

تسهيل الفقه

Tas-heelul
Fiqh

Fiqh Made Easy

11

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

تسهيل الفقه

CONTENTS	PAGE
LESSON 1	3
Kitaabul Hudud	
LESSON 2	9
Had li Shurbil Khamar	
LESSON 3	11
Had ul Sukar	
LESSON 4	13
Had ul Qazaf	
LESSON 5	18
Had ul Sariqah	
LESSON 6	20
Had li Qati Tariq	
LESSON 7	24
Kitaabul Jinaayah	
LESSON 8	30
Kitaabul Diyyat	
LESSON 9	35
Salaah	
LESSON 10	41
The style of the building of the masjid	
LESSON 11	46
The reward of building a masjid	
LESSON 12	53
Persons who will take care of the affairs of the masjid	
LESSON 13	56
The duties of the mutawalli	

LESSON 14	63
The mutawalli	
LESSON 15	68
Women going to the masjid	
LESSON 16	72
The aadaab of the masjid	
LESSON 17	84
The uses of the masjid	
LESSON 18	89
The occasions when it is permissible to miss salaah with jamaa'ah	

LESSON 1

KITAABUL HUDUD

Had - Singular

Hudud - Plural

The literal meaning of Had is boundary or limit. In Shariah terminology Had means those fixed punishments (penalties) stipulated for the violation of certain commands of Allah Ta'ala. The Had is enforced to maintain law and order so that oppression and injustice is stopped at its roots.

The Hudud will only be executed

1. If the crime is committed in an Islamic country.
2. The person is found guilty in an Islamic country according to regulations.
3. By the person appointed by the state to execute the penalty,
4. Hudud will be made null and void due to an ambiguity in the case.

TYPES OF HUDUD

1. Had ul Zina	Had for adultery
2. Had ul Shurb il Khamar	Had for consumption of intoxicants
3. Had ul Sukar	Had for intoxication.
4. Had ul Qazaf	Had for slandering a chaste woman
5. Had ul Sarqah	Had for theft
6. Had li Qat'il Tareeq	Had for highway robbery (hijacking)

Had ul Zina - Punishment for committing of adultery

الرَّائِيَةُ وَالرَّائِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلْيَشْهَدْ عَذَابَهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ

Translation: "The woman and the man guilty of adultery or fornication, flog each one of them with a hundred stripes; let not compassion move you in their case in a matter prescribed by Allah, if you believe in Allah and the last day. And let a party of the believers witness their punishment." (*Surah 24 - Ayat 2*)

Zina means to have sexual intercourse with a female who is not in one's nikah or in one's ownership i.e. not amongst one's slaves.

Zina should be proved either by admitting to the act (self confession) or through the evidence of four witnesses.

A. 1. If four persons have witnessed the act of zina being committed. They will be brought to the Qadhee (Islamic Judge).

The Qadhee will cross-question them on what they saw i.e.

- i) The (witnesses) understanding of zina.
- ii) How the act of zina was committed?
- iii) Where the act of zina took place?
- iv) When did the act take place?
- v) and finally, with whom did the act of zina take place?

2. The witnesses will have to give testimony by explaining the act of zina in detail and they should be able to draw the similitude to the intrusion of a stick entering a bottle.
 3. The Qadhee will thereafter investigate the credibility (reliability) of the witnesses both in private and public and only thereafter pass judgement.
 4. It is conditional that the four witnesses be males who are not in bondage (slaves). That they be Muslims, whose testimony is Islamically accepted. The testimony of a female is not acceptable in this regard.
- B. 1. If a matured, sane adult person confesses to committing the act of zina then he must confess four times at four different occasions (sessions). The Qadhee will not take heed of these confessions but at the fourth confession the Qadhee will ask the following questions:
- i. What is zina?
 - ii. How did you commit it?
 - iii. Where did you commit zina?
 - iv. With whom did you commit zina?
- C. If the person is found guilty the Qadhee will order the Had to be executed.
- D. If the person who committed zina is a muhsin then the punishment is stoning to death.

E. The stoning will take place in an open field or land. If Had is passed due to guilt being proved by the testimony of the witnesses, the witnesses will begin the stoning, followed by the Qadhee and then the general public. If the witnesses refuse to stone, then the Had order will cease and stoning will not take place.

If Had is executed due to confession than the Qadhee will commence the stoning followed by the general public.

Once the person is stoned to death then the normal procedure for the deceased will follow, i.e. ghusal will be given, kafan donned and salaatul janazah performed.

N.B. There are seven conditions required to classify one as a muhsin.

1. Maturity.
2. To be sane.
3. Muslim.
4. Free person.
5. Married.
6. Consummated the marriage.
7. Both the adulterer and the adulteress should be muhsin.

For a non-muhsin the Had is 100 lashes. The lash will be moderate. The whip will have no knots. The convicted adulterer's clothing will be removed excluding the clothes which cover his satr and he will be lashed on different parts of the body. The face, head or private parts may not be lashed. The clothes of a female muhsin will not be removed.

If the person who confesses his adultery four times before the judge and his confession is accepted, but retracts his confession before the stoning process his retraction will be valid, thereby allowing him to be absolved of this Had.

However, if any one of the witnesses retract from his testimony before the stoning process, the adulterer will be absolved of the Had and all the witnesses will be lashed for their discrepancy.

WORK SHEET

1. Define "Hudud" in terms of shariah.

2. List two ways in which zina can be proven.

3. What is a Qadhee?

4. What is the punishment for an unmarried person who commits zina?

5. List the conditions which render one a muhsin.

Do you think that if the laws pertaining to zina are implemented in the constitution, it will curb sexual crimes. Substantiate your answer.

LESSON TWO

HAD LI SHURBIL KHAMAR

HAD FOR DRINKING KHAMAR

It has been reported by Sayyidina Sa'ib bin Yazid (Radhiyallahu Anhu) that when a drinker (of wine) was brought in the era of Rasoolullah (Sallahu Alayhi Wa Sallam), during the Khilafat of Sayyidina Abu Bkar (Radhiyallahu Anhu) and in the beginning of Sayyidina Umar (Radhiyallahu Anhu)'s Khilafat, we beat him with our hands, sandals and cloaks, but at the end of Sayyidina Umar's (Radhiyallahu Anhu) Khilafat he inflicted forty lashes and when people became immoderate and excessively wicked he inflicted eighty lashes. (Bukhari)

Shurbul khamar means to drink alchohol made from dates, raisins etc. that is left to ferment for it to be used as intoxicants.

The condition for enforcing of Had Shurbul Khamar:

1. To be caught while drinking khamar. The smell of khamar should still be emanating from a person's mouth at the time of laying charges.

2. To produce two male witnesses to bear testimony to seeing a person drinking khamar, or the person himself should confess to this effect.

3. The drinking of khamar should have been done voluntary.

If one confesses of consuming khamar after the smell has disappeared then the Had will be executed - enforced.

If the smell of khamar emanates from the person's mouth or he vomits khamar then too the Had will be executed.

THE HAD OF DRINKING KHAMAR

One who is proven to consume khamar (even a single drop) will be punished. The punishment (Had) being eighty moderate (not heavy nor light) lashes for a non-slave. The Had for a slave will be forty lashes. In this Had the clothes will not be removed.

LESSON THREE

HAD UL SUKAR

HAD FOR CONSUMATION OF INTOXICANTS (BESIDES KHAMAR)

According to Imam Abu Hanifa (rahmatullahi alayh) the one who cannot differentiate between the sky and earth or one who cannot differentiate between male or female, due to intoxication is classified as one who is under the influence of intoxicants.

An intoxicated person cannot be given Had without proof that he became intoxicated due to the consumption of an intoxicant.

Had is enforced on those who took the intoxicants voluntarily.

The criminal should not be lashed whilst in the drunken/intoxicated state.

Two male witnesses (Muslim, sane, mature, free) or a self confession is required to establish the Had for consuming of intoxicants.

A person who retracts his confession before enforcing Had shall not be punished.

