doing the ghusl before fajr time but then oversleeps, his fast is still valid. He should perform the ghusl and pray as soon as possible. However if he goes to sleep knowing he will not wake up in time to do the ghusl, then his fast is void (bātil) because he intentionally neglected doing the ghusl.

If a man deliberately delays the ghusl to the extent that there is no time left for it but it is not yet the time for adhān, he should do tayammum instead and his fast will be valid. Although, he would have committed a sin and should ask Allāh for forgiveness and he should also perform ghusl and pray (before the qadā of fajr salāh) even if the time of adhān has occurred.

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 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 to pass through them. As an ihtiyāt mustahab, one should not pause or stop within the area around an Imām's tomb either.
3. Staying at other masājid or taking anything in or out of the masjid is also harām. However, passing through masājid without stopping is allowed. A masjid is only what is designated as 'the masjid area'. It is not harām to be in a hall where people pray but also have other functions (e.g. a Husainiya) when in the state of janābah. But it is good to do ghusl first out of respect for the place.
4. Reciting any of the four āyāt of Qur'ān for which sajdah is wājib is harām when one is in janābah. 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 (touching the writing is harām)
3. Dyeing the beard or colouring the hands with 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.

Lesson 7

Gender-Specific (for girls)

All the material in this lesson is a repeat from Book 8 (Fiqh Lessons 6 and 7). The teacher should therefore discuss these notes briefly and then encourage students to ask specific questions and seek clarification on their individual concerns and issues.

Wājib Ghusl

There are three types of wājib ghusls specific to Muslim women only:

1. Ghusl of *Haid*: Wājib after the end of the monthly period.
2. Ghusl of *Istihādha*: Wājib after certain kinds of irregular bleeding.
3. Ghusl of *Nifās*: Wājib after the bleeding of childbirth.

After her period is over, a woman must perform *Ghusl of Haid* with the intention of ‘I am performing ghusl of *haid*, wājib qurbatan ilallāh’. For *Istihādha*, the ghusl is not done once at the end but rather it is done on a need-to-do basis (as discussed later).

Haid

Menstruating women have been grouped according to their different kinds of menstruation habits, in order to make it convenient for them to determine the Islāmic laws that apply to them.

First of all, all women who are of the age of experiencing periods (*haid*) are divided in two broad categories:

- those who have their period regularly every month
- those who do not bleed regularly

By ‘regular bleeding’ or ‘regular period’ we mean that in two consecutive months a woman follows the same pattern as far as the start date and duration of her menses is concerned.

Those who have a regular period are further divided into three categories:

1. Those whose period is regular both in start date and duration of the period.
2. Those whose period is regular in the start date but not in the duration.
3. Those whose period is regular in the duration but not the start date.

And those who do not have a regular period are also divided into three categories:

4. The beginner (*mubtadiyah*): the girl who has just started experiencing her period and is therefore not aware of any regular pattern.
5. The fluctuator (*mudtaribah*): the woman whose period varies from occasion to occasion and follows no regular pattern.
6. The forgetful (*nāsiyah*): the woman who has forgotten the dates or duration of her menses.

Besides the regular monthly period called *haid*, women will sometimes experience irregular bleeding called *istihādha*. During *istihādha*, a woman is still expected to pray *salāh* and to fast. It is only *harām* for her to pray and fast if it is during her *haid*. The challenge is that sometimes a woman is not sure if her bleeding is *haid* or *istihādha* and therefore she is not sure whether to pray and fast or not. Keeping in mind that *haid* is never less than 3 days and never more than 10 days in each monthly cycle, we will now review briefly the different rules for each of the six *haid* categories of women listed above:

1. **Rules for the woman who has a regular period, both in dates and duration**
 - a. Always assume it is *haid* even if on some occasions it begins two or three days prior to the usual date or is late by a couple of days.
 - b. If it is a few days before the regular period, precaution should be taken (by avoiding both what is *harām* during *haid* and what is *harām* in *istihādha*). If later she is convinced that it was not menses (*haid*) (if, for instance, the bleeding stops before three days – since *haid* is a minimum of 3 days), the woman should compensate for the missed prayers.
 - c. The period of *haid* cannot exceed ten days. If it exceeds ten days, the woman in this category should consider only those ten days that correspond to her regular period as the days of menses, the rest will be considered as *istihādha*.
 - d. When a woman in this category experiences bleeding that stops after three days and starts again after a few days and once again continues for three days, she should consider the bleeding that falls during her regular period as *haid* and the other as *istihādha*. If both bleedings occur during her regular period and the duration of the two bleedings, including the intervening time when there was no bleeding, does not exceed ten days, all days are to be treated as her menstrual period (*haid*). But if it exceeds ten days, only the days that correspond to her regular period will be considered days of *haid*, while the rest will be considered as *istihādha*.

