

**FATAWA ISLAMIYAH  
ISLAMIC VERDICTS**

**فتاوى إسلامية**

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**[Volume 3]**

**MOSQUES, FUNERALS, ZAKAH  
FASTING & SALES TRANSACTIONS (I)**

**From the Noble Scholars:**

**Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz  
Shaykh Muhammad bin Salih Al-'Uthaymin  
Shaykh 'Abdullah bin 'Abdur-Rahman Al-Jibreen**

**Along with:**

**The Permanent Committee and  
the decisions of the *Fiqh* Council**

**Collected by**

**Muhammad bin 'Abdul-'Aziz al-Musnad**



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## Contents

### RULING PERTAINING TO THE MASJIDS (MOSQUES)

The Linguistic Definition of the (Word) <i>Masjid</i> .....	19
The Women who do not see the <i>Imam</i> , but they hear his <i>Takbir</i> .....	20
What are considered the limits of the <i>Masjid</i> religiously .....	20
The Woman prays in the <i>Masjid</i> unless she is sexually defiled or menstruating .....	21
If the Person being led in Prayer cannot see the <i>Imam</i> nor anyone who is behind the <i>Imam</i> , but he can hear (the <i>Imam's</i> Voice) .....	24
The ruling of the Prayer in the expansion area of the Prophet's <i>Masjid</i> ..	25
The Women who hear the <i>Takbir</i> , but they do not see the <i>Imam</i> nor those who are behind him .....	26
The ruling on bringing Children to the <i>Masjid</i> .....	26
Tearing down an old <i>Masjid</i> and building a Public Library in its place..	29
The <i>Masjid</i> is not allowed for the menstruating Woman or the sexually impure Person .....	31
The ruling on studying in the <i>Masjid</i> with Books that contain Pictures. ..	31
The ruling on Prayer in the Streets due to extreme crowding .....	32
The ruling about offering Prayers on the Roads .....	33
The ruling on reserving places in the <i>Masjid</i> .....	34
The ruling on building <i>Masjids</i> and places for Prayer near Graveyards ..	35
Is the magnitude of Sins increased in Makkah? .....	37
The ruling concerning Drawings on the Prayer Carpets .....	38
The ruling on entering the <i>Masjid</i> for the one who eats Onions and smokes Cigarettes .....	39
The ruling regarding boycotting <i>Masjids</i> that have a lot of Innovations in them .....	40
The ruling on changing a <i>Masjid</i> for offering the Obligatory Prayers to a <i>Masjid</i> where the <i>Jumu'ah</i> Prayer is also established .....	40
The ruling on locking the <i>Masjid</i> at night .....	41
The ruling on carrying Cigarettes to the <i>Masjid</i> .....	41
The ruling on taking the Stones of an old <i>Masjid</i> that has been abandoned and using them for personal benefits .....	42
Prayer in the <i>Masjids</i> of Makkah is not like Prayer in the Sacred	

<i>Masjid (Al-Masjid Al-Haram)</i> .....	47
The ruling on taking away some part of the <i>Masjid</i> in order to expand the House of the <i>Imam</i> .....	49
Maintaining the <i>Masjids</i> is by the Prayer ( <i>As-Salah</i> ) .....	50
The Expansion has the same ruling of the Original.....	51
The ruling on Disbelievers entering the <i>Masjids</i> and seeking their help in constructing them and supervising their construction .....	52
The ruling on beautifying and decorating the <i>Masjids</i> during Special Occasions and 'Eid Celebrations.....	54

### THE BOOK OF FUNERALS

#### RULINGS PERTAINING TO WASHING THE DECEASED

The legal Description of washing the Deceased.....	56
There is no harm in the Husband washing his Wife.....	57
The ruling on removing Gold Teeth from the Deceased.....	57
The ruling on cutting the Hair of the Deceased .....	58

#### PRAYER (AS-SALAH) OVER THE DECEASED

The description of the <i>Janazah</i> (Funeral) Prayer .....	58
His Child died and He did not pray over it out of forgetfulness.....	61
When the Funeral Prayer and the Obligatory Prayer occur together.....	62
The ruling on praying over the Deceased during the prohibited Time (for Prayer).....	62
It is permissible for the Woman to pray the Funeral Prayer.....	63
Does the Woman attend the Funeral Prayer? .....	64
Prayer of the absent Deceased .....	65
Prayer over the absent Deceased is not something specific for the Messenger ﷺ.....	66
The ruling on supplicating after the Funeral Prayer.....	67
The ruling on attending the Funerals of the Disbelievers .....	69
The ruling on attending the Funerals of the People of superstitions.....	69

#### RULINGS PERTAINING TO BURIAL

The Deceased is to be buried in the land in which He dies.....	70
The ruling on moving a Corpse from one land to another.....	72
The Deceased should be buried on his right side facing the <i>Qiblah</i> .....	73
The ruling on placing Muslims in Wooden Coffins .....	74
The ruling on burying the Deceased at Night .....	75
Combining two dead People in one Grave due to necessity.....	76
Burying the Deceased with another Person.....	77
Undoing the fastening Belts of the Woman in the Grave.....	78

If the Woman is lowered into her Grave by someone other than her <i>Mahram</i> .....	79
The ruling on burying Muslims in the Graveyards of the Disbelievers due to necessity.....	79
The ruling on burying the Disbelievers in the Graveyards of the Muslims.....	81
The ruling on placing Green Branches on the Graves.....	82
The ruling on placing Palm Leaves of Palm Trees on the Grave of the Deceased.....	83
What is allowed to be placed on the Graves.....	83
The ruling on writing on the Grave of the Deceased.....	84
The ruling on building Structures over the Graves and writing on them.....	85
Building over Graves.....	86
The ruling of standing at Graves to seek forgiveness and pray for the Deceased after burying him.....	87
How to supplicate for the Deceased after burying him.....	87
The legislated Sunnah of supplicating for the Deceased.....	88
<b>RULINGS PERTAINING TO CONDOLENCES</b>	
An advice and reminder regarding Matters of Condolences.....	90
The ruling on Condolences and how they are to be given - Is there a specific time for them and should Condolences be given for the Infant and the extremely Old Person who dies?.....	96
The ruling on travelling for the sake of giving Condolences.....	97
The ruling on specifying a particular time for accepting Condolences like the gathering of the Family of the Deceased for three days.....	97
The ruling on sitting for Condolences for a week or more along with offering Food.....	98
Showing kindness to the Family of the Deceased by giving them Clothing and Money instead of preparing Food for them.....	100
<b>RULINGS PERTAINING TO VISITING THE GRAVES</b>	
Visiting the Graves of the Muslims and supplicating for the People in them is a Sunnah.....	101
The Woman does not visit the Grave.....	102
The ruling on Women visiting Graves and some Superstitions.....	103
The reason that the Woman is prevented from visiting the Graves.....	104
Concerning visiting Graves and the People saying "His final abode" ....	105

**INNOVATIONS OF THE FUNERALS**

The ruling on raising the Voice with the Recitation of the Noble Qur'an in the House where Condolences are being given and during the Funeral Procession.....	107
The ruling on raising the Voice with the Statement ' <i>La ilâha illallâh</i> ' while going out with the Funeral Procession .....	109
The ruling on standing silently as a form of reverence for the Martyrs, the Distinguished People and Others similar to them.....	110
The ruling on placing a Copy of the Qur'an on the Stomach of the Deceased.....	111
The ruling on entering the Deceased through the Door of Mercy in (the Prophet's <i>Masjid</i> in) Al-Madinah instead of other Doors .....	112
The ruling on calling the <i>Athan</i> and the <i>Iqamah</i> in the Grave of the Deceased.....	112
The ruling on encouraging the Deceased to say the Testimony of Faith after burial and reciting <i>Surat Ya-Sin</i> when the Person is about to die .....	114
An Evil Innovation.....	115
The ruling on reciting <i>Surat Ya-Sin</i> at the Grave and the ruling on planting Trees over and cultivating it with Vegetation.....	116
The ruling on reciting <i>Al-Fatihah</i> over the Deceased .....	117
The ruling on reciting <i>Al-Fatihah</i> or something from the Qur'an for the Deceased at his Grave .....	118
The ruling on reciting the Qur'an over the Grave after the burial.....	120
The ruling on establishing the practice known as " <i>Al-Ma'tam</i> " .....	121
The ruling on holding Parties.....	122
The ruling on slaughtering an animal for the Deceased on the seventh day or fortieth day after his death.....	123
Giving charity on behalf of the Deceased forty days after his death.....	124
The ruling on <i>Ath-Thikra Al-Arba'iniyyah</i> and commemorating the Deceased.....	126
The ruling on going out to the Graveyards on the Night of the ' <i>Eid</i> ' and visiting them.....	128

