

Fiqh **(Laws)**

Lesson 1

Fiqh Terminology & Washroom Rules

Fiqh Terminology

By now, you should already know the meaning of the following terms:

- Wājib, harām, mustahab (or sunnah), makruh and mubāh
- Ihtiyāt wājib and Ihtiyāt mustahab

Your teacher will test you to make sure. If you don't remember them, review Book 4 (Fiqh Lesson 1) and Book 5 (Fiqh Lesson 1):

Some of the other fiqh terms used by the fuqaha (fiqh experts) are:

- Wājib al-'Ayni (or Wājib at-Ta'yini)
- Wājib al-Kifāi
- Wājib al-Fawri
- Wājib at-Takhyiri

You should learn their meanings (given below) and remember some examples of each type.

Wājib al-'Ayni

A wājib act or duty that all bāligh, sane Muslims have to perform. Even if some do it, it still is wājib on the others. For example, the 10 Furu ad-Din (salāh five times a day. Sawm in the month of Ramadān, Hajj, Zakāh, Khums, etc.). These are all Wājib al-'Ayni. Sometimes they are called Wājib Ta'yini.

Wājib al-Kifāi

A duty that is wājib on everyone until someone does it. Then it is no longer wājib on the others. For example, washing (ghusl) and burial of a dead Muslim. As long as no one does it, everyone is held responsible and it is wājib on all Muslims. But once a few of them come forward and do

it, it is no longer wājib on the others. Another example of Wājib al-Kifāi is if a Muslim walks into a room and says salām. It is wājib (al-kifāi) on everyone to reply the salām. But once one person replies, it is no longer wājib on everyone else even though it is good if they also reply the salām.

Other examples of Wājib al-Kifāi is to take up some professions and careers. For example, if there are no doctors in a town or city and people are falling sick but there is no one to cure them. Or there are no farmers and people do have no have food to eat. Or there is no mujtahid to research and inform people of what is halāl or harām. Or in a Muslim country there are no soldiers, law enforcement officers, judges, etc. to help defend and establish justice in the Muslim country, then it is wājib al-kifāi on all Muslims to take up the needed profession (religious studies, medicine, farming, business, etc.). But once some take up this responsibility then it is no longer wājib on the rest.

Wājib al-Fawri

This is a wājib act that must be done immediately and without delay i.e. as soon as it becomes wājib. For example, as soon as there is an earthquake or an eclipse, it is wājib on everyone present in that place to pray Salāt al-Ayāt without any delay. Salāt al-Ayāt is therefore both Wājib al-ʿAyni and Wājib al-Fawri.

Going for Hajj. As soon as a person has the health, wealth and means to go for Hajj, it becomes wājib to go the same year without delay (i.e. wājib al-fawri).

Yet another example is when someone recites or hears an āyah of the Qurʾān that requires a wājib sajdah. As soon as they recite it or hear it, they must perform the sajdah right away because it is a wājib al-fawri act.

Wājib at-Takhyiri

This is a wājib duty where you have a choice. An example of Wājib at-Takhyiri is the choice to pray Salāt al-Jumuʿah or Salāt adh-Dhuhr on Fridays (only during the ghaybah of Imām al-Mahdi (ʿatfs) otherwise

Salāt al-Jumu'ah is wājib). So if a person prays Salāt al-Jumu'ah then they don't have to pray Salāt adh-Dhuhr and vice versa.

Another example is the kaffāra (penalty) in the month of Ramadān, that you will learn more about in Book 7. A person who has to pay a kaffāra for breaking a wājib fast intentionally has the choice of either feeding 60 poor Muslims or fasting for 60 days. So the Kaffāra is Wājib at-Takhyiri. When you do one, the other is no longer wājib.

Yet another example is that in the 3rd and 4th rak'ah of salāh, we have the choice (*ikhtiyār*) to either recite Tasbihāt al-'Arba'a or Surah al-Hamd. We have to choose one but cannot leave out both.

Some more Terminologies

The above four types of *wujub* (plural of *wājib*) are the most important ones that you should know and remember. The following are more terminologies for those who are interested in knowing the other terminologies that fuqaha (experts of fiqh) use. You don't have to memorize these and if there is not enough time in class, your teacher may skip them and you can read them on your own later on.

Wājib an-Nafsi and Wājib al-Muqaddami

Some acts that are Wājib al-'Ayni or Fawri or Kifāi or Takhyiri, etc. are wājib in themselves. They are also called Wājib an-Nafsi. For example, salāh, hajj, rescuing a person who is drowning if you can, etc.

And some acts are not wājib in themselves but become wājib because without them you cannot fulfil another act that Wājib an-Nafsi. For example, wudu is not wājib in itself. But to pray salāh, you need to do wudu. So when it is time for Salāh, wudu becomes wājib. Wudu is therefore called Wājib al-Muqaddami.

Similarly Hajj is Wājib an-Nafsi but to go for Hajj, you may need to get a passport, visa, air ticket, etc. All these are not wājib but become wājib al-muqaddami when Hajj becomes wājib on you.

In Book 7 and 8 you will learn how ghusl can also become wājib al-muqaddami for Salāh or Sawm (fasting) in the month of Ramadān.

Wājib at-Ta'abbudi and Wājib at-Tawassuli

A wājib act that requires a niyyah of '*qurbatan ilallāh*' is called wājib at-ta'abbudi. For example, salāh, sawm, hajj, etc.

A wājib act that does not require a niyyah of '*qurbatan ilallāh*' in order to be valid is called wājib at-tawassuli. For example, obedience of parents, fulfilling promises, saving your life from danger, etc.

Rules Regarding the Washroom

When using the toilet, it is harām to face qibla or have your back facing it. This is discussed further in Lesson 3.

Sometimes you may be camping or out at a place where there is no washroom. In such situations, remember it is also harām for a person to urinate or relieve himself or herself:

- a) on private property without the permission of the owner.
- b) in a religious place that would disrespect the religion e.g. the compound or parking lot of a masjid, church, etc.
- c) near the graves of Muslims.
- d) on a path, alley or road where people usually walk.
- e) in a place where others may see you naked. It is therefore wājib to hide our private parts from others at all times, even from our parents and siblings.