WORKSHEET

1. What conditions need to apply for the punishment of drinking alcohol to be enforced ?

2. What is the punishment for alcohol consumption ?

3. How does Imaam Abu Hanifa (rahmatullahi alayh) define an intoxicant?

4. Do the drugs consumed by todays youth fall under the definition of intoxicants?

LESSON FOUR

HAD UL QAZAF

HAD FOR SLANDER (FALSE ACCUSATION OF COMMITTING ZINA)

وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُمْ ثَمَانِينَ جَلْدَةً وَلَا تَقْبَلُوا لَهُمْ شَهَادَةً أَبَدًا وَأُولَئِكَ هُمُ الْفَاسِقُونَ

Translation: *“And those who launch a charge against chaste women and produce not four witnesses (to support their allegations) flog them with eighty stripes, and reject their evidence ever after, for such men are wicked transgressors.”*
(Surah 24 - Ayat 4)

Literally Qazaf means to slander (falsely accuse) a chaste person of committing zina.

The Had for an unjust accusation (slander):

The Had for slander is eighty lashes for a free person and forty lashes for a slave. The laws of lashing have been adequately discussed under the chapter of had ul zina.

Had ul Qazaf will not be enforced in the following instances:

1. If one slanders someone who has made liaan.
2. To slander a woman's child whose father is unknown.
3. To slander a Muslim who committed zina before embracing Islam.

N.B. Liaan is a process of oath taken in the court by husband and wife with regard to adultery in the event of non availability of witnesses. The husband will take four oaths in announcing the guilt of the accused spouse and he will then say that if he is lying than may the curse of Allah be upon him. Thereafter the wife (accused spouse) will refute such accusations of the husband four times under oath, thereafter the wife will say that the anger of Allah will be upon her if he is speaking the truth. Thereafter the judge will issue the orders of the separation of the husband and wife.

The retraction of qazaf is not valid. The slanderer of adultery will be punished in all instances.

Tazeer means to reprimand. To enforce a light punishment of whipping for false accusation.

Tazeer will be administered to a person who unjustly accuses a slave or kaafir of adultery.

One will be lightly punished (given tazeer) for unjustly accusing someone by making the following derogatory statements without any proof:

1. To call one's slave "O adulterer" or "O kaafir"

2. To call a Muslim “O Kaafir” or faasiq.
3. To call someone:
 - a. “Khabees” (wicked, spiteful, malicious)
 - b. a thief.
 - c. a faajir. (liar, shameless, impudent)
 - d. a hypocrite.
 - e. a luti (homosexual).
 - f. a consumer of ribaa.
 - g. a drunkard.
 - h. unjust.
 - i. a son of zina.

One shall not be given tazeer for calling someone donkey, pig, cow, snake, dog, etc.

The maximum tazeer of the above is thirty nine lashes and the minimum is three lashes. The lashes will be heavy and the perpetrator may also be imprisoned.

WORK SHEET

1. The punishment for a slave who slanders someone is
 - a) 40 lashes
 - b) 80 lashes
 - c) stoning to death
 - d) there is no punishment for a slave
 - e) 70 lashes

2. The punishment of slandering will be enforced if one slanders...
 - a) a woman's child whose father is unknown.
 - b) a Muslim who committed zina before accepting Islam.
 - c) one who has made liaan.
 - d) a chaste person of committing zina.
 - e) all of the above statements are correct.

3. Liaan
 - a) is the process of taking an oath five times.
 - b) occurs between husband and wife.
 - c) occurs when there are no witnesses.
 - d) all of the above.
 - e) none of the above.

4. Tazeer is.....
- a) a Muslim judge.
 - b) a person who unjustly accuses someone.
 - c) the punishment given to someone for unjustly accusing another person for making certain statements.
 - d) valid if someone drinks alcohol.
 - e) the punishment for slandering.

5. the punishment for tazeer is between.....

- a) 5 and 39 lashes
- b) 3 and 39 lashes
- c) 3 and 50 lashes
- d) 40 and 60 lashes
- e) 1 and 40 lashes

LESSON FIVE

HAD UL SARIOAH

HAD FOR THEFT

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِّنَ اللَّهِ وَاللَّهُ عَزِيزٌ
حَكِيمٌ

Translation: "As to the thief, male or female, cut off his or her hands, a punishment by way of example, from Allah for their crime. And Allah is exalted in power." (Surah 5 Ayah 38)

Sariqah literally means to steal.

According to shari'ah **sariqah** refers to the act of stealing an item that is kept secured. The value of the stolen article should be no less than 10 dirhams. The person liable for this Had is a thief who is a sane, adult person.

The Had for theft:

1. Had will be enforced on a person who is found guilty of theft witnessed by 2 males.
2. Had will also be enforced upon self confession.
3. Had for theft will take place only in the event that the theft is committed from a secure place.
4. The Had for the first theft is to cut the right hand (at the wrist) and for the second theft the left foot will be amputated

at the ankles. The punishment for the third theft is that the thief will be jailed until he sincerely repents.

5. The Had will be enforced if the value of the stolen item is equivalent to 10 dirhams or more.
6. The Had will be enforced if the theft is committed in an Islamic State (Darul Islam).

The Had for theft will not be enforced in the following instances:

1. If the following are stolen: grass, wood, reeds, fish, game, wild birds, lime, ripe fruits on trees, milk, meat, uncut crops, fresh produce, The Qur'aan (even if it be decorated with gold), the cross.
2. When a free Muslim child steals and when a child steals from his father's property, or when a family living in one house steals internally.

LESSON SIX

HAD LI QATI TARIQ

HAD FOR HIJACKING/MUGGING

أَمَّا جَزَاؤُا الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا
أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِّنْ خِلْفٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ ذَلِكَ لَهُمْ جِزْيٌ فِي الدُّنْيَا وَ
لَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ

Translation: *"The punishment of those who wage war against Allah and His apostle, and strive with might and main for mischief through the land is execution, or crucifixion, or the cutting off of the hands and feet from opposite sides, or exile from the land. That is their disgrace in this world and heavy punishment is theirs in the hereafter."* (Surah 5 Ayah 33)

Qati-ut-tariq literally means: highway robbers

Qati ut tariq means to rob/hijack persons of their possessions .

This robbery is accomplished by one man or a group of persons who are armed. Killing of person/s may also occur.

THE HAD FOR HIJACKING/MUGGING

1. If a robber sets out to rob a group of travellers and is arrested without stealing or killing, then the Qadhee (judge) will imprison him until he repents.

2. If a traveller steals goods from fellow travellers which amounts to ten dirhams or more than the Qadhee will have his right hand and left leg amputated.
3. If a robber kills someone in the process without taking any goods the Qadhee will have him killed.
4. If a robber kills someone and steals his goods then the Qadhee will have a choice. Either amputate his right hand and left foot thereafter kill him and then hang him.
 - a. Kill him.
 - b. Hang him alive and thereafter tearing his stomach open with a spear until he dies.
5. If there are children, insane or blood family members amongst the robbers then there will be no Had on all of them. The family members of the murdered person will then be given the choice of either avenging the murder or forgiving the murderer (robber/hijacker).

MUGGERS AND ROBBERS

Mugging will result in one of the following:

1. No theft or loss of life takes place.
2. Theft takes place but no loss of life.
3. Loss of life takes place but no theft.
4. Theft and loss of life takes place.

The penalty (Had) for each is as follows:

1. Imprisonment until sincere repentance.
2. If more than 10 dirhams was stolen/taken then the opposite hand and foot will be cut.
3. All the robbers/muggers will be killed.
4. The robbers/muggers will be killed by either of the following methods:
 - a) Killing by slaying.
 - b) Hanging of the robbers for a maximum of three days then killing them by putting a spear through the stomach.

WORKSHEET

1. When shall the punishment of theft be enforced?

2. Explain which limbs will be amputated from a person who steals once, than commits the theft again and thereafter is found guilty of theft a third time.

3. What is a “Darul-Imaan”? _____

4. Do you think implementing the had-ul-sariqah will curb theft in your country ? Explain _____

5. What is the punishment for a robber who kills someone but does not take this person’s goods?

5. What is the punishment for a robber when there is theft, but no loss of life? _____

LESSON SEVEN

KITAABUL JINAA'AH

Jinayah literally means: to commit a crime or an offence.