**MISCELLANEOUS RULINGS**

It is not permissible to describe the Deceased as being forgiven or the recipient of mercy .....	129
Reciting <i>Surat Ya-Sin</i> for one who is about to die.....	130
Announcing Deaths in the Newspapers is permissible...under	

conditions .....	130
The ruling on wailing over the Deceased after his Death .....	131
The Deceased is tormented due to the crying of his Family over him ...	132
The ruling on leaving the Face of the Deceased uncovered a number of days without any necessity .....	133
The ruling on opening the Corpse of the Muslim for a medical reason .	136
The ruling on opening the Corpse of the Deceased for learning .....	138
The Deceased does not give benefit nor does he receive benefit by what he hears .....	139
Is the Person who commits Suicide washed? .....	140
A Superstition that must be rejected .....	141
Is it obligatory for the Graveyards of the Muslims to be separated from others? .....	142
Cutting Trees of the Graveyard in order to protect the Graves and close off openings .....	143
The People of the Graves have more right to the Land than you all .....	144
The ruling of <i>Ahlul-Fitrah</i> (the People who lived during a time in which no Prophet came) is applied to the Children of the Disbelievers .....	145
The ruling on whomever died from the Children of the Polytheists .....	145

### **THE BOOK OF AZ-ZAKAH**

A Word Concerning the Obligation of <i>Az-Zakah</i> and its Importance....	148
By His Eminence .....	148
Ash-Shaykh 'Abdul-'Aziz bin 'Abdullah Ibn Baz .....	148

### **AZ-ZAKAH IS OBLIGATORY UPON WHOM?**

<i>Az-Zakah</i> is obligatory upon the Wealth of the Child and the Adult.....	157
<i>Az-Zakah</i> is obligatory on the Wealth of the Orphan and the Insane .....	157
<i>Az-Zakah</i> of Wealth <i>Az-Zakah</i> on the monthly Salary .....	158
<i>Az-Zakah</i> on Wealth that is kept for Marriage.....	159
<i>Az-Zakah</i> is obligatory on the initial Sum and the Interest gained .....	160
<i>Az-Zakah</i> is due on whatever Wealth is owned a year and reaches the minimum amount .....	160
<i>Az-Zakah</i> on Wealth that is being saved .....	161

### **THE MINIMUM AMOUNT REQUIRED FOR AZ-ZAKAH ON WEALTH**

The minimum amount required for <i>Az-Zakah</i> .....	162
The minimum amount required for <i>Az-Zakah</i> on circulated cash Currencies .....	163



**HOW TO PAY AZ-ZAKAH ON WEALTH**

How to pay <i>Az-Zakah</i> .....	163
Paying <i>Az-Zakah</i> in advance is permissible .....	165

**AZ-ZAKAH ON LAND, REAL-ESTATE PROPERTIES, PLACES****USED FOR BUSINESS AND MERCHANDISE FOR SALE**

Land that is kept for building does not require payment of <i>Az-Zakah</i> ...	166
There is no <i>Zakah</i> on Land that is kept for building, regardless if the building is for a personal residence or for renting .....	166
<i>Az-Zakah</i> on Land .....	167
<i>Az-Zakah</i> on Lands that are kept with the intent of selling .....	167
<i>Az-Zakah</i> is obligatory on Land that is kept with the intent of sale .....	168
<i>Az-Zakah</i> on Buildings, Places and Lands .....	169
<i>Az-Zakah</i> on Rent collected from a Residence and places of Business....	170
<i>Az-Zakah</i> on rental Property .....	170
<i>Az-Zakah</i> on Houses and Cars .....	171
<i>Az-Zakah</i> on Cars that are kept for rental .....	172
There is no <i>Zakah</i> on Cars that are kept for transporting things .....	172
How does the Owner of a printing Company pay <i>Az-Zakah</i> ? .....	172
How to pay <i>Az-Zakah</i> on Commodities such as Fabrics and similar things .....	173
How to pay <i>Az-Zakah</i> on Chickens .....	174

**AZ-ZAKAH ON SHARES**

<i>Az-Zakah</i> on Shares that are in real-estate Properties .....	174
--	-----

**AZ-ZAKAH JEWELRY**

The correct view concerning <i>Az-Zakah</i> on Jewelry and how it is to be paid .....	176
<i>Az-Zakah</i> on Jewelry made of Silver .....	176
The ruling of <i>Az-Zakah</i> on Jewelry, Diamonds and precious Stones .....	178
She has Jewelry but she has not paid <i>Az-Zakah</i> on it because She did not know the ruling .....	179
<i>Az-Zakah</i> on Jewelry is obligatory on its Owner .....	180
Is there any <i>Zakah</i> on Diamonds? .....	181
How to pay <i>Az-Zakah</i> on Jewelry studded with Gems and precious Stones .....	181

**AZ-ZAKAH ON WEALTH GIVEN AS A RELIGIOUS DONATION****AND SIMILAR THINGS**

There is no <i>Zakah</i> on Wealth that is given as a religious Donation! .....	182
There is no <i>Zakah</i> on the Wealth of a religious Donation! .....	183

There is no <i>Zakah</i> on Wealth that is collected from a number of Individuals for a need.....	183
<i>Az-Zakah</i> and Wealth of religious Donations.....	184
There is no <i>Zakah</i> on the religious Donation.....	184
<b>AZ-ZAKAH ON LOANED WEALTH</b>	
<i>Az-Zakah</i> on Debt .....	185
<i>Az-Zakah</i> on loaned Wealth.....	185
It is not permissible to drop a Debt and consider it as <i>Az-Zakah</i> .....	186
<b>TRANSFERRING AZ-ZAKAH TO ANOTHER PLACE</b>	
The ruling on transferring <i>Az-Zakah</i> to another place.....	187
<b>THE PEOPLE OF AZ-ZAKAH</b>	
Paying <i>Az-Zakah</i> to the poor Brother.....	187
The ruling on paying <i>Az-Zakah</i> to one's Mother.....	188
The <i>Miskin</i> (needy) and the <i>Faqir</i> (poor) .....	188
The ruling on distributing <i>Az-Zakah</i> to the Brother and the Uncle .....	189
Paying <i>Az-Zakah</i> to the Sister .....	190
<i>Az-Zakah</i> for a Person who wants to get married.....	190
The ruling on paying <i>Az-Zakah</i> to the poor Husband.....	190
The ruling on the <i>Masjid</i> Carpets and repairing them with <i>Az-Zakah</i> ....	191
Paying <i>Az-Zakah</i> to people who have committed crimes and those who are in Debt.....	192
The ruling of giving <i>Az-Zakah</i> to a single Family .....	193
The Mother is not given from <i>Az-Zakah</i> and the Person who abandons the Prayer does not deserve <i>Az-Zakah</i> .....	193
<b>DEBT AND AZ-ZAKAH</b>	
Does Debt prevent <i>Az-Zakah</i> .....	194
<b>MISCELLANEOUS FATAWA</b>	
There must be intentions to give <i>Az-Zakah</i> .....	196
The ruling on giving <i>Az-Zakah</i> of Wealth in the form of Food, Clothing or other things.....	196
His hobby is collecting different types of Money, so does he pay <i>Zakah</i> on it?.....	197
How to pay <i>Az-Zakah</i> on what was in the past.....	198
The ruling on <i>Az-Zakah</i> that is paid to the Office of <i>Az-Zakah</i> and Income.....	198
How does the Person pay <i>Az-Zakah</i> who lives outside of his Country?..	199
There is no <i>Zakah</i> due on Vegetables.....	199
Appointing someone to pay <i>Az-Zakah</i> on your behalf .....	200

Az-Zakah on stored Grains.....	201
There is no Zakah on four She-Camels .....	201
The ruling on dropping a Debt with the intention of Az-Zakah .....	202
Is Az-Zakah paid on a Gold Pen .....	202

### **ZAKATUL-FITR**

The ruling on Zakatul-Fitr and its amount.....	203
The Food of Az-Zakah .....	204
He forgot to give Zakatul-Fitr before the 'Eid prayer .....	204
The ruling on delaying the Zakah of Wealth and Zakatul-Fitr.....	205
The ruling on giving Money for Zakatul-Fitr.....	206
The Sunnah is to distribute the Zakatul-Fitr among the poor People of the Land .....	209
The ruling on giving Zakatul-Fitr to the Fiqh Scholar of the Land .....	209
Zakatul-Fitr is only given to the poor People .....	210

### **THE BOOK OF FASTING**

The Virtue of Fasting and Standing for Prayer at Night During Ramadhan.....	211
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### **RULINGS PERTAINING TO THE ENTRY OF THE MONTH AND ITS EXIT AND SIGHTING THE NEW MOON**

Sighting the new Moon of Ramadhan and the new Moon of Shawwal .....	222
It is not permissible to rely on Calculations in confirming the new Moons .....	222
Fasting and Breaking the Fast according to the Sighting of the New Moon.....	224