2. Rules for the woman who has a fixed start date for *Haid* but no fixed duration

- a. Such a woman can also assume it is *haid* even if sometimes, instead of starting at the regular date, it starts two or three days earlier or later than her due date.
- b. If the bleeding exceeds more than ten days, she should refer to the habit of her relatives and use that as a guideline to determine how many days (out of the first ten days) she had were *haid* and how many were *istihādha*. Of course the days after ten days are *istihādha*. But she should calculate the first day of her menses according to her regular date. Remember that *haid* cannot exceed ten days.
- c. One who does not know about the habit of her relatives should consider the first seven days after her due date as *haid* and the rest as irregular bleeding (*istihādha*).

3. Rules for the woman who has a fixed duration of *Haid* but no fixed start date

- a. As long as it is between three days and ten days and she has not already experienced *haid* in that month's cycle, she should assume her bleeding is *haid*.
- b. If such a woman sees blood for more than ten days, she should count the number of fixed days that correspond to her regular period as *haid* (from the beginning of the bleeding) and the rest of the days as *istihādha*.

4. Rules for the Beginner (*muftadiyah*)

- a. A girl who is experiencing her menstrual period for the first time and sees blood for more than ten days should refer to the habit of her relatives in order to determine how many days she should consider as *haid* and the rest will be considered *istihādha*.
- b. If it lasts for less than 10 days, then all of it is *haid*.
- c. If some of the bleeding has the signs of menses (for instance, the colour of the blood is red), and then after a few days she has bleeding which has the clear indication of *istihādha* (for instance, discharge of yellowish blood), she should consider the first as *haid* if it has continued for more than three days, and the latter as *istihādha*.
- d. But if she has bleeding with the signs of *haid* that is followed by bleeding with the signs of *istihādha*, and once again bleeding with the signs of menses (*haid*), and the total of the bleeding which has the signs of menses exceeds ten days, only the first bleeding should be considered as menstrual (*haid*) and the rest as *istihādha*.

5. **Rules for the woman whose duration *and* dates are irregular (mudtaribah)**
 - a. If such a woman experiences bleeding for more than ten days she should refer to the habit of her relatives and calculate her menstrual period in accordance with it; the rest is to be considered *istihādha*.
 - b. If she does not know about the habit of her relatives or they also do not have any, she should consider the first seven days after the start of bleeding as menses (*haid*), and the rest as *istihādha*.
 - c. If the regular period of her relatives is less than seven days, for instance five days, she should consider her definite *haid* period as five days, but should observe the rules for *haid* for two more days, as a matter of precaution.
 - d. If such a woman starts bleeding and thinks this is *haid*, she should not pray or fast and assume it is *haid*. But if it stops before three days, and she realizes it was *istihādha*, she must repay the prayers and fasts she missed. But initially, when she doesn't know, she must assume it *is haid* and it is *harām* for her to pray or fast or do anything that is *harām* during *haid* (just in case it is *haid*).

6. **Rules for the woman who forgets about the duration or date of her period (nāsiyah)**
 - a. If she experiences bleeding for more than ten days, she should consider that blood which has the signs of *haid* as menses and the rest as *istihādha*.
 - b. If she cannot tell the two apart from signs, as a matter of obligatory precaution (*ihtiyāt wājib*) she should consider the first seven days as her menstrual period (*haid*) and any extra days as *istihādha*.

Istihādha

Istihādha is the irregular bleeding (other than the regular monthly period called *haid*) that women sometimes experience. Any bleeding from the womb that is not of the monthly period (*haid*) or childbirth (*nifās*) is considered to be *istihādha*.

Istihādha are of three kinds:

1. Light bleeding (*qalila*)
2. Medium bleeding (*mutawassita*)
3. Heavy bleeding (*kathira*)

How to Differentiate *Haid* From *Istihādha*

Istihādha blood is often yellowish and cool, and comes out without straining and burning, unlike the blood of *haid* that is usually thick, warm and of black or dark red colour and comes out with slight straining and burning.

In order to qualify as *haid*, the duration of the bleeding must not be less than three days or more than ten days. If it is less than three days it will be considered *istihādha*. Likewise bleeding after ten days will not be *haid* but *istihādha*.

In *haid* there must be regular and continuous bleeding for the first three days.

If the bleeding is not continuous and, for example, a woman sees blood in the first three days, then the bleeding stops for a few days and then starts again, but the total number of days from the start of the first bleeding to the end of the second, including the days when it had stopped does not exceed ten days, then the entire period will be considered a period of *haid*.

If a woman has bleeding for less than three days, then it stops for some time, starts again, and continues for three or more days, the first bleeding will not be considered *haid* (because it was less than three days) whilst the second bleeding will be considered *haid*.

Rules of Salāh During Haid and Istihādha

Unlike in *haid*, during *istihādha* women are not exempt from the daily salāh or wājib fasting (e.g. in the month of Ramadan). But there are certain rules for salāh and sawm during *istihādha*:

During light bleeding (*qalila*) the woman has to change her sanitary pad, wash away the uncleanness and do wudu for each salāh (i.e. even between dhuhr and ‘asr and between maghrib and ‘isha salāh if they are being prayed consecutively).