According to Shari'ah jinaayat means to commit a crime by inflicting injury on a person resulting in loss of life or severing or damaging a limb.

The former is termed as murder (killing).

There are five types of killing (qatl).

1. Qatl e amad - Premeditated murder (with an instrument manufactures for killing)
2. Qatl Shibhe amad - Unintentional murder (with an instrument not manufactured for killing)
3. Qatl khata - Accidental murder
4. Qatl jari majra khata - Unintentional accidental murder
5. Qatl bis sabab - Indirect killing

QATL E AMAD

Qatl e amad means to assault someone with a weapon generally used for killing with the express intention of killing, e.g. using a knife, sword, gun, or some sharp pointed instrument, e.g. a sharp pointed iron, steel rod, or fire stone etc.

If a Muslim kills another Muslim then the perpetrator is a sinner and the punishment is the fire of Jahannam. Allah Ta'ala says in the Qur'aan:

وَمَنْ قَتَلَ مُؤْمِنًا مُتَعَمِّدًا فِجَزَاءُهُ جَهَنَّمُ

Allah Ta'ala says about one who kills another in the Qur'aan:

كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلَى

From the above aayats of the Qur'aan-e-kareem we deduce that the punishment for intentional killing is qisaas (a life for a life) and that there is no kaffaarah. The family members of the murdered person has the right of not implementing the qisaas and forgiving the murderer.

Qisaas means to retaliate in a like manner. Therefore the life of the murderer will be taken in the same manner.

THE RULES OF QISAAS:

1. Qisaas is waajib (compulsory) in the case of qatl amad on behalf of every secured and safe person.
2. If a free Muslim killed a free Muslim then qisaas will be enforced on the murderer.
3. If a slave was killed by a free Muslim then as qisaas the free Muslim will be killed.

4. If a free Muslim was killed by a slave then as in qisaas the slave will be killed.
5. A slave will be killed for killing a slave.
6. A Muslim will be killed for killing a zimmi (a kaafir who lives in an Islamic state).
7. A male will be killed for a female and vice versa.

QISAAS WILL NOT TAKE PLACE ON THE FOLLOWING PERSONS

1. A Muslim will not be killed for killing a mustamin (a kaafir person who seeks peace or shelter with Muslims).
2. A person will not be killed for killing his son.
3. A person will not be killed for the killing of his slaves.
4. The person who acquires the right of qisaas against his father, e.g. a person kills his son's mother. The son therefore acquires the right to administer qisaas on the murderer (his father) on behalf of his murdered mother. Because the murderer is his father, and to maintain his father's honour there will be no qisaas.

Qisaas will be administered by the use of sword on the murderer.

RULES OF QISAAS

1. If one of the family members who has the right to enforce qisaas forgives the murderer the right of qisaas will fall away from all and diyyat (blood money) will become due to all the heirs.
2. If one person is killed by a group of people or from the large group one hit or hurt him, then qisaas will be enforced upon the entire group. In the case of diyyat all those involved in the killing will contribute to the blood money.
3. If one person killed a group of people then qisaas of the one will be made on behalf of the group, i.e. one person to be killed for the group killed.

QISAAS FOR INJURY OR HARMING ANY PART OF THE BODY

1. If a person intentionally cuts off some one's hand up to the wrist then his hand will also be cut off in qisaas.
2. If a person cuts off part of the nose, ear or foot of some one, the same will be cut off from the perpetrator as qisaas.
3. If the eye of some one is gorged out then there will be no qisaas in this case.

4. If some one is hit on the eye causing loss of sight then the assaulter will also be made to lose his sight by placing a hot mirror in front of his eyes until he is blinded or any other method.
5. If a person broke a tooth of some one then the perpetrator's tooth will also be broken in qisaas.
6. Qisaas will be valid in every part where it is possible to take qisaas from.
7. There will be no qisaas in the breaking of bones excluding the breaking of a tooth.

WORKSHEET

1. Define jinayaat in terms of shariah.

2. What is Qatl-e-amad?

3. Define Qisaas.

4. How will Qisaas be administered?

5. What is Diyyat and to whom is it due?

6. What is the general rule regarding the Qisaas of injury to another person's body?

LESSON EIGHT

KITAABUL DIYYAT

According to Shariah diyyat means to pay blood money in lieu of killing someone or to pay a sum in lieu of severing or damaging some part of the body. The diyyat of a Muslim and non Muslim is the same. The diyyat of a female is half that of a male.

The five types of qatl are:

1. **Qatl amad:** To intentionally kill someone with a weapon generally used for killing, e.g. gun, knife etc.

There is no diyyat for qatl amad. However qisaas is compulsory.

2. **Qatl shibh amad:** To intentionally kill someone with a blunt object or with something generally not used for killing, e.g. a stone, stick etc.

The diyyat for **qatl shibh amad** is 100 camels or the value thereof to be given to the family members of the deceased.

The 100 camels will be given as follows:

- 25 one year old female camels;
- 25 two year old female camels,
- 25 three year old female camels,
- 25 four year old female camels.

This diyyat should be paid by all the close family members of the

murderer. Kaffaarah is also incumbent and the murderer is considered as sinful.

3. **Qatl khata:** to throw a weapon or shoot towards an animal while hunting accidentally killing a person, or whilst intending to kill an animal the target is missed and a person is killed;

The diyyat of **qatl khata**:

100 camels to be given as follows:

20 one year old female camels, 20 one year old male camels, 20 two year old female camels, 20 three year old female camels, 20 four year old female camels or the value thereof; or one thousand dinaars (gold coins); or ten thousand dirhams (silver coins). Kaffaarah also becomes incumbent and the person is regarded as a sinner. After kaffaarah the perpetrator will not be considered as sinful. This diyyat is to be borne by the murderer's family.

4. **Qatl jari majra khata:** To kill someone unintentionally, e.g. a person sleeping on a bed rolls off or falls on another person causing death.

The diyyat for **qatl jari majra khata**:

1,000 dinars (gold coins) or ten thousand dirhams (silver coins).
Kaffarah also becomes incumbent, however the person is not sinful.

5. **Qatl bis sabab** Someone dies as a result of falling into a well or hole that was dug without the permission of the ruler (authorities) or someone dies due to stumbling over a boulder that is placed in someone else's property.

The diyyat for **qatl bis sabab**:

1,000 dinars (gold coins) or 10,000 dirhams (silver coins).
Kaffarah is not incumbent nor is he sinful.

THE DIYYAT FOR INJURING PARTS OF THE BODY

There will be diyyat for injuring and harming the following parts of the body.

The nose, tongue, brain, eye sight, the sense of hearing, smelling, tasting, shaving of the beard so that it does not grow again, shaving of the hair of the head so that it does not grow again, the eyes, the hands, eyebrows, the feet, the ears, the breasts of women and the private parts of both men and women.

THE DIYYAT OF THE ABOVE PARTS OF THE BODY

The diyyat for injuring the above mentioned limbs/organs/senses is fifty camels ($\frac{1}{2}$ diyyat). However, the eyes and hair of the head are valued as full diyyat, i.e. one hundred camels.

For one limb/organ of a pair there will be $\frac{1}{4}$ diyyat, i.e. 25 camels.

The diyyat for each finger or toe is $\frac{1}{10}$ of the diyyat, i.e. 10 camels.

The diyyat of a tooth is five camels or five hundred dirhams.

The diyyat for the parts of body which have lost its use or benefit is one hundred camels, i.e. a full diyat.

WORKSHEET

State if the following statements are true or false. If "false" correct the statement in order to make it "true".

1. The diyyat for qatl-shibh-amad is 200 camels. _____

2. Kaffarah is not incumbent on a person who commits qatl-khata. _____

3. Qatl-bil-sabab is the killing of someone unintentionally. _____

4. The diyyat for qatl-jari-majra-khata is 2000 dinaars or 5000 dirhams. _____

5. The diyyat for severing a persons single limb is 75 camels. _____

6. There is no diyyat for severing a person's toe or finger. _____

LESSON NINE

SALAAH

In the name of Allah the most Kind, most Merciful.