### **A FIRM DECISION**

Regarding acting according to sighting in affirming the new Moons and not according to Astronomical Calculations.....	230
The sighting of the new Moon in a Country does not oblige all of the Countries to judge according to it.....	232
The ruling on fasting Ramadhan 28 days.....	234
Can we fast 31 days? .....	234
The ruling on always fasting 30 days for Ramadhan.....	235
He did not know that the month had started until after Fajr time began.....	239
Fasting with the Country in which you reside.....	240
The Age at which Fasting Becomes Obligatory.....	241
It is obligatory upon the Person who has reached the age of Puberty to fast .....	241

She is 13 years old and she does not fast.....	242
The age of being held responsible for fasting.....	243

**THE BENEFITS OF FASTING AND ITS ETIQUETTES, AND THE RULING ON THE FAST OF WHOEVER ABANDONS THE PRAYER AND IS LAZY ABOUT ITS PERFORMANCE**

The social Benefits of Fasting .....	243
What should the fasting person do and what is obligatory upon him ...	244
Being wasteful with the Food for fast breaking.....	244
The ruling on the Person who fasts but is lazy about performing the Prayer .....	245
The ruling on whoever fasts but does not pray.....	247
The ruling on whoever only fasts and prays during Ramadhan.....	247
The ruling on speaking with a Woman and touching her Hand during the daytime in Ramadhan .....	248
The ruling on the Fast of a Person who drinks Alcohol during the Nights of Ramadhan .....	249
Sleeping the entire length of the Hours of the Day .....	250

**EATING AND ABSTAINING FROM EATING DURING RAMADHAN**

The ruling on whoever eats while the <i>Athan</i> is being called or a little after it.....	251
The ruling on the Fast of whoever ate at the time of the <i>Athan</i> .....	252
If the fasting Person drank after the <i>Athan</i> of <i>Fajr</i> .....	253
Whoever ate or drank after <i>Fajr</i> time began has no Fast.....	254
The ruling on the <i>Fast</i> of whoever ate while being uncertain as to whether <i>Fajr</i> time had began or whether the Sun had set.....	256
He broke his Fast based upon the Radio Announcer's Announcement..	257
A Land where the Sunset is delayed!.....	258
The Length of the Night and the Day.....	258

**THE THINGS THAT BREAK THE FAST**

Repentance is Expiation! .....	259
The fasting Person swallowing Saliva.....	260
If the fasting Person rinses out his Mouth and some Water enters his Throat.....	260
I swallowed some Water after rinsing my Mouth .....	261
Using the Toothstick during Ramadhan .....	261
The ruling on using Toothpaste for the fasting Person.....	262
The ruling on using a Toothbrush with bleeding .....	263
The ruling on using Oil .....	263

Using Henna for the fasting Person.....	264
The ruling on using Perfume during the Daytime in Ramadhan.....	264
The ruling on using Perfume and Incense during Ramadhan.....	265
The ruling on tasting Food .....	265
Eating forgetfully! .....	265
Do Eyedrops break the Fast? .....	266
Drops do not corrupt the Fast .....	267
The ruling on Injections during the Daytime of Ramadhan.....	268
The fasting Person bathing a lot .....	269
Does inhaling Medicine into the Nose break the Fast? .....	269
The ruling on the Wet Dream and Blood and Vomit coming out during the Fast .....	271
The Blood that corrupts the Fast .....	272
The ruling on Cupping for the fasting Person and the ruling on Blood coming out of him .....	273
Whoever has Blood taken from him while he is fasting .....	275
The ruling on the fasting Person donating Blood.....	275
Vomiting unintentionally does not corrupt the Fast .....	275
The ruling on Kissing for the fasting Person .....	276
The emission of Prostatic Fluid ( <i>Mathi</i> ) with sexual desire does not invalidate the Fast .....	277
The excretion of Prostatic Fluid ( <i>Mathi</i> ) does not corrupt the Fast.....	278
Whoever had a Wet Dream in the Daytime during Ramadhan.....	279
A Man had sex with his Wife in the Daytime during Ramadhan.....	279
If the fasting Person has sex with his Wife and he forces her to do so against her will .....	280
The ruling on the Fast of the Person who sleeps on the Job.....	281
<b>WHO IS ALLOWED TO BREAK HIS FAST DURING RAMADHAN</b>	
The sick Person who is not strong enough to fast.....	281
The sick Person upon whom fasting is too difficult .....	282
The ruling on whoever is unable to fast due to old age or illness.....	282
A Person with a Kidney illness and fasting .....	283
It is legislated for the sick Person to break his Fast .....	284
Senility removes Responsibility.....	285
The Person who loses his Intellect is not obliged to fast .....	287
Is it permissible for the Worker to break his Fast? .....	288
Is it permissible for the Shepherds to break their Fast during Ramadhan? .....	288
The ruling on whoever breaks his Fast during the Daytime in	

Ramadhan intentionally ..... 289  
 Do the People who fight *Jihad* break their Fasts? ..... 290

**THE TRAVELLER AND FASTING**

Fasting during Travel ..... 290  
 Fasting while on a Journey ..... 292  
 If the Traveller arrives in the Land (of his destination) does he  
 abstain?..... 293  
 The ruling on the Fast of one who is not a Resident ..... 294  
 It is obligatory to abstain after the cause for breaking the fast ends..... 295  
 The Fast of Bus Drivers..... 295

**THE MENSTRUATING WOMAN, THE WOMAN WITH POST-CHILD BIRTH BLEEDING AND FASTING**

It is not permissible for the menstruating Woman to fast ..... 296  
 The ruling on using Pills that prevent the Menses during Ramadhan ... 296  
 If the Woman becomes pure after *Fajr*, she abstains and makes up for  
 the Fast..... 297  
 The fasting of the Woman with post-childbirth Bleeding..... 298  
 The Woman whose Bleeding returns while she is fasting ..... 298  
 The ruling on delaying the bathing for Menstruation until the time of  
*Fajr* enters ..... 299

**THE PREGNANT WOMAN AND THE BREAST-FEEDING WOMAN**

If the pregnant Woman and the breast-feeding Woman break their  
 fasts during Ramadhan..... 300  
 If the pregnant Woman and the breast-feeding Woman fear for  
 themselves or their Children..... 301  
 If the pregnant Woman breaks her Fast she only makes up for the  
 Fast ..... 301  
 She did not make up for the Fasts due to fear for her breast-feeding  
 Child ..... 302

**MAKING UP FOR THE FAST**

It is obligatory to make up for the Fast after being cured from illness... 303  
 Fasting voluntary Fasts does not make up for missed Fasts of  
 Ramadhan..... 304  
 The ruling on whoever broke the Fast of Ramadhan due to an illness  
 and he gave Food, then he recovered from his illness ..... 305  
 He did not fast during Ramadhan due to an illness and he died before  
 he could make up for the fast ..... 306  
 He died while having a Day of Ramadhan due on him that he did not

make up for.....	306
He broke his Fast due to an Excuse, so is he obligated to make expiation?.....	307
Delaying making up for the Fast of Ramadhan to the next Ramadhan .	308
He delayed making up for the Fast until the next Ramadhan came.....	309
The ruling on delaying making up for the Fast without an Excuse.....	310
She did not fast Ramadhan 24 years ago due to an Excuse and she did not make up for it because she did not know she had to .....	311
You must make up for the Fast even if it is over separate Days .....	312
Whoever abandons Fasting intentionally, then he repents, does he make up for the Days?.....	312
First fast whatever Fasting that you have to make up for.....	313
The ruling on delaying making up for the Fast of Ramadhan until winter .....	314
<b>THE TARAWIH PRAYER AND STANDING FOR PRAYER AT NIGHT</b>	
The <i>Tarawih</i> Prayer is <i>Sunnat Mu'kkadah</i> (compulsory) .....	314
The <i>Tarawih</i> prayer is <i>Sunnah</i> (i.e., supererogatory) and it is not obligatory.....	315
The ruling on reading from a copy of the Qur'an in the <i>Tarawih</i> Prayer	316
The Night Prayer is in Sets of Two's.....	316
Tranquility is an obligation that must be present in the Prayer.....	318
Lengthening the <i>Tarawih</i> Prayer.....	319
It is legislated to let those being led in Prayer hear all of the Qur'an in order in the <i>Tarawih</i> Prayer .....	320
The Supplication of <i>Al-Qunut</i> .....	321
<i>Al-Qunut</i> in the <i>Witr</i> Prayer is <i>Sunnah</i> .....	322
Standing for Prayer at Night is not specifically for Ramadhan .....	322
If a Barrier is placed between the Men and the Women, then which Row of the Women is better?.....	323
<b>MISCELLANEOUS FATAWA</b>	
The ruling on someone who did not fast a Day of Ramadhan and then he repented .....	324
She broke her Fast intentionally because of Exams.....	324
The Blessing of <i>As-Sahur</i> .....	326
The Intention for Fasting .....	326
Stopping the Person who eats during the Daytime in Ramadhan out of forgetfulness .....	327
The Child is not obligated to fast, but he may be ordered to do so .....	328
The Conditions for the correctness of a Child's Fast.....	328