During medium bleeding (*mutawassita*), the woman has to practise the same as during *qalila*, and in addition, has to do a ghusl once a day, in the morning before fajr salāh. If the *istihādha* starts after the fajr salāh, she will have to perform ghusl before the next salāh, but one ghusl is enough for all the prayers of that day. The ghusl can only be done *after* the time of the salāh has started – not before it. And the wudu (as per *qalila* rules) should be done *before* the ghusl. So for example, if it is the 2nd day of *istihādha mutawassita*, the woman should wait for the time of fajr to start, then do wudu, then ghusl and then pray salāt al-fajr.

During heavy bleeding (*kathira*), a woman has to follow the rules of *qalila* and also perform at least three ghusls. The first ghusl before the morning (fajr) salāh, the second ghusl for the noon (dhuhr) and afternoon (‘asr) salāh, and the third ghusl for the evening (maghrib) and night (‘isha) salāh. This is provided she is praying the

dhuhr and 'asr salāh together, one after the other, and likewise with the maghrib and 'isha salāh. If she performs the salāh separately, she will need to do ghusl for each of them (i.e. five ghusls). The wudu should always be done before the ghusl.

Additional Notes:

1. The salāh should always be performed immediately after the ghusl for istihādha without any delay unless a woman wishes to recite the adhān and iqāmah.
2. When a woman is not sure whether her istihādha is light (qalila), medium (mutawassita) or excessive (kathira) bleeding, she should use a fresh sanitary pad, wait a while and check. After determining which kind of bleeding she has, she should act accordingly.
3. If a woman is unable to inspect herself in the above-mentioned manner or even after that she is in doubt, she should assume the lesser form of istihādha. For instance, if she does not know whether her bleeding is light or medium, she should act according to the rules of light bleeding. If she is in doubt whether the bleeding is of the medium or the excessive type, should act according to the rules of the medium type. If she discovers later, after inspection, that she has acted wrongly, she should make up for the salāh as *qadā*.
4. When the bleeding of a woman changes from one form to the other e.g. from light to medium or from heavy to light, she should follow the rules of the new form for the next salāh.

Unlike *istihādha*, during *haid*, a woman is exempt from the daily salāh and all those salāh that require wudu (e.g. salāt al-ayāt). In fact she is not allowed to pray the salāh and does not even have to pay them back later as *qadā*. She can, however, pray the salāh that do not require wudu, tayammum or ghusl (like salāt al-mayyit).

If a woman delays her salāh and then her menstruation (*haid*) starts, she should compensate that particular salāh as *qadā* after her *haid* ends and she has done her wājib ghusl for *haid*. It is also recommended that before a woman does the ghusl of *haid* (when her period ends), she should first do wudu.

And if a woman's period stops before the end of a salāh time, she should also perform wudu, do the wājib ghusl and then pray the salāh for which it is time. But if there is no sufficient time to perform ghusl before the time for the salāh comes to an end, then that salāh is not wājib for her.

If a woman does not pray because she thought she was menstruating, but realizes later on that it was not menses (*haid*), she should make up all the prayers with compensatory (*qadā*) prayers.

Rules of Sawm During Haid and Istihādha

Just like the rules for Salāh, during *haid* it is harām for a woman to fast but during *istihādha*, she must continue fasting (regardless of whether it is little, medium or heavy).

But unlike the case of salāh, a woman has to compensate for the wājib fasts that she misses during *haid*, by fasting later on as qadā.

If the *haid* or *nifās* (see below for rules of *nifās*) of a woman ends before the adhān of fajr, she must perform ghusl and fast. If there is no enough time to do ghusl, she must do tayammum before the fajr adhān and then perform the ghusl. If she does not do tayammum either and remains in the state of ritual impurity, then her fast is bātil.

If a woman becomes clean from *haid* after the fajr adhān, she cannot fast for that day. Similarly if she starts bleeding during the day (even a little before maghrib time), she cannot count that day's fast. Out of respect for the month of Ramadan though, she should not eat in public and in front of others who are fasting.

Using Your Best Judgement

If a woman starts bleeding and she assumes it is *haid* and so she stops praying and fasting and then it stops before three days and she realizes it was *istihādha*, she must compensate for them as qadā. Similarly, although it is harām for a woman to pray and fast during *haid*, if she is convinced her bleeding is irregular (*istihādha*) and she continues praying and fasting, and then it continues for more than three days and she realizes it is *haid*, she should simply stop praying and fasting immediately.

What is Harām for a Woman During Haid

- Praying salāh of any kind that requires wudu.
- Entering a masjid or haram of Rasulullāh (s) or any of the Imāms ('a).
- Touching the writings of the Qur'ān.
- Reciting any of the four āyāts of Qur'ān for which sajdah is wājib.
- Having sex

Unlike in *haid*, in *istihādha* it is not harām to stay at masājid or to enter into the sacred masjid of Makkah (al-masjid al-haram) or the sacred masjid of Rasulullāh (s) (Masjid an-Nabawi) at Madina. Likewise, it is permitted to read the prostration verses (āyāt as-sajdah). But for touching the writing of the Qur'ān, those who have little bleeding should perform wudu and those with heavy bleeding should perform both ghusl and wudu.