Salaah with Jamaa'ah.

It is sunnah muakkadah to perform salaah with jamaa'ah (congregation).

Salaah with jamaa'ah is performed in a masjid as this is in accordance with the noble teachings and practices of our beloved Nabi (sallallahu alayhi wa sallam).

The masjid is the focal point in the life of a Muslim.

The literal meaning of the word masjid means a place of sajdah (prostration).

According to shari'ah masjid means that piece of ground on which a masjid is built and made waqf (donated) by the owner by saying: "I have made this place a masjid" and after he says this he removes all obstruction in the way so that people can move freely to the masjid. Athaan will be called out. The transfer of land and masjid will be completed by performing at least one salaah in the masjid.

THE TYPES OF MASAAJID (PLURAL OF MASJID)

1. **Masjidul Jaami'** Is a masjid which is big and its congregation is very large.
2. **Masjidul Mahalla** It is that masjid which is built in close proximity to the houses is called a "mahalla". This masjid has an appointed imaam and muazzin and the times for salaah are also fixed. Generally such masaaqid are not very large.
3. **Masjidul Shaari'** It is that masjid which is situated on the road side between two distant towns. It has no appointed imaam or muazzin and nor are the times of salaah fixed. Travellers generally make use of such masaaqid and I'tikaaf is not made in them.
4. **Masjidul Bait** It is that portion or room in a home which has been set aside for the performance of salaah and ibaadat. The women of the house should make I'tikaaf in this section. This room in reality is not a masjid.

THE STATUS AND REWARDS OF PERFORMING
SALAAH IN THE DIFFERENT MASAAJID.

1. The masjid that holds the highest rank in the sight of Allah Ta'ala is the Masjidul Haraam in Makkah Mukarramah. This masjid is the qibla of all other masaaqid the world over. Whoever reads one salaah in this masjid receive a reward of a hundred thousand salaahs.
2. The masjid that is the second in rank is Masjid-un- Nabawi in Madeenah Munawwarah. The reward of one salaah performed in this masjid is equal to fifty thousand salaahs.
3. The masjid third in rank is Masjidul Aqsa in Jerusalem. The reward of performing one salaah in this masjid is equal to fifty thousand salaahs.
4. The jaami' masjid in one's area holds the fourth position. The reward for one salaah in this masjid is equal to five hundred salaahs.
5. The masjidul mahalla holds the fifth position. The reward for performing one salaah in this masjid equals to twenty salaahs.

N.B. If in one's area there are more than one masjidul Jaami' or masjidul Mahalla, the oldest one will acquire precedence over

LESSON ELEVEN

THE REWARD OF BUILDING A MASJID

It is stated in a Hadeeth that a person who builds a masjid for the sake of Allah Ta'ala, Allah Ta'ala will in return build a house for him in Jannah.

It is also stated that the most liked of places on Earth are the masjids and the most disliked places on Earth are the bazaars.

THE CONSTRUCTION OF THE MASJID

INTENTION

During the time of Nabi (sallallahu alayhi wa sallam) the munafiqeen built a masjid with the intention of causing disunity amongst the Muslims, to weaken Islam and aid the kuffaar in their evil designs to destroy Islam. The Qur'aan has termed this masjid as Masjid e Dhiraar. After some time this masjid was burnt and destroyed.

It is incorrect to build a masjid with the intention of separating one's self and members from the rest of the broader community, as this results in disunity amongst the Muslims.

The intention for building a masjid should be to gain the pleasure of Allah only. At no time should the donor of the land or masjid have the intention of show, pride and hope of praise from people. Actions are accepted by Allah Ta'ala according to one's intentions. This person may be praised by people, and this is what he is seeking in reality, but this will be his only reward as there will be nothing for him in the hereafter but disaster.

As a result of show (pride) people's pure intentions are sometimes diverted, e.g. if someone builds a masjid for R100,000-00 than the masjid I build must be R200,000-00. This type of intention is an incorrect and evil one and will not be rewarded by Allah Ta'ala. It is also inappropriate to have the donor's name written on the masjid.

HALAAL WEALTH

It is the duty of a Muslim to conduct all his work with halaal earnings. However, for the building of masajid and madrasahs extra precautions have to be taken into account. Haraam and contaminated wealth has an evil effect on leading to corruption, disputes and other evils.

It is stated in a Hadeeth:

إِنَّ اللَّهَ طَيِّبٌ لَا يَقْبَلُ إِلَّا الطَّيِّبَ

“Allah is Pure, He accepts only that which is pure.”

Wealth earned from riba (interest), theft, oppressing the poor, prohibited sale, (e.g. selling wine, pork) gambling etc constitutes an unlawful earning and renders one's wealth impure. It will not be correct for a Muslim to use such wealth under any circumstances.

HOW TO MAKE THE MASJID WAQF

It is necessary for the donor or person making waqf of a masjid to open a road or pathway that leads to the masjid for all the Muslims. At no time should it be necessary to seek permission for entering the masjid. The masjid should be open to all Muslims, whether rich or poor, black or white, Arab or non Arab.

An announcement should be made by the donor or the person making waqf that “I donate (make waqf) this piece of land (which was obtained through permissible and lawful legal means) for the sake of Allah Ta'ala to be utilized as a masjid.” Thereafter athaan should be called out and salaah with jamaa'ah is

performed. After doing the above the donor has no right now to use any portion of the masjid for his own use. The top and bottom of the masjid building cannot be used to build homes, shops, parking etc. From the depth of the masjid ground into the sky shall henceforth be considered as a masjid. All the laws and rules of the masjid will apply to those areas as well. The masjid will now remain as waqf for ever. This ground can never be sold or used for anything else.

THE PLACE OF BUILDING A MASJID

The masjid should be built in an area where it is most needed and convenient, e.g. in the city and residential areas where people frequent those areas daily. The masjid should not be built in a distant place, away from the inhabitants, e.g. beyond the outskirts of a residential area or town where very few people frequent.

It will not be correct to build another masjid in a locality or city/town where there is no need for this. To build one masjid near to another masjid where one masjid is sufficient to comfortably accommodate all the congregants of the locality is incorrect. However if the population is increasing and the present masjid is small then one can build more masajid

according to the need of the people. It is important to note that a masjid can never be sold or permanently demolished. It is for this reason a masjid should be built in an area where people can frequent so it does not remain vacant.

If for some reason the Muslim community vacates the locality wherein there is a masjid, the masjid shall remain. It will not be permissible to demolish it nor sell it.

If the home next to the plot where the masjid is to be constructed disagree to a masjid being built then it will not be correct to build the masjid there.

If the land on which the masjid is intended to be built is owned by a few partners and some of them do not agree to sell or donate their share then too it will not be correct to build the masjid on that land.

The land on which the masjid is to be built is to be legally obtained. It is not permissible to forcefully take away or demand land from someone for the purpose of building a masjid.

If the masjid becomes small or very old and the foundations weak

and it is feared that it may collapse then it will be permissible to rebuild or extend the masjid with the permission of the qadhi and the money will not be used from the waqf fund. The people surrounding the masjid will have the right to obtain the permission of the qadhi. If the danger of the masjid collapsing is great then the other people besides those of the locality can also ask the qadhi permission for its reconstruction.

THE MUSALLIS' RIGHT TO THE MASJID

The musallis have permission to provide / donate items to the masjid from their own funds e.g. mats, carpets, blankets, lights, water facilities for drinking and wudhu. But if the donor fulfills the above then the musallis have no rights to put anything in the masjid without the prior permission of the donor.

THE ITEMS IN THE MASJID WHICH ARE NOT NEEDED OR NOT IN USABLE CONDITION

The masjid's old carpets, towels, taps, jugs, etc. which are not in use should be:

1. Returned to the donor. If the donor is not alive than it be given to his heirs, or
2. Be sold and the money acquired be used in the purchase of other necessities that the masjid may require.

3. If the donor wishes that the old items be given in sadaqa and that he would replace it with new items it will first be conditional to see if the items that are being replaced has value or not. If they have value than it will be sold.
4. The grass cut in the masjid yard can be sold. However the money obtained should be used for the masjid.
5. It is better to upgrade an old masjid than to build a new masjid.