Continuous Fasting.....	329
Dying during Ramadhan .....	330
Staying in the <i>Masjid</i> for worship and its Conditions.....	331
The ruling on what is called Parents' Supper .....	332
<i>Az-Zakah</i> in Ramadhan.....	333
Whoever has to fast two Months consecutively and he breaks his Fast during it.....	333

### **VOLUNTARY FASTING**

Fasting six Days of Shawwal and what has been reported in the <i>Muwatta'</i> of Malik.....	334
Fasting consecutive Days is not a Condition in fasting the six Days of Shawwal.....	335
The ruling on making up for the six Days after Shawwal.....	336
Making up for missed Days comes first.....	337
It is not permissible to fast the six Days of Shawwal before a Fast of Expiation.....	338
The Ruling concerning Breaking a Voluntary Fast.....	338
Voluntary Fasting is with the Permission of the Husband.....	339
The Voluntary Fast is not made up for.....	339
The Days during which fasting is prohibited.....	340
It is not permissible to fast the 13th Day of Thul-Hijjah.....	341
The middle Night of Sha'ban should not be singled out for worship ....	342
The ruling on seeking the Night of ' <i>Ashura</i> ' .....	342
The ruling on fasting the Day of ' <i>Ashura</i> ' .....	344
A <i>Fatwa</i> about fasting the Day of ' <i>Ashura</i> ' .....	345

### **RIBA, LOANS AND WORKING IN BANKS**

From the Decisions of the <i>Fiqh</i> Academy regarding Paper Currency .....	346
Writing <i>Riba</i> Transactions .....	348
He wrote a Check for <i>Riba</i> unknowingly.....	349
Plotting to indulge in <i>Riba</i> .....	350
Another <i>Fatwa</i> regarding plotting to indulge in <i>Riba</i> .....	351
He sold the Product for more than its Price for payment to be received later .....	352
The ruling on the Worker taking a Percentage of the Profit.....	353
Do not sell what you do not have .....	353
This Contract is correct.....	354
The ruling on taking a Down Payment.....	355
There is no Sin on you due to your ignorance of the ruling .....	355
This Wealth is not from <i>Riba</i> .....	356



The ruling on selling Dollars on installment payments .....	357
The ruling on selling Food for its same type, but of different Qualities, like Wheat and similar things .....	358
The ruling on selling a Sheep that is present for two or three Sheep to be given later .....	359
The ruling on exchanging a Meter for two Meters of Garments.....	360
How to expiate the Sin of the Person who indulged in <i>Riba</i> Dealings ...	360
The ruling on the Son using the Wealth of his Father who indulges in <i>Riba</i> Transactions.....	361

### **ISSUES REGARDING SELLING GOLD**

Selling Gold for Gold, Silver for Silver, hand to hand and the same for the same .....	362
There must be mutual Exchange in selling Gold.....	363
The ruling on selling used Gold for new Gold while paying the difference .....	364
He bought Jewelry and borrowed its Price from the Seller .....	365
The ruling on giving raw Gold to the Jeweler to have it changed into Jewelry .....	366
The ruling on doing Business with Gold .....	366

### **HOLDING SHARES IN COMPANIES**

The ruling on holding Shares in Companies that deal in <i>Riba</i> .....	368
The ruling on holding Shares in Business Companies and Insurance Companies .....	370
The ruling on taking an increase more than the Capital Sum in Real Estate Shareholdings .....	371

### **THE RIBA BANKS**

Firstly: The Decision of the <i>Fiqh</i> Academy.....	372
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### **DEALING WITH RIBA BANKS**

The ruling on dealing with <i>Riba</i> Banks .....	374
The ruling on investing Wealth in Banks with Interest.....	377
The ruling on depositing Money in Banks with a specified Profit.....	381
The ruling on securing Money in Banks that deal with <i>Riba</i> .....	382
The ruling on depositing Money in Banks that deal with <i>Riba</i> without taking any Profit.....	383
The ruling on transferring Money through Banks.....	384
This "Contribution" is exactly <i>Riba</i> .....	385
The ruling on selling Bills of Exchange to the Banks for Profits.....	386

**HOLDING SHARES IN BANKS**

The ruling on holding Shares in Banks that deal with <i>Riba</i> .....	387
The ruling on buying Shares of Banks .....	387

**WORKING IN BANKS**

The ruling on working in <i>Riba</i> Banks .....	389
Working in Banks of <i>Riba</i> is assisting them in Sin .....	390
The ruling on working in the <i>Riba</i> Establishments.....	391
The ruling on working in the security of Banks.....	392
The ruling of whoever works in the Banks due to Ignorance and then he repents, and the ruling on the Wages that he took from them....	393
Working in Banks of <i>Riba</i> is not permissible.....	393
Salaries of the Employees of the Banks .....	396

**INTEREST OF THE BANKS**

The ruling on the Interest that the Banks pay .....	397
The ruling on the Profits of the Banks .....	397
The ruling on taking Interests of the Banks and spending them on charitable Projects.....	398
Another ruling concerning taking Interest and spending it on charitable Projects.....	400
The ruling on whoever takes this Interest ignorantly .....	402
The manner of getting rid of <i>Riba</i> (Interest) .....	403
The ruling on taking <i>Riba</i> Profits and spending it in Charity on the Poor ..	407
The ruling on taking Interest Earnings and giving it to the <i>Mujahidin</i> ...	407
The <i>Riba</i> Profits should be spent in the Ways of Goodness .....	408
Comments of the Eminent Shaykh concerning what was published in the Magazine, <i>Manarul-Islam</i> , that a small amount of Profit is permissible as an exception.....	408

**LOANS**

The ruling on banks that give loans with yearly interest .....	415
The ruling on the Loan with Interest.....	416
The Loan with Interest is not permissible.....	417
The ruling on taking a Loan from a Real Estate Development Fund for someone who is wealthy.....	418
The ruling on Employees collecting Money.....	419
It is not permissible to sell a Loan except for the same Price at the time of demanding Payment.....	420
Whoever borrows Money in one Currency, can he repay it with another Currency? .....	421

Every Loan that brings some Benefit is <i>Riba</i> .....	422
The ruling on taking a Loan from forbidden Money.....	424
The ruling on selling Currency for another Currency for Payment made later.....	425
He borrowed Money from me and did Business with it, so may I request extra money from him?.....	425
The <i>Hadith</i> : "Every loan that brings some Benefit (to the lender) is <i>Riba</i> ." .....	426

### **DEBT**

He died and he owed a Debt, so does his Soul still remain bound to it?.....	428
When is the accountability of the Deceased who is in Debt cleared from the responsibility of the Debt?.....	429
It is not necessary to pay up all of the Payments of the Real Estate Bank if the heirs of the deceased or someone else agree to pay off the Loan .....	430
He died and he did not inform anyone of his Debt.....	430
Giving Time to pay to the Person who is having financial difficulties is desired in all Transactions.....	431
The ruling on imprisoning the Debtor who is having financial difficulties .....	432
I cannot find the Man to whom the Debt is owed .....	432
He could not find its Owner.....	433
He died and I have 3,000 Riyals that I owe him.....	434

### **RENTING OR HIRING**

The ruling on a Contract of Payment for a Deed to be performed from the Deeds of Worship, like Prayer and similar Deeds.....	435
The ruling on harming the Renter so that he will leave.....	437
The forbidden Rental.....	438
The ruling on renting Places to <i>Riba</i> Banks.....	439
The ruling on renting Places for selling forbidden Music Tapes.....	439
The ruling on renting Places for selling Videotapes .....	440
The ruling on renting Homes and Buildings to someone who will use them for that which is forbidden and the ruling on what (Money) the Real Estate Office takes for that.....	441

### **INTERCEDING IN THE PURCHASE OF PROPERTY (PRE-EMPTION)**

Interceding in privately owned facilities and in that which it is not possible to divide of Real Estate.....	442
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## Rulings Pertaining to the Masjids

### The Linguistic Definition of the (Word) *Masjid*

**Q** What is the *Masjid*, (mosque) linguistically and religiously?

**A** Linguistically, the *Masjid* is the place of prostration. Religiously, it is everything that is built for the Muslims to offer the five prayers in congregation. It is also used to refer to that which is more general than this. Thus, it also includes that place that a person uses in his house (or has allocated) to offer the voluntary prayers in, or he uses it to perform the obligatory prayers when he is unable to offer them in the *Masjid* where the people have established congregational prayer. From this is that which Al-Bukhari and others recorded from Jabir, may Allâh be pleased with him, who said that the Messenger of Allâh ﷺ said:


«أُعْطِيتُ حَمْسًا لَمْ يُعْطَهُنَّ أَحَدٌ قَبْلِي، نُصِرْتُ بِالرُّعْبِ مَسِيرَةَ شَهْرٍ،  
وَجُعِلَتْ لِي الْأَرْضُ مَسْجِدًا وَطَهْرًا فَأَيُّمَا رَجُلٍ مِّنْ أُمَّتِي أَدْرَكَتُهُ الصَّلَاةُ  
فَلْيُصَلِّ»


*"I was given five (things) that no one was given before me. I was aided with Ar-Ru'b (fright cast into the hearts of enemies) for a month's distance (of travel), and the earth was made a Masjid (place of prayer) for me and a means of purification. So any man from my nation (the Muslims) whom the (time for) prayer catches, then let him offer the prayer..."*<sup>[1]</sup>

The Permanent Committee

[1] Al-Bukhari no. 335 and Muslim no. 521.