It is makruh to relieve oneself under a tree or a place where there is a strong wind blowing.

After urinating, a person should wash himself or herself two times (wājib) and it is better three times.

Most places you visit outside Muslim homes or masājid (such as schools, gas stations, coffee shops and other public areas) will not have water containers or faucets in the washrooms. You should therefore always carry a disposable cup or a small empty water bottle in the car or your backpack that you can fill with water and use to clean yourself.

If you do not have a cup or bottle, then you can use wet tissue to clean yourself and then dry yourself with toilet paper. But you will still need to wash yourself with water properly and change your underwear before you are tāhir again and can pray salāh.

If a person is in the wilderness and cannot find water, they should clean themselves with three separate pieces of clean paper. And if they don't have paper, they can use a dry object like a dry piece of stone to wipe the najāsah from their body.

Most men's public washrooms have standing urinals. Muslims should not use urinals. Urinating while standing is makruh, it is not a decent way for a human being to relieve himself, and it is more likely to cause najāsah to fall to one's body or clothes. Always sit and urinate. If it is a public place, you may have to wipe the seat and dry it with some tissue first.

When in the washroom, it is makruh:

- a) to talk
- b) to read
- c) to sit in the toilet for a long time unnecessarily
- d) to stand and urinate

Even when outdoors where there is no proper washroom facilities, it is makruh:

- e) to urinate on a hard surface where the najāsah may splash on you
- f) to urinate in the burrows of animals
- g) to urinate in water, especially in still water

It is makruh to suppress your urge to urinate and if it is harmful to your health then it becomes harām.

To utter words in the remembrance of Allāh whilst in the washroom, is not makruh and in fact it is recommended for a person to thank Allāh for the healthy body and the ability to remove the waste from one's body and to ask Allāh to help us purify our souls of spiritual filth the way He has helped us to purify our bodies of its waste and toxins.

It is mustahab to:

- a) Enter the toilet with the left foot and to come out with the right foot first.
- b) Urinate before doing wudu for salāh and before going to sleep. You should also do wudu before sleeping.

The rules of tahārah should always be kept in mind so that the clothes and body are not touched by urine or any najis al-‘ayn. And if it is, it should be washed with water three times to clean it.

If a page of the Qur’ān, or some other sacred writing, such as a piece of paper or cloth with the names of Allāh, Rasulullāh (s), or the Imāms (‘a) or other prophets (‘a), or some of the sacred soil of Karbala falls into the toilet, it is harām to use that toilet until the sacred object has been removed. It is also wājib on every Muslim (wājib al-kifāi) to retrieve that object, whatever the cost. If it is not possible to retrieve it, the washroom must not be used until it is certain that the object has disappeared.

How to Make Tāhir a Mutanajjis using Water

A thing that is inherently najis (like pig, dog, blood, urine, etc.) is called *najis al-‘ayn*. A thing that becomes najis because of contact with a najis al-‘ayn is called mutanajjis. A *najis al-‘ayn* can never be made tāhir. But a mutanajjis can be made tāhir again. For most things, this is done with clean (tāhir) and pure (mutlaq) water.

When clean and pure water is little in quantity (less than 400 litres), it is called ‘qalil’ in Arabic. Such water, if it is touched by anything najis, also becomes najis itself.

However when clean, pure water is in large quantity (called kurr water, which is 400 litres or more), it doesn’t become najis as long as the najāsah is not enough to change the taste, colour or smell of the water e.g. water in a lake. Similarly, running water like water in a running river or from the faucet is also able to clean a najāsah without becoming najis itself.

If a utensil (like a pot) becomes najis, first remove the najāsah completely then wash it three times with kurr or running water to make it tāhir. If you only have qalil water, fill the utensil with water and empty it out completely, three times. Or, alternatively, pour some water into the utensil and shaking it in such a way that the water reaches all the najis parts of the utensil (from where you have already removed and cleaned the najāsah before) then pour the water out and repeat (three times total).

If a rug or clothing becomes najis, remove the najāsah first then wash it three times with kurr or running water. If you only have qalil water, remove the najāsah, wash it, then wring it and squeeze all the water out, then repeat again (total three times).

If the carpet or rug cannot be moved, remove any visible najāsah, then pour clean water on it (covering a wider area), then dry it, and repeat the process three times.

Lesson 2

Qibla

Qibla is the direction of the Ka'bah in Makkah. The Ka'bah is a cube-shaped structure that was built by Nabi Ibrāhim (‘a) and it is in the middle of Masjid al-Harām, the holiest masjid for Muslims. The location of the Ka'bah is the most sacred place on the earth.

Rules of Qibla

Muslims are required to face the qibla at least five times every day when performing their daily prayers. When Muslims go for pilgrimage to Makkah (Hajj or Umra), they go around the Ka'bah seven times and this is called tawāf. (We will learn more about Hajj in Book 10.) Muslims also face the qibla when slaughtering an animal. When Muslims die they are buried lying on their right shoulder with their face towards the qibla. Also, when a person is about to die, it is ihtiyāt wājib to turn his/her feet towards the qibla if possible.

Besides the Ka'bah itself, qibla includes all the space from the ground below it to the sky above it. For those who live far away from the Ka'bah it is not necessary that they should pray in a straight line to the Ka'bah. They only have to ensure that they pray facing the shortest direction towards Makkah. For example, from North America, Makkah is closer eastwards rather than westwards, so we pray eastwards. Depending on our city, this may be East, North East, South East, and so on.

How to Find the Qibla

If you know the direction of Qibla and you have a compass with you, it is easy to find the qibla. For example, the qibla direction from Toronto is NNE (North-North-East). So whenever you are travelling within the province of Ontario, you can use a compass to find NNE and pray in that direction.