LESSON TWELVE

PERSONS WHO WILL TAKE CARE OF THE AFFAIRS OF THE MASJID

مَنْ تَوَلَّى أَمْرَ الْأَوْقَافِ وَقَامَ بِتَدْبِيرِهَا

A person who takes care of the affairs of the masjid is called a mutawalli.

A mutawalli is a person who is elected or made a guardian of waqf properties and maintains its affairs justly.

WHO ELECTS A MUTAWALLI

The donor of the land and masjid has the right to appoint the mutawalli or he can become the mutawalli himself or appoint someone from his family or who ever else he chooses. If the persons chosen/elected do not fulfill the Shar'i requirements it will be necessary to have them removed.

If the donor says that the mutawallis will be from his children and it shall remain in his progeny than none will have the right to remove them except the qadhi who has the authority of removing them due to their evil actions.

Besides the donor the following have the right of appointing a mutawalli, a) the Islamic ruler, b) the qadhi, c) those persons who were given the right to appoint a mutawalli by the waqif (donor). In non Islamic countries the waqif (donor) gives the right of appointment to a local musalli of the masjid who has concern or attachment with deen.

A person who is elected can not choose another person to take his place during his life time.

THE QUALITIES OF A MUTAWALLI

The mutawalli should possess the following qualities:

1. Be trust worthy.
2. Reliable.
3. Truthful.
4. A muttaqi (Allah fearing)
5. Be neither extravagant or wasteful.
6. Sane.
7. Matured.
8. He may be blind.
9. a male or a female.
10. They should not be involved in acts which generally dissipates his wealth, e.g. gambling, etc.

The mutawalli should be able to distinguish between right and wrong, Islamic and innovations.

The above will assist the mutawalli when appointing an Imaam or muazzin. The mutawalli should be competent enough to administrate and manage the affairs of the masjid and waqf.

The mutawalli should be pious and should not indulge in sins openly, e.g. drinking, adultery, shaving of the beard, neglect of salaah with jamaa'ah, earn his livelihood through unlawful means, etc. If the mutawalli has any of the afore mentioned evil qualities it becomes wajib to remove him from this post.

The mutawalli should not be elected because of his wealth and position but should be elected because of the good qualities needed in a mutawalli.

LESSON THIRTEEN

THE DUTIES OF THE MUTAWALLI

The mutawalli does not have unlimited rights and authority over the affairs of the masjid. The shari'at has laid down fixed principles and guidelines for them. It is necessary for the mutawalli to abide to these and not transgress these in any way.

1. If the donor has allotted some allowance or wages than it must be fair and just.
2. It will be correct for the mutawalli to hire someone for the upkeep of the masjid.
3. The person be paid according to what is due. If he is paid more, than the mutawalli will be responsible. But the employee can be paid more from the mutawalli's personal funds.

RULES REGARDING WAQF

1. It is not permissible to sell the land or houses that have been endowed for the masjid or the madrasah.
2. Articles that have been endowed to the masjid and similarly, things endowed for the travellers cannot be used by the mutawalli against the donor's conditions.

3. It is only permissible to beautify the masjid from endowed and donated money if the contributor gives permission to that effect.
4. It is not permissible to use the prayer mats and prayer carpets that may have been endowed for the masjid for other purposes, e.g. in the Eidgaah.
5. If the testator (one who leaves behind a valid will) as well as his descendants do not have the requisite ability to manage the endowed property, it will be correct for the residents of the locality to take away the management from them and to entrust it to someone else.
6. It is not proper to take a copy of the Qur'aan endowed for the masjid to another place.
7. If a man said in the presence of witnesses that he endowed a property for the masjid or madrasah, the endowment takes effect. It is not necessary for a written deed for the endowment to take effect. Mere verbal or written declaration will not suffice as proof of the endowment unless there are two witnesses.
8. After endowment, it is not permissible for the endower to stipulate conditions. When the original property is transferred, the right to lay a condition also lapses.

9. It is not permissible to lay a garden on the environs of the masjid from the income of the endowment.
10. If a man endowed a land or a shop for a masjid and specified that as long as he lives, he will spend its income and after his death the income will be for the masjid, then such endowment is valid.
11. Someone donated an item to the masjid for the sake of Allah. For example, the donated speakers for the masjid is more than the needs of the masjid. To sell the excess speakers and use the proceeds for other needs of the masjid is correct.
12. It is permissible to appoint a salaried man for managing the endowed property.
13. If rooms have been endowed for the residence of the Imaam or the muazzin, they cannot be let out to others as tenants or sub tenants, but they can be let out without charging rent.
14. If there are several trustees of an endowment, no single trustee can do anything without the consent of the other trustees.
15. It is permissible to borrow money for repairing or improving the endowed property.
16. If there is an endowed property above the masjid, that receives more income, it is permissible to use this income, with certain conditions, for the madrasah.

17. Those Qur'aans which are given as waqf to a masjid are not restricted to one specific masjid. They could be used in other masajid.
18. If a person wishes that a certain amount of his money should be spent on a specific masjid after his death, then to spend that money on that masjid is better but it can also be spent on another masjid.
19. The income from waqf property may be used to build a minaret only if the azaan does not reach all the people of the town, otherwise the minaret should not be built.
20. The premises and property of waqf cannot be used without the permission of the mutawalli. One will have to pay the current rent for its use.
21. The mutawalli can use his own things for the masjid and waqf, in the time of need and can take it back after its use.
22. The mutawalli can use waqf funds and income on the buying of mats for salaah, bricks, cement, etc. but the condition is that the permission of usage should be written on the waqf charter. If, however, the waqf charter does not allow one to use waqf funds or income on the maintenance then it will not be correct for the mutawalli to use the funds.
23. The mutawalli cannot take a loan for the masjid waqf unless in extreme circumstances. Before taking the loan the

mutawalli should take permission from the qadhi. It will not be correct for the mutawalli to take a loan without the permission of the qadhi. And the loan will be paid back from the waqf income.

24. If the mutawalli buys something for the waqf by paying from his personal money it will be correct for the mutawalli to take the money back from the waqf funds.
25. The main duty of the mutawalli is to oversee the need/care of the masjid such as water, lights, and that the funds and income are not misused.
26. The mutawalli will employ both a good, pious and learned Imaam and muazzin. The muazzin should be familiar with the times of salaah.
27. The mutawalli should see that the masjid is well frequented with musallis, and also see the salaah with jamaa'ah are held regularly.
28. The mutawalli will keep full account of income and expenditure.
29. Every mutawalli should try his utmost to fulfill his responsibility. If a mutawalli does not fulfill his duty then he shall be sinful.

30. The mutawalli has no right to dictate to the Imaam about matters on deen, e.g. salaah is too long, how to give lectures, stop the Imaam from speaking Haq (truth), etc.
31. The mutawalli must be very careful when using waqf money. It is incorrect to waste public funds on beautifying the masjid and installing fancy light fittings, colorful paintings etc. changing the tiles and carpet while it is still in good condition.
32. To become a mutawalli is not an honour but bears a great responsibility. If he works in accordance with Shari'ah the rewards are tremendous whilst the opposite is also true that doing this contrary to Shari'ah will bring about the wrath of the Almighty.
33. It is the duty of the mutawalli to ensure that no unislamic practices, talks/bayaans which divide the ummah, political rallies, actions which take the Muslims away from the sunnah, etc. take place.

WORKSHEET

STATE IF THE FOLLOWING STATEMENTS ARE TRUE OR FALSE. IF STATEMENTS ARE "FALSE", REWRITE IT IN ORDER TO MAKE IT "TRUE".