## The Women who do not see the *Imam*, but they hear his *Takbir*


 We have a *Masjid*, and on the northern side of it there is some fenced land that is attached to the *Masjid*. We would like to designate this area for the women to offer prayers during Ramadhan. Is that permissible, knowing that they would not see the *Imam* and they would only be following him by the microphone?

 Concerning the correctness of their prayer on the mentioned land, there is a difference of opinion among the scholars. If they do not see the *Imam* or those who are behind him, and they only hear the *Takbir* (his saying '*Allâhu Akbar*'), it is safer for them not to offer the prayer on the mentioned land. Rather, they should offer prayer in their homes until they find a place in the *Masjid* behind those (men) who are offering prayer, or another place outside of the *Masjid* from which they can see the *Imam* or some of those (men) who are being led in the prayer.

Ash-Shaykh Ibn Baz

## What are considered the limits of the *Masjid* religiously

 What are considered the limits of the *Masjid* religiously? And concerning the streets that run alongside the *Masjid*, are they considered as part of the *Masjid* such that it is correct to offer the *Jumu'ah* (Friday) prayer in them when the *Masjid* (space) is constricted due to the great number of people, even though there are other *Masjids* that are not filled with people who come to offer the prayer?

 The limits of the *Masjid* that has been built for the Muslims to offer the five prayers in congregation includes what is encompassed by it of structures, wood, branches, stalks

or anything similar to that. This is what is given the ruling of the *Masjid*, and the menstruating woman, the woman with postnatal bleeding, the sexually defiled person – and people similar to them – are prevented from staying in it. It is permissible for whoever comes to the *Masjid* and finds it packed with people, to pray the Friday congregational prayer and other prayers, whether obligatory or voluntary, outside the *Masjid*. One may do so in the closest place to the *Masjid* on the road beside it, as long as he is able in his prayer to follow the prayer of the *Imam* exactly. This is allowed due to the necessity for it under the condition that the person is not in front of the *Imam* (when he is praying). However, this place (where the person prays outside) does not have the same ruling as the *Masjid*, and Allâh knows best.

The Permanent Committee

### **The Woman prays in the *Masjid* unless she is sexually defiled or menstruating**

**Q** Verily one of the Shaykhs in Tanzania gave a *Fatwa* (religious ruling) to the Muslims that the prayer of the women is not allowed in the *Masjids*. He said that they (the women) are impure and it is not allowed for them to enter the *Masjids*. This matter has caused discord among the Muslims.

**A** A person is not impure, whether male or female, living or dead. Thus, it is allowed for the woman to enter the *Masjid*, except if she is sexually defiled or menstruating. In this case, she should not enter the *Masjid* unless she is passing through it while taking care by wrapping herself for fear of letting blood drop (from her) in the *Masjid*. This is due to Allâh's Statement:

﴿وَلَا جُنُبًا إِلَّا عَابِرِي سَبِيلٍ حَتَّى تَغْتَسِلُوا﴾

“Nor a sexually impure person, except when travelling on the road (without enough water, or just passing through a mosque), until

*you bathe.*"<sup>[1]</sup>

Also, the wives of the Prophet ﷺ used to visit him while he was in *I'tikaf* (seclusion in the *Masjid* for religious devotion). Also, there was a slave woman in the Prophet's *Masjid*, and she used to collect the trash of the *Masjid* (to throw it out). The Prophet ﷺ prohibited the men from preventing the women from (coming to) the prayer in the *Masjid*. He said:

«لَا تَمْنَعُوا إِمَاءَ اللَّهِ مَسَاجِدَ اللَّهِ»

*"Do not prevent the female servants of Allāh from (coming to) the Masjids of Allāh."*<sup>[2]</sup>

And it is confirmed from the Prophet ﷺ that he said:

«خَيْرُ صُفُوفِ الرِّجَالِ أَوْلَاهَا، وَشَرُّهَا، وَخَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا، وَشَرُّهَا أَوْلَاهَا»

*"The best of the rows of the men (in prayer) is the first of them and the worst of them is the last of them, and the best of the rows of the women is the last of them and the worst of them is the first of them."*<sup>[3]</sup>

This was recorded by Muslim, Abu Dawud, An-Nasa'i, At-Tirmithi and Ibn Majah. This explains the place of the women in regard to the rows of the men in the *Masjid* during the congregational prayer. It is also confirmed from him that he said:

«إِذَا اسْتَأْذَنْتُمْ نِسَاءَكُمْ بِاللَّيْلِ إِلَى الْمَسْجِدِ فَأَذِنُوا لَهُنَّ»

*"If your women seek your permission to go to the Masjid at night, allow them."*<sup>[4]</sup>

This was recorded by Al-Bukhari, Muslim, Abu Dawud, An-Nasa'i and At-Tirmithi.

[1] *An-Nisa'* 4:43.

[2] Al-Bukhari no. 900 and Muslim no. 442.

[3] Muslim no. 440.

[4] Al-Bukhari no. 865 and Muslim no. 442.

A *Fatwa* was issued by the Permanent Committee regarding the prayer of the woman with the congregation in the *Masjid*, and this is its wording:

It is allowed for the woman to come to the *Masjids* for the *Jumu'ah* (Friday) prayer, and to offer other prayers in congregation. It is not permissible for her husband to prevent her from that. And her prayer in her house is better. In doing so (i.e., coming to the *Masjids*) she must be mindful of the Islamic etiquettes. Hence, she must wear garments that cover her body parts and she must refrain from wearing transparent garments and garments that define the shape of her body parts due to their tightness. She should not wear perfume for her going out and she should not mix with men in their ranks. Rather, she should line up behind their rows. The women in the time of the Messenger of Allâh ﷺ used to go out to the *Masjids* wrapped up with their cloaks and they would pray behind the men. It is confirmed from the Prophet ﷺ that he said:

«لَا تَمْنَعُوا إِمَاءَ اللَّهِ مَسَاجِدَ اللَّهِ»

*“Do not prevent the female servants of Allâh from (coming to) the Masjids of Allâh.”*<sup>[1]</sup>

And he said:

«خَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا، وَشَرُّهَا أَوَّلُهَا»

*“The best of the rows of the men (in prayer) is the first of them and the worst of them is the last of them, and the best of the rows of the women is the last of them and the worst of them is the first of them.”*<sup>[2]</sup>

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

[1] Al-Bukhari no. 900 and Muslim no. 442.

[2] Muslim no. 440.



**If the Person being led in Prayer cannot see the  
Imam nor anyone who is behind the Imam,  
but he can hear (the Imam's Voice)**

**Q** What is the ruling of the prayer that is offered in the basement of the *Masjid* if the person who is being led in prayer cannot see the *Imam* nor any of those who are praying behind the *Imam*, but the person only hears the voice of the *Imam* by way of a microphone?



There is no problem with that if the basement (or cellar) is connected to the *Masjid*, due to the generality of the evidences.

**Q** A group of people offered the *Jumu'ah* (Friday) prayer in the basement of the *Masjid* (on the ground floor, i.e., the *Musalla* was upstairs) and during the prayer the electrical current was cut off. Then, those who were being led were unable to hear the *Imam*, so one of those being led stepped forward and led them in the rest of the prayer. What is the ruling of these people's prayer, since he led them in the rest of the prayer performing it as the *Jumu'ah* prayer? Also, what is the ruling if no one steps forward? Does each of them complete his prayer by himself? If that is permissible, then does he complete the rest of the prayer as *Zuhr* prayer or *Jumu'ah* prayer, since he listened to the speaker (*Khatib*), started the prayer with the *Imam* and prayed one *Rak'ah* with him?



If what the questioner mentioned has occurred, then the prayer of all of those people is correct, because whoever caught a *Rak'ah* of the *Jumu'ah* prayer, then he caught the *Jumu'ah* prayer, as is reported in an authentic *Hadith* from the Messenger of Allāh ﷺ. If no one had stepped forward and each of them prayed the last *Rak'ah* by himself, then that would have been sufficient for him. This is like the person who misses a *Rak'ah* and he prays whatever he catches with the *Imam*, then he makes up the second *Rak'ah* for himself. This is according to the generality of the Prophet's statement:

«مَنْ أَدْرَكَ رَكْعَةً مِّنَ الصَّلَاةِ فَقَدْ أَدْرَكَ الصَّلَاةَ»

“Whoever caught a Rak‘ah of the prayer, then verily he caught the prayer.”<sup>[1]</sup>

And Allâh is the Giver of success.