If you do not have a compass or do not know the compass direction for Qibla in the place you are visiting, there are several other ways to find the qibla:

1. Find a Muslim and ask him/her.
2. Find a masjid nearby. Even if it is closed, if you find the mihrāb (where the prayer Imām stands) you can know the qibla.
3. Find a Muslim grave in a cemetery. Because Muslims are buried on their right shoulder with their face towards the qibla, if you know where the tombstone or head of the grave is, then the qibla will be towards the right of the tombstone if you stand behind the tombstone facing the grave.
4. If you have access to the Internet, there are websites where you can enter your present address and it will show you where the qibla is.

But remember:

- a. qibla will not always be in relation to how your computer or cell phone screen is facing. You must align your screen with the street intersection shown on the screen.
 - b. Not all websites are accurate so do not use websites you are not sure of unless you first check and compare them with the qibla it shows for your home address.
5. As a last resort, you can use the Sun to find East-West or a highway that runs North-South or East-West. But these are not accurate and will only give you an approximate idea.

If a person has absolutely no way of finding the qibla, he/she must pray the wājib salāh in all four directions, at right angles to each other unless there is no time before qadā, in which case they can pray in any direction. If a person is sure the qibla is within two possible directions, then they should pray twice towards those two possible directions instead of four times.

If a person has to pray more than one salāh (e.g. dhuhr and asr), they should pray the first salāh in all four directions, and then pray the second one in all four directions. Of course if they are travelling, it will be qasr salāh for dhuhr, 'asr and 'ishā.

Summary:

If you have no idea which direction to pray in:

- And there is enough time before qadā, pray in all 4 directions.
- And there isn't enough time before qadā, pray in any direction that you have the strongest feeling about. But for the next salāh, you must pray in all four directions until you find out the qibla.

If you think it is one of 2 directions then:

- Pray in those 2 directions and not all four right angles.

Note: A wājib salāh has to be prayed facing the qibla. A mustahab salāh has to be facing qibla if one is in a stationary position (standing still). But if they are in motion e.g. on a train, plane or car, they do not have to face qibla. For a wājib salāh on a train, plane, etc., you should face qibla when starting the salāh (i.e. for takbirat al-ihram) but it is not a problem if the train or plane changes direction while you are praying.

When It is Harām to Face Qibla

- a. It is harām to face the qibla when using the washroom.
- b. It is also harām to have one's back towards the qibla when using the washroom. If a person knows the direction of qibla, they should sit on the toilet at right angle to qibla or at least turn a little sideways so that their face or back is not directly towards the qibla.

Exercise: Write down four times when it is wājib to face Qibla.

Lesson 3

Salāt al-Qasr

When you travel:

- a. for a total of 44 kms (28 miles) or more outside the city or town you live in, and
- b. you will be spending the night out of town, and
- c. you are staying out for less than 10 days...

...then it is wājib to shorten all the daily 4 rak'ah prayers to 2 rak'ahs. This shortened 2 rak'ah salāh is called *Salāt al-Qasr*. And it replaces salāt adh-dhuhr, salāt al-'asr and salāt al-'ishā. For each of these 4 rak'ah prayers, you would pray 2 rak'ahs with the niyyah of 'I am praying 2 rak'ah salāt al-qasr wājib qurbatan ilallāh'.

Nothing changes for salāt al-fajr and salāt al-maghrib.

If however you travel to a place and you plan to stay there for 10 days or more, then you must pray in full (like you do normally) even from the very first day you arrive.

If you missed any qasr salāh when you were travelling and then you return home, you must repay the qadā of the qasr salāh (as 2 rak'ahs) and not 4 rak'ahs. Similarly, if you have a qadā of a 4-rak'ah salāh (like 'ishā) and then you travel, you must repay the qadā as 4-rak'ah even though you are travelling because the salāh was missed when you were not a traveller.

Other Rules About the Traveller's Prayer (Salāt al-Qasr)

1. For a person to pray qasr, his total distance, going and returning must be equal to or more than 44 kms (28 miles). It doesn't matter if the journey one-way is less than 22 kms (i.e. half of the total 44 kms). For example, if a person travels 15 kms to a place and he knows that whilst coming back he will take a longer route and travel 30 kms, he must still pray qasr at his travel destination because he knows that the total of his journey is going to be more than 44 kms.

2. Praying qasr is wājib for travellers who meet its conditions. It is not an option. Even if a person forgets and prays in full when they should have prayed qasr, their salāh is bātil and they have to pray the qasr salāh again.
3. Those who travel to Makkah, Madina or Kufa, have the option to pray either qasr or full prayers. They can pray in full inside Masjid al-Harām, Masjid Nabawi and Masjid Kufa, as well as anywhere in these cities. We also have the option of praying full in the haram of Imām al-Husayn ('a) in Karbala, up to a distance of 25 arms length from the sacred grave.³
4. If a person's work requires him/her to travel frequently then they have to pray full when travelling for work. But if they travel to the same place for a vacation then they would pray qasr. Similarly, a person cannot fast when travelling. But if their work requires them to travel all the time (e.g. a pilot), then they can fast in Ramadān when travelling for work reasons.
5. If the intention of a person who travels somewhere is to do something harām (e.g. gambling) then they cannot pray qasr and have to pray in full (and of course they are also committing a sin by travelling).
6. The person praying qasr must have the intention (niyyah) of travelling out more than 44 kms and staying for less than 10 days from before. Otherwise they have to pray in full. For example, if a person is following someone else and does not know how far he is going to go and then he travels more than 44 kms and it is time for salāh, he must pray in full because he never had the intention of travelling.
7. It is mustahab that a traveller should recite the Tasbihāt al-Arba'a 30 times (or even better 60 times) after every salāt al-qasr.⁴
8. A traveller can only pray qasr when he or she is in the outer limits of the city or area that he or she lives in. This outer limit is called