1. It is permissible to lay a garden in the masjid environment from the income of endowment. _____

2. The room endowed as residence of the imaam can be let to members of the public for a small amount of rental. _____

3. The mutawalli can not use waqf funds to buy mats for salaah, bricks etc. _____

4. The main duty of the mutawalli is to oversee the maintenance of the masjid and to ensure that waqf funds are not misused. _____

5. The mutawalli has a right to instruct the imaam on how to give lectures and the length of salaah, because the mutawalli is incharge of the masjid affairs. _____

6. Qur'aans may not be given as waqf to masajid, because the Qur'aan is the word of Allah Ta'ala. _____

LESSON FOURTEEN

THE MUTAWALLI

1. If the mutawalli of the masjid decides to sell or rent the outside boundary of the masjid for the benefit of the masjid, then it could be considered.
2. Any mutawalli who becomes mentally incapacitated, either through sickness or by sinning openly, should be relieved from his post immediately.
3. A mutawalli who becomes untrustworthy must be relieved by a qadhi (judge) or a tribunal of ulama.
4. A person with a bad reputation may become a mutawalli only if he sincerely repents.
5. If the mutawalli cheats or embezzles, it is necessary to remove him, otherwise the residents of the locality will be guilty.
6. To entrust an unworthy man to be the mutawalli of the masjid when an able person is available results in two acts of oppression:
 - a. Entrusting responsibility to unworthy person and
 - b. Depriving an able person of his right.

7. If the masjid was built with public funds the right of appointing the caretaker (mutawalli) of a masjid belongs to the people of the town through consultation (mashwara).
8. If a mutawalli was entrusted with many items of waqf and transgresses in any one of them, he must be relieved from all his duties (awqaaf).
9. The mutawalli and manager of a mosque and madrasah ought to be a religious, upright and honest man.
10. Imaam Maalik (rahmatullahi alayh) says that only that man who acts in accordance with the Sunnah can be the leader of the Muslims.

Hafiz Ibn Taimyah (rahmatullahi alayh) asserts that the whole ummah is unanimous on the fact that a learned and active Muslim is worthy of leadership and guidance; if such a man is not available, then, of necessity, this position will be given to the following: (i) a non-active learned man or (ii) an ignorant pious man - that is, an ignorant man who lives according to the deen.

It is related in a Hadeeth on the authority of Ibn Abbas (Radhiyallahu Anhuma) that he used to say that Rasoolullah (sallallahu alayhi wa sallam) said: "He who appointed a man from the community as agent while there was already a man

present in the community who was more likeable to Allah than him (the appointed man), he committed dishonesty with Allah Ta'ala and His Nabi. The fatawa of Ibn Taimiyah says: "When there is a possibility of getting a good man, it is impermissible to make a sinner (fasiq) a leader."

It is stated in a Hadeeth that each work should be entrusted to the man who is capable of discharging it; and Rasoolullah (sallallahu alayhi wa sallam) has said: "Await Doomsday when important works are entrusted to incompetent persons"; that is, know that the day of Qiyaamat is near.

Describing the signs of the day of Qiyaamat Rasoolullah (sallallahu alayhi wa sallam) had said that "(one of the signs is that) important tasks will be assigned to incapable persons and the chief of the community will be a sinful (fasiq) man." And the optional affairs which are amongst the signs of the doomsday are works of sin.

The mutawalli (one in charge of the affairs of the masjid) ought to be a religious scholar who practices his Deen. If such a man is not available, then there should be a man who may be regular in prayer and fasting, trustworthy, knowing the issues (masaa'il) of

religious endowment (awqaf), well behaved, merciful, just, lover of knowledge and one who pays due respect to men of learning; the man who excels others in having these qualities ought to be the mutawlli.

When the mutawallis are unworthy persons, Imaams, muazzins under them will also be unworthy; they will not be able to appreciate the value of those ulama who happen to have a sense of honour and self respect. The consequence will be that the capable and worthy ulama will be disgusted and will resign, the incapable will remain and the affairs of the institution will worsen. As is generally observed, there will neither be proper teaching nor preaching."

WORKSHEET

1. Write a paragraph on the character of the mutawalli. _____

2. According to the hadeeth, what type of people should be appointed as a mutawalli. _____

3. How should the community treat learned scholars of Islam. Compare your answer to the way scholars of Islam are treated in present times. _____

LESSON FIFTEEN

WOMEN GOING TO THE MASJID

Without any doubt, during the blessed days of Nabi (sallallahu alayhi wa sallam) the women were permitted to come to the masjid for salaah. But the beloved of Allah, Nabi (sallallahu alayhi wa sallam) always preferred that the women perform their salaah at home. It is reported in the Hadeeth:

صَلَاةُ الْمَرْأَةِ فِي بَيْتِهَا أَفْضَلُ مِنْ صَلَاتِهَا فِي حُجْرَتِهَا وَ صَلَاتُهَا فِي مَخْدَعِهَا

أَفْضَلُ مِنْ صَلَاتِهَا فِي بَيْتِهَا

“The salaah of a woman performed in her home is better than the salaah performed on outer sections of the home (stoep).”

From the above Hadeeth we learn it is best for women to read their salaah in a place which offers the most hijab (seclusion).

It is reported in a Hadeeth that Nabi (sallallahu alayhi wa sallam) was prepared to burn the homes of those who stay away from salaah with jamaa'ah but he abstained from this because of the women and children in the houses. This Hadeeth indicates that the sahabi women performed their salaah at home. If salaah with

jamaa'ah was necessary for women than Nabi (sallallahu alayhi wa sallam) would have also burned those homes.

Many people feel that the order for women to say their salaah at home is not proven from the Qur'aan and Hadeeth. Allah Ta'ala says in the holy Qur'aan:

مَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا

“Whatever the Rasool (sallallahu alayhi wa sallam) brings to you accept it and what ever he (Rasool sallallahu alayhi wa sallam) prohibits you from, abstain from it.”

This ayat indicates that we should obey Nabi (sallallahu alayhi wa sallam).

Nabi (sallallahu alayhi wa sallam) said:

“Follow Abu Bakr and Umar (radhiyallahu anhuma) when I am no more with you.”

To follow and obey the orders of Allah's Rasool (sallallahu alayhi wa sallam) are proven from the Qur'aan, and Nabi (sallallahu alayhi wa sallam) has ordered us to follow Abu Bakr and Umar (radhiyallahu anhuma). So if one follows the teaching of Umar (radhiyallahu anhu) it is in reality following the orders of the Qur'aan.

Sayyidina Umar (radhiyallahu anhu) disliked and disapproved of women going to the masjid. Sayyidatina Ayesha (radhiyallahu anha) mentioned: "Had Nabi (sallallahu alayhi wa sallam) been present today he would have prevented the women from entering the masaja'id." The disapproval of great sahaba is sufficient to indicate to us that women should not perform their salaah in the masjid.

Nabi (sallallahu alayhi wa sallam) also said: "My Sahaba are like (guiding) stars. Whomsoever you follow you will be guided (to the right path)."

From the above Hadeeth we learn that we should follow the sahaba. This Hadeeth also justly indicates that the actions of the sahaba cannot be misleading for the ummah.

Sayyidatina Ayesha (radhiyallahu anha) is reported to have said that if Rasoolullah (sallallahu alayhi wa sallam) had seen the women of our time he would have stopped them from going to the masjid.

If a woman wishes to enter the masjid to see or to clean the masjid, she should do so at a time when no men are inside. The women should be free from haiz or nifaas.

WORKSHEET

STATE IF THE FOLLOWING STATEMENTS ARE TRUE OR FALSE. IF STATEMENTS ARE "FALSE", REWRITE IT IN ORDER TO MAKE IT "TRUE".

1. Women were allowed to go to the masjid during the time of Rasoolullah (sallallahu alayhi wa sallam). _____

2. Allah Ta'ala prefers women to read their salaah in the masjid. _____
3. Ayesha (radhiyallahu anha) says that if Rasoolullah (sallallahu alayhi wa sallam) were alive during that time he would of prevented the women from entering the masjid. This is because of the condition of the women of that time.

4. Some eminent sahaba like Sayyidina Abu Bakr and Umar (radhiyallahu anhuma) approved of women going to the masjid. _____

LESSON SIXTEEN

THE AADAAB OF THE MASJID

1. The intention must be correct. That one is going to the house of Allah to please Allah Ta'ala. One should remove any incorrect intentions one may have, e.g. to show people, etc. One should have the love and fear of Allah Ta'ala in one's heart when entering the masjid. It is stated in a Hadeeth that the reward for a person going to the masjid with a good intention is like a mujahid in the path of Allah, or else (with evil intentions) is like the one who is greedy for the wealth of others, who is busy checking the goods of others. In all actions the intention must be correct.
2. To make wudhu at home and leave for the masjid. The reward for making wudhu at home and then going to the masjid is the same as for donning the ihraam at home and going for Hajj. The person is rewarded and forgiven on each step that is taken towards the masjid.
Making wudhu at home shows how keen one is to go to the house of Allah.