**Q** If a man enters the *Masjid* during a time when it is prohibited to pray, should he offer *Tahiyyatul-Masjid* (prayer for greeting the *Masjid*) or not?

**A** It is better for the person to offer *Tahiyyatul-Masjid* according to the more correct of the two opinions of the scholars. This is due to the generality of the Prophet’s statement:

«إِذَا دَخَلَ أَحَدُكُمْ الْمَسْجِدَ فَلَا يَجْلِسُ حَتَّى يُصَلِّيَ رَكْعَتَيْنِ»

“When one of you enters the *Masjid*, he should not sit until he prays two Rak‘ahs.”<sup>[2]</sup>

This *Hadith*’s authenticity is agreed upon (in *Al-Bukhari* and *Muslim*). However, if he sits and does not offer the prayer, there is no harm in that.

Ash-Shaykh Ibn Baz

### The ruling of the Prayer in the expansion area of the Prophet’s *Masjid*

**Q** Is the prayer that is offered in the expansion area of the Prophet’s *Masjid* under the awnings considered like the prayer in the interior of the Prophet’s *Masjid*?

**A** The places that have been included inside the Prophet’s *Masjid* by expansion are given the rulings of the *Masjids* after they are entered into it. Based upon this, that which has

[1] *Al-Bukhari* no. 580 and *Muslim* no. 607.

[2] *Al-Bukhari* no. 1163 and *Muslim* no. 714.

been added to the Prophet's *Masjid* and entered into it, is considered part of the Prophet's *Masjid*. The same rulings apply to it, such as increased reward (for offering prayer there) and other such rulings. This is the case even though the reward varies, such as the variation in offering the prayer in the first row instead of offering it in the second row, and so forth, if Allâh, the Most High wills.

The Permanent Committee

### **The Women who hear the *Takbir*, but they do not see the *Imam* nor those who are behind him**

**Q** We have a *Masjid* that is made up of two floors. The upper floor is for the men and the lower floor is for the women. The women offer the prayers on this lower floor in congregation with the men, while the men are on the upper floor. The women do not see the *Imam* nor do they see the rows of the men. However, they hear the *Takbir* by way of the microphone. So, what is the ruling of their prayer in this situation?

**A** As long as the situation is like what was mentioned, the prayer of all of the people is correct, as all of them are inside of the *Masjid* and it is possible for them to follow by way of hearing the voice of the *Imam* through the microphone. This is the more correct of the two opinions of the scholars.

The only considerable difference of opinion is concerning the situation when some of the people who are being led in prayer are outside of the *Masjid* and they do not see the *Imam* nor any of those praying behind him. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### **The ruling on bringing Children to the *Masjid***

**Q** Some of the people come to the *Masjid* and they have their children with them who have not reached the age

of discernment and they cannot pray properly. These children line up in the rows with those who are offering prayer and some of them fidget (or play frivolously) and disturb those who are around them. So, what is the ruling on this? And what is your advice to the parents of such children?



I think that bringing children (to the Masjid) who will disturb those who are offering prayer is not permissible, because in that is a disturbance for the Muslims who are performing an obligation from the obligations of Allâh. The Prophet ﷺ heard some of his Companions praying and reciting aloud, so he said:

«لَا يَجْهَرُ بَعْضُكُمْ عَلَى بَعْضٍ بِالْقِرَاءَةِ»

“You all should not raise your voices over each other in recitation.”<sup>[1]</sup>

In another Hadith he said:

«لَا يُؤْذِينَنَّ بَعْضُكُمْ بَعْضًا»

“You all should not harm (or bother) one another.”<sup>[2]</sup>

Thus, everything that contains something that bothers those who are offering prayer, is not permissible for the person to do it.

Hence, my advice to the parents of such children is that they do not bring them to the Masjid and that they seek guidance in that which the Prophet ﷺ directed to when he said:

«مُرُوا أَوْلَادَكُمْ بِالصَّلَاةِ لِسَبْعِ سِنِينَ وَأَضْرِبُوهُمْ عَلَيْهَا لِعَشْرِ سِنِينَ»

“Command your children to pray when they are seven and beat them about (not offering) it when they are ten.”<sup>[3]</sup>

Likewise, I also direct advice to the people of the Masjid to open

[1] Ahmad 2:36, 67.

[2] Abu Dawud no. 1332.

[3] Abu Dawud no. 494, 495 and Ahmad 2:187.

their hearts to the children whose coming to (i.e., presence in) the *Masjid* is legislated (in the *Shari'ah*). They should not make things difficult on them or remove them from their places (in the prayer lines) that they came to first. For verily, whoever is the first to come to something, he has the most right to it, regardless of whether he is a child or an adult. Hence, moving the children away from their places in the row contains: (1) Disregard of their right, because whoever comes to something first – that no one of the Muslims has beaten him to – then he has the most right to it. (2) It discourages them from attending the *Masjids*. (3) It contains the possibility of the child carrying hatred and dislike for the person who removed him from the place that he came to first. (4) It leads to the children being gathered together (in the row) and they end up playing and causing disturbance to the people of the *Masjid* that would not have occurred if the children were between the adult men.

In reference to what some of the people of knowledge have mentioned regarding the child being removed from his place so that the child is made to stand at the end of the row or in the last row in the *Masjid*, using as a proof the Prophet's statement:

«لِيَلْبِنِي مِنْكُمْ أَوْلُو الْأَحْلَامِ وَالنَّهْيُ»

*“Let those of understanding and intelligence be near to me (in the prayer).”*<sup>[1]</sup>

This opinion is not correct and in opposition to the Prophet's statement:

«مَنْ سَبَقَ إِلَى مَا لَمْ يَسْبِقْهُ إِلَيْهِ مُسْلِمٌ فَهُوَ لَهُ»

*“Whoever comes first to what no one else has beaten him to, then he has the most right to it.”*<sup>[2]</sup>

Also, their using as evidence, the Prophet's statement:

[1] Muslim no. 432.

[2] Abu Dawud no. 3071.


«يَلْبِسِي مِنْكُمْ أَوْلُو الْأَخْلَامِ وَالنُّهْيِ»


“Let those of understanding and intelligence be near to me (in the prayer).”<sup>[1]</sup>

This is not complete (in the way they use it), because the meaning of the *Hadith* is to encourage those of intellect and understanding to come forward so that they may be near the Prophet ﷺ. This is because they are closer to correct understanding than the younger people, and more proficient in understanding what they saw from the Prophet ﷺ or what they heard. The Prophet ﷺ did not say, “No one but those of understanding and intellect should be near me (in prayer).” If the Prophet ﷺ had said, “No one but those of understanding and intellect should be near me (in prayer),” then the opinion of removing the children from their places in the front rows would be acceptable. However, the manner in which this *Hadith* has been worded is merely his command to those of understanding and intellect to come forward so that they may be near the Messenger of Allāh ﷺ.

Ash-Shaykh Ibn ‘Uthaimin

### Tearing down an old *Masjid* and building a Public Library in its place

 Is it permissible to tear down an old standing *Masjid* in order to build a public library in its place? If this is possible, then is it permissible to take some compensation (payment) for the *Masjid* grounds, or is the decision to be left to those who are responsible for the *Masjid* to accept a new *Masjid* in another place?

 It is not permissible to tear down a standing *Masjid*, even if it is old, simply for the sake of building a public library in its place. It is not permissible to build a public library in its place even if it is already torn down.

[1] Muslim no. 432.

What is obligatory is that it should be restored if it is old, and a *Masjid* should be built in its place if it is torn down, even if it is by selling some of it in order to fix the rest of it. This is because the fundamental principle regarding the *Waqf* (religious donation) is that it is not to be sold, given away as a gift or inherited. This is due to the Prophet's statement to 'Umar bin Al-Khattab, may Allâh be pleased with him, when he wanted to give his wealth (land) in Khaybar away in charity:

«تَصَدَّقْ بِأَصْلِهِ لَا يِبَاعُ وَلَا يُوهَبُ وَلَا يُورَثُ وَلَكِنْ يُنْفَقُ ثَمَرُهُ»

“Give its foundation away (i.e., the land) in charity; it should not be sold, given away as a gift or inherited, but its fruit may be spent (i.e., sold for profit).”<sup>[1]</sup>

Thus, this was a general clarification concerning all charitable donations. The scholars exclude from this the case where its benefits have ceased, or moving it to another place is more desirable, more beneficial and more suitable. In such a case, it is permissible to sell it or change it to another place. It has been related that 'Umar bin Al-Khattab wrote to Sa'd bin Abu Waqqas, may Allâh be pleased with them, when it reached him that the Treasury in Kufah had been broken into, “Move the *Masjid* that is at At-Tammarin and place the Treasury in the *Qiblah* of the *Masjid*. For verily there will always be someone praying in the *Masjid*.” This took place in the presence of the Companions and there was no opposition to it. Therefore, it was a consensus. Also, this is because it (the *Masjid*) will remain as a *Waqf* (trust), at least in its intent, when it is not possible to keep it in its (original) form. This is under the condition that the sale or exchange – in the situation of permissibility – is carried out under the authority of the Islamic ruler or his representative, as a protection for the *Waqf* and safeguarding it from any foul play. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

[1] Al-Bukhari no. 2764.