³ Ayatullah Sistani, *Islamic Laws*, Ruling 1365

⁴ Ayatullah Sistani, *Islamic Laws*, Ruling 1378

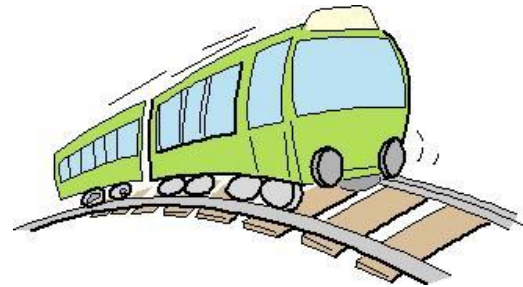
hadd at-tarakhkhus. So if a traveller has been praying qasr and is now heading back home, he or she will pray qasr as long as they are outside the *hadd at-tarakhkhus*. Once a traveller enters the city limits, he or she must start praying in full again. Here are two examples:

- a. Ali lives in Brampton. He travels to Niagara Falls for two days. He prays qasr in Niagara Falls. On his way back, he stops in Burlington. He will still pray qasr because he is still a traveller and outside the *hadd at-tarakhkhus*. But if on his way back home, he stops in Oakville or Mississauga to pray, he will pray in full because now he has entered inside the *hadd at-tarakhkhus* i.e. the limits of towns and cities that considered to be part of the Greater Toronto Area (GTA).
 - b. Fatima lives in Richmond Hill and travels to Ottawa for five days. On the way back, she stops in Kingston for salāh. She will still pray qasr because Kingston is still outside the *hadd at-tarakhkhus* of Richmond Hill. But if she stops in Oshawa or Whitby, she will start praying full again because she has re-entered the *hadd at-tarakhkhus* (city limits) of where she lives.
9. According to Ayatullah Sistāni, if a traveller plans to stay at a destination for 10 days or more and during that time he or she makes a trip to another place that is more than 44 kms, it does not break their “10 day intention” as long as they do not spend the night in the new location. They will pray qasr at the new destination during their day trip but once they return, they can continue praying full again. Here is an example: Ahmad lives in Germany. He is visiting Toronto for more than 10 days so he is praying full salāh. During his visit, he decides to go to Niagara Falls just for the day. He plans to go in the morning and return in the evening, without spending the night there. So when he is in Niagara Falls, Ahmad will pray Qasr. But when he returns to Toronto, he will continue praying full. His 10-day count does not break because he did not spend the night in Niagara Falls. (If your marj’a is other than Ayatullah Sistāni, you should check if his ruling on this is the same or not.)

Salāh when on a Bus, Plane or Train

If a person is able to stop, dismount and pray, they must do so e.g. when travelling on a horse or one's own car.

If a person is travelling by plane or on a bus or train and knows it will stop at a place before the qadā of salāh and they will be able to pray, then they must wait and pray when they arrive at their destination and disembark.



If a person is on a train, plane or a means of transportation that will not stop before qadā time, they should do their best to ask for or find a place where they can stand and pray. If that is not possible, then they can sit and pray.

Whilst on the means of transportation, a person should try their best to find the direction of qibla (even if it is not precise). Then they should turn towards it for niyyah and takbirat al-ihram (i.e. to start their salāh). But if the plane, bus or train changes course during the person's salāh and they are no longer facing qibla, they do not need to worry about it and can continue praying. They should face qibla again before the start of the next salāh.

Wudu of course should also be performed unless it is impossible, in which case tayammum must be performed.

The clothes and body of the person praying whilst travelling must also be tāhir. If they are najis and they cannot make the clothes or their body tāhir, they must still pray the salāh but also offer its qadā after arriving at their destination.

Lesson 4

Fasting (Sawm)

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ
تَتَّقُونَ﴾

O you who believe! Fasting is ordered for you, as it was ordered for those before you, that you may be aware (of Allāh)

- Surah al-Baqarah, 2:183

Introduction

In Book 4, we already studied about the benefits of fasting and some actions that break a fast (*sawm*). In Book 7 inshā Allāh we will learn about the types of fasts and which ones are wājib, mustahab, harām and so on, as well as what is the penalty (*kaffāra*) of breaking a fast intentionally.

In this Book we will study a little more about what breaks a fast as well as moon-sighting rules for the month of Ramadān and what a person should do when travelling in the month of Ramadān.

Moon Sighting

It is wājib for Muslims who are bāligh, healthy and not travelling, to fast in the 9th Islamic month, the holy month of Ramadān. Fasting in Islam means keeping away from certain things (like food and water) from dawn to dusk. Of course fasting is not just about hunger. During fasting we have to be extra careful to keep away from evil thoughts, words or actions.

Rasulullāh (s) has said, ‘The month of Ramadān is a month of patience. And the reward of patience is paradise (jannah).’

We also know that Islamic months follow the lunar calendar. This means a month starts every time a new moon is seen. Every Islamic month can only have 29 or 30 days. So if the new moon is not seen after 29 days,

we can assume that after one more day, the new month has begun (because we cannot have 31 days).

We also know that in the Islamic calendar, the night (eve) comes before the day. So the first night of the month of Ramadān comes first and then the first day of the month of Ramadān.

The wājib fasts of the month of Ramadān should be kept from the first day of the month of Ramadān until the last day of the month. It is harām to fast on the 1st of Shawwāl, which is the first day after the month of Ramadān, also called 'Id al-Fitr.

How do we know when it is the first night of the month of Ramadān so we can start fasting from the next day?

If the previous month (Sha'bān) has completed 29 days and the moon is still not sighted that night, then we know the month of Sha'bān has 30 days. And the next day after that would be the first day of Ramadān because Sha'ban (like any Islamic month) cannot have more than 30 days.

If however the new moon (called a 'crescent') is seen after 29 days of Sha'bān then we know the next day is the 1st of Ramadan.

We must see the moon with our own eyes or at least two 'ādil (trustworthy and not people who sin openly) must have sighted the moon and they bear witness to their sighting of the moon before others can accept it.

If a person is sure that he or she saw the crescent of Ramadān but there was no other witness, then he or she must assume it is the first of the month of Ramadān and start fasting, even if others do not because of not having sufficient witnesses.

When the moon is sighted in a different town, city or country, we may be able to follow that depending on what our marj'a advises.

Usually the people who are most learned in religious matters will advise you on whether you can follow the people who saw the new

moon in another city or country or not and whether we should start or stop fasting or not.