3. While walking or going to the masjid read the dua:

اَللّٰهُمَّ اِنِّىْ اَسْئَلُكَ بِحَقِّ السَّائِلِيْنَ عَلَيْكَ وَ بِحَقِّ الْمَسْأَلِيْنَ هَذَا اِلَيْكَ فَاِنِّىْ لَمْ
اُخْرَجْ بَطْرًا وَّ لَا اَشْرًا وَّ لَا رِيَاءَ وَّ لَا سُمْعَةً وَّ اِنَّمَا خَرَجْتُ اِتِّقَاءَ سَخَطِكَ وَّ
اِتِّغَاءَ مَرْضَاتِكَ وَّ اَسْئَلُكَ اَنْ تُنْقِذَنِىْ مِنَ النَّارِ وَّ اَنْ تُعْفِرَ لِّىْ ذُنُوْبِىْ اِنَّهُ لَا يَغْفِرُ
الذُّنُوْبَ اِلَّا اَنْتَ

Sayyidina Abu Saeed Khudri (radhiyallahu anhu) narrates that Rasoolullah (sallallahu alayhi wa sallam) said: “Whoever goes out to the masjid and reads the above dua, Allah Ta’ala shall send seventy thousand angels to safeguard him and they will make dua for him until the salaah is over.”

4. It is better to go walking to the masjid because of the reward and forgiveness promised on each step.
5. One should walk with a lowered gaze to the masjid. One should have this thought that “I am walking to perform a great ibaadat.” One should walk with dignity, grace, honour and at a moderate pace.
6. When reaching the door of the masjid one should feel the greatness of the house of Allah Ta’ala.

It is reported about the pious servants of Allah Ta’ala that when they entered the house of Allah Ta’ala the colour of

their faces changed due to the fear and respect and greatness of Allah Ta'ala and His house.

7. One should remove the left shoe first then the right shoe. Thereafter enter the masjid with the right foot.
8. When leaving the masjid one will leave with the left foot.
9. While entering with the right foot read the dua:

اَللّٰهُمَّ افْتَحْ لِيْ اَبْوَابَ رَحْمَتِكَ

Translation: "O Allah! Open the doors of mercy for me."

One should also make the intention of I'tikaaf when entering the masjid. It is also desirable to read durood on Nabi (sallallahu alayhi wa sallam) upon entering. One should greet the people with salaam when entering the masjid. (Care should be taken not to disturb those engaged in ibaadat.) The following intention should be made for I'tikaaf:

نَوَيْتُ الْاِغْتِكَافَ لِلّٰهِ عَزَّ وَجَلَّ مَا دُمْتُ فِي الْمَسْجِدِ

Translation: "I intend making I'tikaaf for Allah's sake as long as I am in the masjid."

10. If it is not a makrooh time one should perform two rak'aat salaah tahiyatul masjid. Rasoolullah (sallallahu alayhi wa sallam) said: "On entering the masjid before sitting down one should perform two rak'aat."

11. After entering the masjid it is best to start filling the rows from the front. One should not jump over the heads and shoulders of others to go in front. Care should be taken not to pass in front of one who is performing salaah.
12. Complete the sunnah salaah or read nafl. One should sit down quietly and engage in zikr, reading the Qur'aan etc. until the jamaa'at commences.
13. One should not talk of worldly and unnecessary affairs. Talking of worldly affairs is an action most disliked by Allah Ta'ala and Rasoolullah (sallallahu alayhi wa sallam). Rasoolullah (sallallahu alayhi wa sallam) once said: "A time will come when masjids will be built but they will be void of the remembrance of Allah." The masaa'id will become void of the zikr of Allah when it shall be replaced by worldly talks.
14. The masjid should not be used for unislamic discussions.
15. In the masjid one should not raise one's voice and speak. Sayyidina Umar (radhiyallahu anhu) used to become angry and wished to punish those who made noise and spoke loudly in the masjid.
16. To announce any lost item in the masjid is not permissible. This act is against the honour of the masjid. Rasoolullah (sallallahu alayhi wa sallam) has disliked this action and also

discouraged it by saying that when a person makes this type of announcement then one should say:

لَا رَدَّهَا اللَّهُ عَلَيْكَ فَإِنَّ الْمَسَاجِدَ لَمْ تُبْنَ لِهَذَا

Translation: "May Allah Ta'ala not return it to you, for the masajaids are not built for this purpose."

Or one should say:

لَا وَحَدَّثُ أَنَّمَا بُنِيَ الْمَسَاجِدُ لِمَا بُنِيَ

Translation: "May you not find it, verily the masajaids are built for a specific reason."

17. It will not be correct to use the masjid for manufacturing of things and any other purpose besides ibaadat.
18. It is not correct to do any buying and selling, trade, business etc. in the masjid.
19. Whilst upholding the respect of the masjid one can use it for holding gatherings of nazams, qiraat, etc. which has the praise of Allah Ta'ala and Rasoolullah (sallallahu alayhi wa sallam) and Islam. However one should not create a disturbance at the time of salaah.

نَهَى رَسُولُ اللَّهِ (صلى الله عليه و سلم) عَنْ تَنَاشُدِ الْأَشْعَارِ فِي الْمَسْجِدِ وَ عَنِ

الْبَيْعِ وَ الْإِشْتِرَاءِ

Translation: "Rasoolullah (sallallahu alayhi wa sallam) has forbidden us from saying poetry in the masjid and buying and selling."

20. Parents and elders should refrain from bringing small children who have no understanding of the etiquettes of the masjid. Insane people should also not be brought to the masjid, because they will not be able to maintain the sanctity of the house of Allah. Such persons are prone to mess their clothes in the masjid with urine or stool, or scream and run about the masjid which will cause disturbance to the musallis in the masjid. Rasoolullah (sallallahu alayhi wa sallam) said:

جَنَّبُوا مَسَاجِدَكُمْ صِبْيَانَكُمْ وَ مَجَانِئَكُمْ

Translation: "Clear your masaajid of children and insane people."

21. It will not be permissible to carry out hudud and qisaas (capital punishment) in the masjid because the sanctity of the masjid is violated by such actions.
22. To fight and argue in the masjid is not permissible. When raising one's voice is not permitted in the masjid, then how can fighting and quarrelling be tolerated in the masjid?
23. It is not correct to read the salaatul janaazah in the masjid.

It is also narrated:

مَنْ أَخْرَجَ أَذَى مِنَ الْمَسْجِدِ بَنَى اللَّهُ لَهُ بَيْتًا فِي الْجَنَّةِ

Translation: “One who removes dirt from the masjid Allah Ta’ala shall build a home for him in Jannah.”

One should always try to keep the masjid clean. If the masjid is not clean then one should hasten to clean it. The virtues of cleaning the house of Allah Ta’ala is evident from the above ahaadeeth.

During the time of Rasoolullah (sallallahu alayhi wa sallam) there was a person who used to sweep the masjid. This person passed away and was buried without Rasoolullah (sallallahu alayhi wa sallam) being informed. The next day Rasoolullah (sallallahu alayhi wa sallam) enquired about this person. Rasoolullah (sallallahu alayhi wa sallam) was told that he had passed away. Rasoolullah (sallallahu alayhi wa sallam) asked: “Why did you not inform me?” He asked the sahaba to show him the qabr of this person, whereupon he went there and made dua for his forgiveness.

It is understood from the above that the cleaning of the masjid was very much liked by Rasoolullah (sallallahu alayhi wa sallam).

It is reported in one Hadeeth:

إِذَا رَأَيْتُمُ الرَّجُلَ يَتَعَاهَدُ الْمَسْجِدَ فَاشْهَدُوا بِالْإِيمَانِ

Translation: "If you see anyone attached to the masjid, then be witness to his Imaan."