## The *Masjid* is not allowed for the menstruating Woman or the sexually impure Person

**Q** A woman's flow of menstrual blood began while she was inside the *Masjid* of the Messenger of Allâh ﷺ. So, she remained in the *Masjid* a short while until her family finished praying and then she left out with them. Has she committed a sin in doing this?

**A** If she was not able to go out alone, then there is no sin upon her. However, if she was able to go out alone, then it is obligatory upon her to leave in a hurry, because it is not permissible for the menstruating woman, the woman with postnatal bleeding and the sexually impure person to sit (or stay) in the *Masjids*. This is due to Allâh's Statement:

﴿وَلَا جُنُبًا إِلَّا عَابِرِي سَبِيلٍ﴾

*"Nor a sexually impure person, except when travelling on the road (without enough water, or just passing through a mosque)."*<sup>[1]</sup>

This is also due to what was reported from the Prophet ﷺ that he said:

«إِنِّي لَا أُحِلُّ الْمَسْجِدَ لِحَائِضٍ وَلَا جُنُبٍ»

*"Verily, I do not permit entry to the Masjid for the menstruating woman nor the sexually impure person."*<sup>[2]</sup>

Ash-Shaykh Ibn Baz

## The ruling on studying in the *Masjid* with Books that contain Pictures


**Q** Some students memorize their school lessons in the *Masjids* and they bring their books along with them. Is

[1] *An-Nisa'* 4:43.

[2] Abu Dawud no. 232.





this permissible for them to do so, especially since there are pictures of humans and animals in the schoolbooks? Is there anything wrong with this?

 There is no harm in reading and studying school lessons in the *Masjids*. However, it is obligatory to protect the Houses of Allâh from harm, the raising of voices, and likewise, the entry of foolish people and children who will not respect the *Masjid* carpeting, *Masahif* (books of Qur'an), walls and similar things. If there is safety from any harm, then there is no prohibition from studying. Concerning the lessons and papers that contain pictures of animals, it is not permissible to bring them into the *Masjids*, out of respect for the Houses of Allâh, and keeping them free of pictures, which the angels flee from. Therefore, they (the students) should not bring these pictures with them or they should erase the picture of the animal or its head and whatever else would cause the life in it to cease (i.e., make it not resemble a living creature).

Ash-Shaykh Ibn Jibreen

### The ruling on Prayer in the Streets due to extreme crowding

 Is the person who offers the *Jumu'ah* prayer outside of the *Masjid* – in the streets for example – considered present at *Jumu'ah*, even though the angels are at the doors of the *Masjids* writing down those who attend coming first in sequential order? Also, what about the consideration that whoever prays outside the *Masjid* misses the (reward of) *Tahiyyatul-Masjid* prayer, (the reward of) staying in the *Masjid*, listening to the *Khutbah* (sermon) and usually their rows (for prayer) are not made straight?

 Yes, whoever offers the *Jumu'ah* prayer outside of the *Masjid* – in the streets for example – is considered present for *Jumu'ah*, as long as his prayer (*Salah*) precisely follows the

prayer of his *Imam*. However, his reward is not like the reward of the person who prays inside the *Masjid*, and particularly those who pray in the first rows. The angels write down his coming early, according to the hour in which he comes before the *Khatib* (the one who gives the *Khutbah*) ascends the pulpit (*Minbar*). This is because this is included in the generality of the *Hadith* that has been related concerning this. The consideration in the *Hadith* is the attendance and not his being inside of the *Masjid*. His reward is decreased based upon the amount of time that he missed from the hours of waiting for the prayer, whatever the amount of time he missed of listening to the *Khutbah* and what occurs of not straightening the rows, and Allâh knows best. May Allâh send blessings and peace upon our Prophet Muhammad.

The Permanent Committee

## The ruling about offering Prayers on the Roads

**Q** Are the roads included in the places where prayer is forbidden and what is the proof for this? Also, how do we get a combined understanding between this and the Prophet's statement:

«جُعِلَتْ لِي الْأَرْضُ مَسْجِدًا وَطَهْرًا»

“The earth was made a *Masjid* (place of prayer) and a means of purification for me.”

**A** Yes, the middle part of the road where the people walk is included in the seven places that are prohibited for offering prayer, as has been reported from the Prophet ﷺ. Ibn Majah recorded in his *Sunan* from Ibn ‘Umar, may Allâh be pleased with him, that the Prophet ﷺ said:

«سَبْعُ مَوَاطِنَ لَا تَجُوزُ فِيهَا الصَّلَاةُ: ظَاهِرُ بَيْتِ اللَّهِ، وَالْمَقْبَرَةُ وَالْمَرْبَلَةُ، وَالْمَجْزَرَةُ، وَالْحَمَامُ، وَعَطْنُ الْإِبِلِ، وَمَحَجَّةُ الطَّرِيقِ»

“It is not permissible to offer prayer in seven places: the top of the House of Allâh (the *Ka’bah*), the graveyards, the dung heaps

(i.e., waste areas), the slaughter houses, the restroom, the resting places of camels and the middle of the road.”<sup>[1]</sup>

Even though the chain of narration of this *Hadith* is weak, there are other *Hadiths* that have been reported that explain the places where it is prohibited to offer prayer. These *Hadiths* are combined with the *Hadith* of Jabir bin ‘Abdullah, may Allāh be pleased with them both, who said that the Messenger of Allāh ﷺ said:

«جُعِلَتْ لِي الْأَرْضُ مَسْجِدًا وَطَهْرًا فَأَيُّمَا رَجُلٍ أَدْرَكَتُهُ الصَّلَاةُ فَلْيُصَلِّ  
حَيْثُ أَدْرَكَتُهُ»

“The earth was made a *Masjid* (place of prayer) and a means of purification for me. So, any man whom (the time of) the prayer catches, let him pray wherever it catches him.”<sup>[2]</sup>

This was recorded by Imam Ahmad, Al-Bukhari and Muslim. The combined understanding is that the *Hadith* of Jabir, and other *Hadiths* that allow the prayer in any place, are general, and the *Hadiths* that prohibit prayer in places where there is a confirmed prohibition concerning them, are specific. Thus, these *Hadiths* particularize the generality of the *Hadiths* that allow the prayer in every place. This is an application of the well-known principle when looking at *Hadiths* together that are apparently contradictory. However, if there is a need or necessity that calls for offering prayer in a place from among the prohibited places, then it is permissible to do so.

The Permanent Committee

### The ruling on reserving places in the *Masjid*

**Q** What is the ruling on reserving places in the first row of the *Masjid* by the person placing a book or some of his possessions down and then reclining up against the wall at

[1] At-Tirmithi no. 346 and Ibn Majah no. 747.

[2] Al-Bukhari no. 438, Muslim no. 521 and Ahmad no. 3:304.

the back of the *Masjid* or going out of the *Masjid* for *Wudhu*?



There is no harm if the person needs to renew his *Wudhu*' (ablution) that he puts in his place a prayer mat or something to reserve his place for himself. He has more right to his place. Verily, it has been reported in a *Hadith*:

«إِذَا قَامَ أَحَدُكُمْ مِنْ مَجْلِسِهِ ثُمَّ رَجَعَ إِلَيْهِ فَهُوَ أَحَقُّ بِهِ»

“If one of you gets up from his place of sitting, then returns to it, he has more right to it.”<sup>[1]</sup>

Likewise, if he needs to recline and there is no place in the first row for him to recline against, he may place his prayer mat there and recline against a pillar after that. This is allowed as long as it does not cause hardship for the Muslims who come to pray, and he has the most right to his place. Reserving and saving a spot is only prohibited if the person reserves it early, then goes to his house or his shop for some worldly work or sleep or visiting or something similar. In a case like this, it is permissible to remove his item kept at the prayer place and offer prayer there.

Ash-Shaykh Ibn Jibreen

## The ruling on building *Masjids* and places for Prayer near Graveyards

**Q** Some *Masjids* and places that have been prepared for the two *'Eid* prayers and the prayer for seeking rain (*Al-Istisqa'*) are placed on graveyards, such that the graveyard is in the direction of the *Qiblah* of the *Masjid*. In such situations there is nothing between the *Masjid* and the graves except for several meters. Some of these *Masjids* are directly attached to the graveyard. Some other places that have been prepared for the two *'Eid* prayers and the prayer for rain are surrounded by a wall that separates them from the graveyard. Other places

[1] Muslim no. 972.

do not have a wall to separate them from the graveyard. So, what is the ruling?