It is wājib for a person who cannot find the answer from a scholar to try and look up towards the skies (if it is clear) at maghrib time, on the first possible night of Ramadān and try and see if he or she can sight the moon.

If the first of the month of Ramadān is not confirmed but there is a doubt and it is possible that one may find out during the day that the moon was sighted elsewhere and that it is the first day of Ramadān, then it is recommended that a person should fast, but without the intention of a wājib Ramadān fast. They should fast only *qurbatan ilallāh*. This way, if it is found even several days later that the day that the person fasted was in fact the first day of Ramadān then it will automatically be counted as the wājib Ramadān fast.

However if a person does not fast because no proof was found and later he finds out that in fact it was the first day of Ramadān, then he or she only has to pay the qadā for the 1st day and there will be no other penalty (kaffāra).

The 1st of Shawwāl is the day of 'Id al-Fitr and it is harām to fast on that day. So when a person has fasted 29 days, they should make the utmost effort to try and find out if the next day is 'Id or the 30th day of Ramadān. This is also done by trying to sight the moon, or following two 'ādil witnesses or the guidance of the marj'a on moon-sighting in other towns and cities.

If a person cannot confirm that the next day is 'Id, then he or she should fast that day as the 30th of Ramadān but thereafter if he or she finds out during the day that it is in fact 'Id, they must break their fast immediately even if they find out only 5 minutes before maghrib.

Niyyah

After the moon of the month of Ramadān is sighted, a Muslim who is bāligh and 'āqil (sane) should prepare for the month by making a solemn

intention to fast all the wājib Ramadān fasts for the sake of Allāh's pleasure only (*qurbatan ilallāh*).

Without such an intention, no fast can be considered valid. For example, if a person is fasting because it is Ramadān but also to diet or lose weight then their fast is bātil.

However, it is not wājib to utter the niyyah loudly. Just making the intention in one's mind is enough. One can make the intention for each day's fast or even make the niyyah to fast the whole month on the first night of Ramadān. The time for making a niyyah for the next day's fast is from the beginning of the night until just before dawn.

A fasting person (*sā'im*) should persist in his or her niyyah for the whole day. If they waver whether to break their fast or continue it or make intentions to break it, their fast becomes bātil, even though they do not eat or drink anything. That is why, once it is maghrib time and a person *knows* the fast is over (i.e. makes the niyyah to no longer be fasting) then it is sufficient to assume their fast has ended even if they do not eat or drink right away. It is however recommended to eat something immediately or just after praying salāt al-maghrib.

Suhur

It is highly recommended to eat something in the early hours of the morning (the time of *suhur*) before fajr time, in preparation for the next day's fast. As a precaution, people stop eating or drinking anything at least 5-15 minutes before fajr time and this is called the time of *imsāk*. You can check your local prayer calendar for the time of *imsāk*.

If, while eating, a person realizes that the time for the morning adhān has arrived, they should take the food out of their mouth; if they swallow it deliberately, their fast will be bātil and they will have to pay its qadā and a penalty (kaffāra). It is therefore better to stop eating and drinking from the time of *imsāk*.

There are many duas and prayers that are recommended for the time of suhur in the month of Ramadān and especially for the final hour before the start of the fast. These are not wājib but one should try and recite

these, in addition to the Qur'ān and salāt al-layl. The month of Ramadān is the holiest month of the year.

What breaks a Fast (*mubtilāt as-sawm*)

A fast is broken if someone does any of the following deliberately between the time of fajr to the time of maghrib:

1. Eating and drinking.
2. Smoking or inhaling dust or (smoke) fumes.
3. Vomiting.
4. Lying about Allāh and the Ma'sumeen ('a).
5. Immersing head under water.

Remember, the fast is only broken if it is done deliberately. This means if someone forgets and has a sip of water, it doesn't break their fast provided they stop immediately and spit out whatever is in their mouth. Similarly if a person forgets and eats something, they should spit out whatever is in their mouth (without inducing vomiting). Or if someone is pushed into a pool and their head goes under water, it does not break their fast because it wasn't deliberate.

Breaking a fast deliberately is not like missing a fast when one is ill or travelling. When one is ill or travelling, they only pay the qadā for the fast. But breaking a fast deliberately requires a person to:

- a. Ask forgiveness from Allāh (istighfār).
- b. Pay the qadā of each missed fast.
- c. Pay a penalty (kaffāra) for each missed fast. The kaffāra **for each missed fast** is to fast 60 days (out of which 30 days must be continuous), OR to feed 60 poor Muslims. If it is not possible to find 60 poor Muslims to feed, then one has to arrange to send money to a poor town or city where this can be arranged.

1. Eating and Drinking

Brushing teeth is ok during a fast so that the mouth will not smell. But you have to be careful so that you don't swallow anything.

Also during wudu, when rinsing the nose or gargling the mouth, be careful not to let the water down your throat.

A cook is allowed to place food on his or her tongue just to taste it (e.g. to see if there is enough salt in the food) but not to swallow it. After tasting, they must spit it out.

Injections that give nourishment to the body such as glucose are also not allowed during a fast. And one should also not go to the dentist during a fast (for non-emergency procedures like regular check-up and cleaning) because the teeth may bleed.

2. Smoking and Inhaling Dust

Those who smoke cigarettes or pipes are not allowed to do so during a fast.

When there is any dense dust or smoke or fumes near a person who is fasting, he or she must move away and try and prevent it from entering the throat. If they take it in deliberately or don't move away when they can and it goes down their throat, the fast becomes *bātil*. But if the dense smoke enters a person's throat involuntarily, or due to carelessness it reaches a little into the throat, the fast is not *bātil* as long as the person tries to prevent any further inhaling of the dust or smoke.

3. Vomiting

Vomiting intentionally (i.e. inducing a vomit by gagging or putting one's fingers down the throat) breaks a fast and needs to be compensated by a *qadā* and *kaffāra*. However if one is ill and throws up, it does not break their fast as long as they don't try and continue vomiting deliberately. If a person is too ill to fast, of course they can break their fast and take

medicine and then repay the qadā only.⁵ But if they decide to continue fasting and not to break their fast, then they need to ensure they do not vomit deliberately.