33. One should not enter the masjid with dirty clothes, foul smelling body and an unclean mouth.
34. One should avoid entering the masjid after smoking or after eating raw onions and garlic. If a person does eat such food that causes the mouth to smell and intends to go to the masjid he should clean his mouth thoroughly with a miswaak before entering the masjid.

Bad odor from clothes, mouth, body, etc. causes difficulty to the musallis and angels. Islam is such a pure and clean religion that it does not even allow any person to experience difficulty even by a bad odor.

35. In those places where there is no electricity one should abstain from using paraffin as it contains a prolonged smell that will cause an inconvenience to the angels and musallis.
36. The masjid should be kept clean from all cobwebs.
37. One should not break wind in the masjid. Until a person's wudhu is not broken in the masjid, the angels make dua for him.

38. There is great reward in applying fragrance or itr in the masjid.
39. It is not correct to make wudhu or ghusl inside the masjid without a valid reason.
40. It is not correct to spit on the wall or floor of the masjid.
41. To take any impurities in the masjid is not permitted.
42. It is haraam to urinate in the masjid even if it be in a utensil.
43. It is not correct to use the masjid as a thoroughfare.
44. It is makrooh to leave lice and bed bugs in the masjid after killing them.

WORKSHEET

1. Give four adaab of entering the masjid. _____

2. What is tahiyyatul masjid ? _____

3. Who should not be brought to the masjid. _____

4. Explain the benefits of having taleem in the masjid.

5. Why should the people entering the masjid and the masjid itself be kept clean ? _____

6. Give any other four adaab of the masjid. _____

LESSON SEVENTEEN

THE USES OF THE MASJID

1. Five fard salaah with jamaa'ah.
2. Nafl salaah.
3. Zikr and tilaawat of the Qur'aan.
4. Learning and teaching Islamic education.
5. Lectures.
6. Khutbahs.
7. Nikahs.
8. I'tikaaf.
9. Propagation and spreading of deen

Salaah with jamaa'ah means to read salaah in such a manner that one person is the imaam who stands in front and leads the congregation. The followers - called the muqtadis - will form straight rows behind the imaam with heels in a straight line.

The adult males will take the front rows while children will stand in rows after the males. The muqtadis should follow the imaam in every action. It is not allowed for the muqtadi to do any action in the congregation before the imaam.

THE CONDITIONS OF READING SALAAH WITH JAMAA'AH.

1. To be a free Muslim.
2. Not having any valid excuse preventing him from performing salaah with jamaa'ah.

THE CONDITIONS FOR IMAAMAT

1. To be a Muslim.
2. To be matured.
3. To be sane.
4. To be a male.
5. To be able to recite the Qur'aan properly.
6. To be free from any excuse, e.g. bleeding nose, urine dripping, etc.

THE CONDITIONS FOR THE MUQTADI TO FOLLOW THE IMAAM

1. The intention of the muqtadi and the imaam must be the same, e.g. the imaam is reading the four fard of Asr, the muqtadi should not have the intention of reading the four fard of Zuhr.
2. The imaamat of a child and woman will not be correct for an adult male.

3. The imaam must stand in front of the muqtadi.
4. There should not be a big/wide distance between the imaam and the muqtadi which may cause confusion in the performing of any action in salaah between the imaam and the muqtadi.
5. It is not correct for the Hanafi muqtadi to make salaah behind such an imaam that has vomited or has experienced flowing blood but did not renew his wudhu, because according to his math-hab vomiting and flowing blood are not nullifying factors of wudhu.
6. It is correct for a muqtadi who has made wudhu to follow an imaam that has purified himself by making tayammum. Likewise it is correct for the imaam that made masah on his khuf during wudhu to lead the salaah of a person who washed his feet during wudhu.
7. It is permissible for a muqtadi who stands and read salaah to follow an imaam that sits and read salaah, making ruku and sajdah.
8. The salaah of the muqtadi who stands or sits and make salaah will not be valid behind the imaam that leads the salaah by signs and indication.
9. The muqtadi who is reading nafl salaah behind the imaam who is reading fard will be correct.

10. The muqtadi who is reading fard salaah behind an imaam who is reading nafl will not be valid.
11. If due to some reason the imaam's salaah becomes null and void, the salaah of all the muqtadis would also become null and void. The imaam should inform all the persons to repeat the salaah.

READING SALAAH ON A CHAIR

1. It will not be permissible to read salaah or part of it on a chair without any valid shar'i reason.
2. If due to a valid shar'i reason a person cannot perform any portion of the salaah in the normal manner then this person should sit on the ground and read his salaah. If this too is not possible then only will it be correct to read salaah on a chair.

WORKSHEET

1. Give 4 uses of the masjid. _____

2. Explain what “salaah with jama'ah” is. _____

3. What are the conditions for reading salaah with jama'ah ? _

4. Give 3 conditions for imaamat ? _____

5. What is a muqtadi and what conditions apply to become a muqtadi ? _____

LESSON EIGHTEEN

THE OCCASIONS WHEN IT IS PERMISSIBLE TO MISS SALAAH WITH JAMAA'AH

1. Due to heavy rain fall.
2. Severe cold.
3. Fear of thieves, enemy, oppressor, etc. on the way.
4. To be blind.
5. To be in jail.
6. To be paralyzed.
7. To be crippled or on account of feet or hands having been cut off.
8. To be severely ill.
9. Old age.
10. At the time of severe hunger and the food is ready.
11. On the intention of travelling.

THE MOST APPROPRIATE PERSON TO LEAD THE SALAAH

1. The person chosen by the donors of the masjid or elected by the persons who read salaah in that masjid and he is being paid by the baitul maal.
2. The sultan - (Islamic ruler.)

3. If the sultan is not present then the most learned person in Islamic knowledge - an Alim.
4. If there are many Alims then the one who is most versed in the knowledge of the Qur'aan.
5. Then the most pious Alim among them.
6. Then the oldest among them.
7. Then the Alim with the best habits.
8. Then the Alim and hafiz who is most handsome.
9. Then the Alim and hafiz who has the most noble family background.
10. Then that Alim and hafiz who has the best voice.
11. Then that Alim and hafiz whose clothes are clean and tidy.
12. If the Alims are equal in all these qualities the people will draw lots, or the person with whom all the musallis of the masjid are happy with should be made the imaam. The jamaa'ah should not chose someone without the above qualities.

THE IMAAMAT OF THE FOLLOWING WILL BE

MAKROOH

1. A slave.
2. A blind person.
3. An illegitimate.

4. An ignorant.
5. A fasiq (one who openly transgress shar'i laws)
6. A bid'ati - (innovator.)

THE ROWS IN CONGRERATIONAL SALAAH

1. If salaah with jamaa'ah is made with two persons then one will be the imaam and the other the muqtadi. The muqtadi will stand on the right side and one foot space behind the imaam.
2. If there are more than one muqtadi, the imaam will stand in front, the adult males directly behind him then the children behind them.

THE RULES FOR MUQTADI AND IMAAM

1. If the imaam makes salaam before the muqtadi has completed his tashahhud, then the muqtadi will first complete his tashahhud and thereafter make salaam.
2. If the imaam gets up from the ruku or sajdah before the muqtadi completes his tasbeeh, the muqtadi should follow the imaam.
3. If the imaam forgets to do any action the muqtadi **should** remind the imaam by saying 'subhaanallah'. They must not say 'Allahu akbar'

4. It is makrooh tahrimi for the muqtadi to make salaam before the imaam.
5. It is a great sin for the muqtadi to do any action before the imaam.
6. It is makrooh to lengthen the salaah.

ACTIONS TO BE DONE AFTER SALAAH

1. After the fard salaah one should engage in sunnah and nafl salaah. The imaam should also move away from his place.
2. After the Fajr and Asr salaah the imaam will face the congregation by turning to the right or left, thereafter reciting the tasbeeh and making dua.

WORKSHEET

List 3 conditions when it is permissible to miss salaah with jama'ah. _____

2. Who is the most appropriate person to lead the salaah ? _____

3. Whose imaamat will be makrooh? _____

4. What actions should be done after salaah ? _____