4. Lying About Allāh and the Ma'sumeen ('a)

By '*ma'sumeen*' we mean all the prophets (*anbiyā*) from Nabi Adam ('a) to Rasulullāh (s), as well as Sayyida Fatima az-Zahrā ('a) and the twelve Imāms ('a) after Rasulullāh (s). As such it is always harām to lie about Allāh and the Ma'sumeen ('a). But during a fast, if a person lies about them intentionally, then besides the sin they commit, their fast is also bātil. Lying could be by quoting a forged hadith that is attributed to a ma'sum or misinterpreting an āyah of the Qur'ān or even lying about them with one's actions (such as in sign language).

If someone narrates something from Allāh or the Ma'sumeen ('a) assuming that it was true, but later discovers that it was not true, his or her fast will remain valid. If there is something about which we are not sure whether it is true or not, we should either not narrate it or if we do, we should quote the source.

5. Immersing Head Under Water

If a person dives into water or even just immerses his or her head into water deliberately, their fast is bātil. The immersion however has to be all at once. So taking a shower does not break a fast unless one fills a tub with water and then immerses his or her head under water completely.

Conditions for Travellers in Ramadān

Those travellers who have to offer qasr (shortened) salāh cannot fast and should repay the fasts as qadā later on. But those travellers whose salāh is not shortened (such as those who stay more than ten days at a

⁵ In Book 7 we will also study about those who have a permanent illness or are too old or weak because of which they can never fast or repay any fasts.

place or those whose profession involves travelling) have to fast during their journey.

If a person who is fasting starts his or her journey *before* the time of salāt adh-dhuhr, they cannot complete their fast. But they should only break it *after* leaving their town or city to a place where they would be eligible to pray qasr. Otherwise they will have to pay the qadā and a penalty (kaffāra).

If a person starts his or her journey *after* the time of salāt adh-dhuhr, then they should complete their fast for that day and it will be a valid fast.

Likewise, if a traveller arrives back home (or the place where he or she intends to stay for ten days or more) *before* the time for salāt adh-dhuhr, they can complete their fast, if they have not already committed an act that breaks the fast. And even if they have had some food or drink during the journey, it is better for them not to do anything that breaks a fast after they have arrived home. However, that will only be out of respect for the month and it will not be considered a fast because they had already eaten during their journey.

When a traveller reaches his home (or the place where he or she intends to stay for ten days or more) *after* the time for salāt adh-dhuhr, they cannot complete their fast, but it is recommended to refrain from eating or drinking as a mark of respect for the month of Ramadān.

Lesson 5

Food and Drinks

Halāl and Harām

It is very important for us to know the meaning of halāl and harām in Islam.

Halāl means 'allowed' or 'lawful'. Harām means 'forbidden' or 'unlawful'.

For food and drinks, anything that a Muslim is not allowed to eat or drink is called harām and all the rest are halāl for the Muslim to have.

Examples of harām foods are:

1. Pork and anything that has ingredients from pigs in it. For example, foods that have gelatin or lard in their ingredients.
2. Alcohol and anything that has alcohol in it like beer, wine and even some medicines and mouthwashes. Also any liquid that can intoxicate. It is wājib for a Muslim to leave a gathering where alcohol is being served and it is harām to sit at the same table where there is any kind of alcohol (beer, wine, etc.).
3. Meat of an animal that is harām to eat, such as the meat of rabbits, cats, dogs, horses, donkeys, and all reptiles.
4. Meat of an animal that is halāl but the animal was not slaughtered according to Islamic law (called *dabiha*). For example, a Muslim can eat chicken, cow (beef), camel, lamb, sheep or goat meat but only if the animal was killed in the right Islamic method. So we cannot buy chicken, beef, etc. from any butchery or grocery store unless we are sure it is halāl. Similarly, we cannot eat from the food court in the shopping malls or at any restaurants unless we are sure the food is halāl.
5. Meat of an animal that died naturally. For example, if a chicken or cow or sheep or goat dies in an accident or due to disease or old age, we cannot eat their meat. The animal has to be alive during *dabiha*. We will learn about the laws of *dabiha* later on.

6. Fish that do not normally have visible scales on them, like shark meat. Also it is harām to eat crabs, lobsters, squids, octopus, molluscs, etc. But we are allowed to eat shrimps and prawns. We will also learn about the Islamic laws of fishing later on in Book 11.
7. Birds who do not flap their wings like eagles and hawks as well as birds that are scavengers like vultures. We are allowed to eat chicken and turkey but they also have to be killed according to the laws of *dabiha*.

When we are invited to eat at the house of a Muslim or if we are eating at a restaurant that we are sure is owned by Muslims, we do not have to ask them about the food and we can assume it is halāl. However if a Muslim restaurant serves alcohol as well, then it is better to avoid it and not to eat their food or buy anything from them. Or if a Muslim restaurant owner sells halāl beef but harām chicken meat, we should also not eat there because we cannot trust such a person.

When it comes to meat, we have to be extra cautious and sure that what we eating is halāl.

Rules Regarding Gold and Silver Containers

It is harām to eat or drink from containers made of real gold or silver. But if the dish is only gold or silver-plated or mixed with other materials then it is not harām. Also, if the food contained in a gold or silver dish is transferred into a different dish, it can be eaten.

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 - Usually found in mouthwashes and some medicines.

- 3 Pepsin - Usually found in cheese and cheese products.
- 4 Gelatin - Usually found in marshmallows and some cookies and candy.
- 5 Lard - Usually found in some cookies.

Lesson 6

Ghusl

What is Ghusl?

Ghusl is a bath that is done in a special way and with a *niyyah*. You have already learnt about *niyyah* and its importance in Book 4. There are times when ghusl becomes *wājib* to perform and times when it is only *mustahab*, and we will learn about these differences later on.

Method of Performing Ghusl

There are two ways to perform ghusl but we will learn only one way that is the most common and is called the *ghusl tartibi* (step-by-step) method and it is as follows:

1. *Niyyah*: You should know your intention. For example, 'I am performing the ghusl of *jumu'ah qurbatan ilallāh*'.
2. Wash head and neck first.
3. Then pour water on right side of the body washing from the right shoulder downwards.
4. Then pour water on the left side of the body washing from the left shoulder downwards.

The other method is called *ghusl irtimāsi* (ghusl by immersion in water) and is not common. If you are curious to know more about *ghusl irtimāsi*, which is by diving into a pool of clean water, then you can read the *risāla* of your *marj'a*. *Ghusl irtimāsi* is not allowed when fasting or during *hajj* when wearing the *ihrām*.

Here are some more details about each step during *ghusl tartibi*:

- 1. Before starting ghusl:** If there is any uncleanness or *najāsah* on your body, you should remove it and wash it off before starting ghusl. Also if you have oil in your hair or nail polish on your finger or toe nails, paint on your body, you must remove all things that prevent water from reaching your body before you start the ghusl. Henna is ok.

2. **Intention:** Just like in wudu, in ghusl also one must have the intention of performing it only for the sake of Allāh and to come close to Him (*qurbatan ilallāh*) otherwise the ghusl will be void (*bātil*). You should clearly know the reason for which you are performing ghusl.
3. **Washing Head and Neck:** When you start ghusl by washing your head and neck, let the water flow all over your head. Using your hands, make sure the water reaches all parts of your head (front, top and back), including your ears, the roots of your hair and all around your neck till the shoulders. You don't have to worry about washing inside your nose and mouth or all your hair if it is long.
4. **Washing the Right Side and Left Side of the Body:** It is better to wash the right side first and then the left side. Rinse each side thoroughly starting from a bit of the neck and where the shoulder starts to the bottom of your feet. Use your hands to ensure the water reaches everywhere including your chest, back, arms, armpits, elbows, fingertips, front and rear private parts, the navel, the back of the knees, all the way down to the sole of your feet. No part should be left unwashed.
5. If even a small part of the body remains unwashed, the ghusl will be considered *bātil*. If after a *wājib* ghusl you know you missed washing some part of your body, you must repeat the ghusl. But if you have a doubt and are not sure, and you have finished the ghusl, you don't have to repeat it.
6. In order to make sure that the body is fully washed, some of the body part that has already been washed should be included when washing the other part. For example, when washing the right side of the body some of the neck should be included; and when washing the left side some parts of the right half that are already washed should be washed again. It is better that the middle part of the body (including the private parts) should be washed on both occasions so that no part is left unwashed.

Ghusl of Jumu'ah

One type of ghusl that is mustahab and highly recommended is the **Friday Ghusl** also called *Ghusl of Jumu'ah*. Jumu'ah means Friday and this is a special day for Muslims. It is the holiest day of the week in Islam. On Fridays Muslims pray a special salāh instead of salāt adh-dhuhr, which is called Salāt al-Jumu'ah and we will learn about this salāh later on.

The time for the ghusl of jumu'ah is from fajr to sunset (Ayatullah Sistāni, ruling no. 651) although it is better to perform it just before the time for Salāt al-Jumu'ah, which is also the time of salāt adh-dhuhr. According to Ayatullah Sistāni, the ghusl of Friday is so recommended, that if you miss it, you can still perform it on Saturday with a niyyah of qadā. Or if you know you will miss it, you can perform it in advance on Thursday, with the niyyah of rajā (ruling No. 651).

Once you perform the ghusl of Jumu'ah, it is not wājib to do wudu to pray salāt al-jumu'ah (ruling no. 653) unless your ghusl breaks (for the same reasons that wudu breaks). Although, it is recommended (mustahab) to perform wudu as a precaution (ruling 397).

Lesson 7

Gender-Specific (for Boys)

Istibra

Istibra is the name given to the way for a man to clean himself after urinating.

Remember that urine is *najis al-‘ayn* and if you do not clean yourself properly, your clothes and body can become najis too and your acts of worship including salāh will not be valid in the state of najāsah.

The 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 of the organ should be shaken three times.

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

Advantage of Practising Istibra

Istibra is recommended (mustahab) after urinating and not wājib, but it should always be practised.

If a boy does *istibra* and any wetness comes out later or is found on his underwear, and he doesn't know whether that wetness is urine or not, then he can assume it is not najāsah and that his clothes are clean (tāhir). This is because he performed istibra after urinating.

However if he does not do istibra, then he would have to assume that the wetness was urine and he would have to clean himself again and change his clothes that have gotten wet or damp.

There is no equivalent practice to istibra for women, and any wetness that comes out after urinating is considered clean.

Respect for Women

One of the signs of Islam's greatness is the respect and honour it gives to women, who have always been downtrodden and treated unfairly and unequally in human history.

Before Rasullāh (s) began preaching Islam 1400 years ago, the Arabs used to bury their daughters alive. In some religions a woman is regarded as evil and the cause of the downfall of man. She is blamed for Nabi Adam ('a) being expelled from Jannah whereas the Qur'ān says that both Nabi Adam ('a) and his wife Sayyida Hawwā ('a) ate from the forbidden tree together. In many countries it was only less than 100 years ago that women were given the right to vote or to participate in society. Islam allowed women to participate fully in society and to even own property and businesses 1400 years ago.

Some of the common accusations against Islam on the rights of women regarding matters like inheritance have been misunderstood and are false accusations. They need to be discussed in more detail and we will study that in Book 12 inshā Allāh.

For now it is important to remember that according to the Qur'ān, a man and a woman are equal in the eyes of Allāh. One is not better or more superior to the other because of their gender. What makes one better than the other is only taqwa (to be aware of Allāh all the time). That is why Allāh says:

﴿يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقَاهُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ﴾

O humankind! Indeed We created you from a male and a female, and made you nations and tribes that you may identify yourselves with one another. Indeed the most honoured of you in the sight of Allāh is the most Godconscious among you.

- Surah al-Hujurāt, 49:13

This āyah makes it clear that greatness comes from Godconsciousness (taqwa) and not gender. Taqwa means to keep away from sin because of constantly being aware that Allāh is watching us.

We should also be aware that whereas boys become bāligh a little later (at the age of 13-15 years), girls are considered to be bāligha from the age of 9. This means they mature physically and emotionally sooner than boys. Their responsibilities come sooner, and what is wājib for boys later on (like salāh and sawm), becomes wājib on girls from the age of 9.

As you grow into adulthood you will learn and realize more about the physical and emotional differences between boys and girls and you will also become aware of the natural attraction between boys and girls and why Islam teaches hijāb as a way of preventing sin and abuse of one gender against the other.

One of the meanings of hijāb that boys should learn to practice is to always be respectful of girls regardless of whether they are your sister, cousin or anyone at school or madrasah. One should never tease or make fun of a girl. It is a shame for a Muslim boy or man to make fun of any girl or woman.

In Islam, a man always looks out and protects women against other evil men. Never ever raise your hand against a girl or beat a woman even if she tries to hit you. It is a great sin in the eyes of Allāh to hit or take wrong advantage of anyone especially for a man against a woman. And in fact, only a coward hits a girl or woman.

When boys meet or talk to girls and women, they should not stare at them or make them uncomfortable with their behaviour. They should not act silly or say things to embarrass them. Instead they should be polite and respectful, and avoid staring at women who are strangers to them.

Lesson 7

Gender-Specific (for Girls)

Signs of Bulugh

As boys and girls grow into men and women, they change physically and emotionally. This age of maturity is also called the age of puberty (or *bulugh* in Arabic). Boys mature (become *bāligh*) closer to the ages of 13-15 years while girls mature earlier and in Islam are considered to be *bāligha* from the age of 9 (i.e. the 9th Islamic birthday). This means whatever is *wājib* on adults like praying (*salāh*), fasting (*sawm*) and *hijāb* starts from the age of bulugh.

There are various physical signs of bulugh. Some are common to boys and girls like the growth of hair under the armpits and on the navel (called pubic hair) and some signs are unique to each gender. For example, as a girl grows older, her body starts adjusting to becoming a mother one day. She will experience some bleeding every month. This will occur repeatedly (as a cycle) every month and is called the menstruation cycle (or *haid* in Arabic).

Later on, when a girl grows up and gets married and decides to have a baby, this blood will be needed for the baby's growth in the mother's womb. Until then, the blood is discharged (i.e. comes out) from her body.

Haid and Istihādha

Haid is a woman's monthly bleeding cycle, also called 'period'. Most menstrual periods last from 3 to 5 days but in some women it can vary and continue for up to 7-10 days. If you count a menstrual cycle from the first day of one period to the first day of the next period, the average menstrual cycle is 28 days long. But cycles in women can also vary from 21 days to 35 days. In young teens that are just beginning to experience *haid*, the cycle can be longer, up to 45 days.

The average age for a girl to get her first period is 12. But this does not mean that all girls start at the same age. A girl can start her period (i.e. experiencing *haid*) anytime between the ages of 8 and 15.

During the days that a girl or woman has her period, she is not required to pray the daily *salāh* or to fast. If she misses some *wājib* fasts in the month of Ramadan, she will have to pay back those missed fasts later on as *qadā*. But the *salāh* that she misses during her period do not have to be paid back.

Besides *Haid*, a *bāligha* woman can also experience bleeding that is not a part of her period or monthly menstruation cycle. This unexpected irregular (non-period) bleeding is called *Istihādha*. When a woman experiences *Istihādha*, she still has to pray and fast but there are some additional rules for it (such as performing wudu or ghusl before every *salāh*) that you will learn about in Book 8.

What is Harām for a Woman During *Haid*

- Praying *salāh* of any kind including *Salāt al-Ayāt*. She can however pray *Salāt al-Mayyit* because it does not require wudu or ghusl. (*Salāt al-Mayyit* is taught in Book 10.)
- Entering any *masjid* including *Masjid al-Harām* (Makkah), haram of *Rasulullāh (s)* (Madina) or haram of any of the *Imāms ('a)*.
- Touching the writings of the *Qur'ān*.
- Reciting any of the four *āyāt* of *Qur'ān* for which *sajdah* is *wājib* immediately. These four *āyāt* are:
 - a. Surah as-Sajdah, *āyah* 15 (32:15)
 - b. Surah Fussilat, *āyah* 38 (41:38)
 - c. Surah an-Najm, *āyah* 62 (53:62)
 - d. Surah al-Alaq, *āyah* 19 (96:19)

Wājib Ghusl

There are three types of ghusls that are *wājib* for women only:

1. Ghusl of *Haid*: Wājib to perform after the end of the monthly bleeding of women, before a woman can start salāh and sawm again.
2. Ghusl of *Istihādha*: Wājib for women after certain kinds of irregular bleeding.
3. Ghusl of *Nifās*: Wājib after the bleeding of childbirth.

In the previous lesson you already learnt how to perform ghusl and all about the mustahab ghusl for the day of Friday (Ghusl Yaum al-Jumu'ah). A Wājib Ghusl is performed in exactly the same manner except that the niyyah is different.

For example, after her period is over, a girl must perform *Ghusl of Haid* with the intention of 'I am performing ghusl of *haid*, wājib qurbatan ilallāh'. Thereafter she can start praying and fasting as usual.

A Note on Hijāb

When a Muslim girl reaches the age of nine Islamically, it is wājib for her to start wearing hijāb. This means she must cover herself, especially her body and her hair to protect herself from being seen by men who are not her mahram.

Hijāb means that the entire body of a woman should be covered in the presence of her non-mahram except the wrists to the fingers and the face. The head and neck should also be covered so that no hair is showing. The feet must also be covered. The overall appearance of the dress must be loose so that it does not reveal the shape of the body.

Bāligha girls and women do not have to wear hijāb when they are only with other women or when they are with mahram men like their grandfather, father or brothers. But they still have to dress respectfully and modestly in front of them.

The hijāb for men is to lower their eyes from looking at non-mahram women. Hijāb is like a shield that protects women from harm but also protects both men and women from sin. Bāligh boys and men must also dress decently and respectfully in the presence of others.