If these *Masjids* are not built for the sake of the graves, and the places of the two 'Eid prayers and the prayer for rain have not been arranged close to the graves for the sake of the graves as a way of honoring the persons in them or seeking extra reward and blessing by praying there due to their closeness to the graves, then building them and preparing them for prayer and drawing near to Allâh in them is permissible, and prayer in them is legislated. These places may be maintained by offering prayer in them, and other acts of drawing near to Allâh may be performed in them, and it is desired religiously. Whatever of these places is surrounded by a wall that separates them (the graves) from the *Masjids*, then that effort is sufficient for you. Whatever of them (the prayer places) is not surrounded by a fence, then a fence should be made for them to separate the graves from the *Masjids* and the places of the 'Eid prayer and the prayer for rain. If it is easy to make a space between the wall of the *Masjid* and the prayer area for the 'Eid and rain prayers, and the wall of the graves, then this is safer. However, if the establishment of the *Masjids* around the graves is for the sake of honoring the graves, then it is not permissible to pray in them and it is obligatory to tear them (the *Masjids*) down. This is because establishing them in this manner is from the means that lead to associating the people of the graves as partners with Allâh (i.e., *Shirk*). Indeed it has been confirmed from the Prophet ﷺ that he said:

«لَا تُصَلُّوا إِلَى الْقُبُورِ، وَلَا تَجْلِسُوا عَلَيْهَا»

“Do not pray towards the graves and do not sit on them.”<sup>[1]</sup>

It also has been authenticated from him that he ﷺ said:

«أَلَا وَإِنَّ مَنْ كَانَ قَبْلَكُمْ كَانُوا يَتَّخِذُونَ قُبُورَ أَنْبِيَائِهِمْ وَصَالِحِيهِمْ

[1] Muslim no. 2179.

«مَسَاجِدَ، أَلَا فَلَا تَتَّخِذُوا الْقُبُورَ مَسَاجِدَ، إِنِّي أَنهَاكُمْ عَنْ ذَلِكَ»

“Verily, those who were before you all, used to take the graves of their Prophets and righteous people as Masjids. So, do not take the graves as Masjids, for verily I prohibit you all from that.”<sup>[1]</sup>

Both of these *Hadiths* were recorded by Muslim in his *Sahih*. The *Hadiths* on this subject are well known. And success comes from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad.

The Permanent Committee

### Is the magnitude of Sins increased in Makkah?

**Q** Is it correct that the magnitude of sins committed in Makkah Al-Mukarramah is increased just as is the case with the good deeds?

**A** The magnitude of bad deeds in every place only increases in the aspect of the manner, and not in the aspect of an actual number. This is due to the Statement of Allâh:

﴿مَنْ جَاءَ بِالْحَسَنَةِ فَلَهُ عَشْرُ أَمْثَالِهَا وَمَنْ جَاءَ بِالسَّيِّئَةِ فَلَا يُجْرَىٰ إِلَّا وَمِثْلَهَا وَهُمْ لَا يُظْلَمُونَ﴾

“Whoever brings a good deed, he will have ten times the like thereof to his credit, and whoever brings a bad deed, he will only have the recompense of the like thereof, and they will not be wronged.”<sup>[2]</sup>

This is also due to what is confirmed in the authentic *Hadiths* that allude to this same meaning. However, the evil deeds vary in their sinfulness according to their actual greatness or smallness; and also according to the time, like Ramadhan and the ten days of Thul-Hijjah; and according to the place, like the

[1] Muslim no. 532.

[2] *Al-An'am* 6:160.

two sacred cities (Makkah and Al-Madinah), and for other reasons. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### The ruling concerning Drawings on the Prayer Carpets

**Q** Is it a condition regarding the prayer carpet that it carries religious pictures, like a picture of the two sacred *Masjids* (in Makkah and Al-Madinah) or a picture of some other *Masjids* or Qur'anic Verses, etc.? What is your opinion concerning the pictures that are on the width of the prayer carpet and not its length? What is the Islamic ruling regarding the permissibility or impermissibility of praying on carpets that have pictures of animals or birds and other similar things?

**A** It is not permissible for drawings of Qur'anic Verses or animals or birds to be made on the carpets that are used for prayer. This is due to what writing Qur'anic Verses on prayer carpets contains of disrespect of the Qur'an. Also, making pictures of things that have souls (i.e., animate beings) is not permissible. It is not a condition that prayer carpets must carry religious pictures, like pictures of the two sacred *Masjids* or a picture of some other *Masjids*. Rather, this is disliked, because looking at it will distract the person who is offering prayer and this weakens the person's devotion and humility in the prayer, which is required by the Islamic law. Indeed, Allâh praised those who exhibit humility and devotion (*Khushu'*) when he said:

﴿قَدْ أَفْلَحَ الْمُؤْمِنُونَ ﴿١﴾ الَّذِينَ هُمْ فِي صَلَاتِهِمْ خَاشِعُونَ ﴿٢﴾﴾

“Verily, the believers are successful. They are those who are humble in their prayer...”<sup>[1]</sup>

[1] *Al-Mu'minun* 23:1-2.

May Allâh send blessings and peace upon our Prophet Muhammad.

The Permanent Committee

### The ruling on entering the *Masjid* for the one who eats Onions and smokes Cigarettes

**Q** What is the extent of dislike in entering the *Masjid* for one who eats garlic or onions, and what is the difference in the view of Islam between the smell of garlic and onions and the smell of cigarette smoke? I ask this because people from among the smokers come to the *Masjid* for the prayer while they have a foul odor from cigarette smoking. Yet, they are not concerned with that. I hope to get clarification regarding the difference between the dislike of entering the *Masjid* for the smoker, and the one who eats garlic and onions. May Allâh reward you with good.



It is confirmed from the Prophet ﷺ that he said:

«مَنْ أَكَلَ ثُومًا أَوْ بَصَلًا فَلْيَعْتَزِلْ مَسْجِدَنَا وَلْيَقْعُدْ فِي بَيْتِهِ فَإِنَّ الْمَلَائِكَةَ تَتَأَذَى مِمَّا يَتَأَذَى مِنْهُ بَنُو آدَمَ»

*“Whoever ate garlic or onions, then let him stay away from our place of prayer and sit in his house. For verily, the angels are bothered by that which bothers the children of Adam.”*<sup>[1]</sup>

The *Hadiths* concerning this are numerous. It is confirmed from the Prophet ﷺ that he ordered that whoever is found to have the smell of garlic or onion, then he should be put out of the *Masjid*. The reason for this is that the people who are offering prayer and those who are reciting (the Qur’an) and the angels are all bothered by the foul odor. Therefore, everything that has a foul odor, like cigarette smoke, is considered together (in its ruling)

[1] Al-Bukhari no. 855 and Muslim no. 564.



with garlic and onions and similar things, by preventing them (i.e., these people) from the *Masjid* until they use something that will remove the bad smell. Included in this is whoever has a bothersome odor coming from his armpits and other similar places. This is a generalization due to the reason specified by the Messenger of Allâh ﷺ in this statement. May Allâh help everyone to do that which He loves and is pleased with.

Ash-Shaykh Ibn Baz

### The ruling regarding boycotting *Masjids* that have a lot of Innovations in them

**Q** May *Masjids* that have a lot of innovations in them be boycotted?

**A** The Muslim should strive to remove these innovations as much as he is able. If it is not possible to remove them, then he should abandon them and pray in the *Masjid* where there are no innovations. Aid and success are from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The ruling on changing a *Masjid* for offering the Obligatory Prayers to a *Masjid* where the *Jumu'ah* Prayer is also established

**Q** Is it permissible for the *Jumu'ah* prayer to be offered in a *Masjid* that was not originally intended to be used for offering the *Jumu'ah* prayer when it was established?

**A** If the matter is like what has been mentioned, there is no harm in changing the *Masjid* from being used for offering the congregational prayer to making it a *Masjid* where the *Jumu'ah* prayer and the congregational prayer are established. The fact that the *Masjid* was intended to be used for the

congregational prayers when it was built, or that it was not intended for the establishment of the *Jumu'ah* prayer, does not prevent it from being changed after its construction or before it to being a *Masjid* where the *Jumu'ah* prayer is established along with the congregational prayers. We do not know of anyone among the people of knowledge who mentioned this condition. Hence, it is a baseless condition that has no support in the Book (the Qur'an) and the Sunnah.

The Permanent Committee

### The ruling on locking the *Masjid* at night

**Q** Were the *Masjids* locked at night during the time of the Messenger of Allâh ﷺ, and the Muslims who came to visit the sacred places put out and made to sleep outside around the wall of the *Masjid*?


**A** The *Masjids* were not locked in the time of the Messenger of Allâh ﷺ as far as we know. The *Masjids* were not furnished and the people had too much fear of Allâh to do anything corrupt inside of them or defile them. However, when the *Masjids* are furnished and things are placed inside of them that are feared might be stolen by thieves, and the ignorance of the people is great and some of them do corrupt things in the *Masjids*, it is permissible for whoever is in authority to lock up whatever he sees fit of them. This is if he (the one in charge) sees some benefit in this as a means of protecting and safeguarding the *Masjids* due to what is inside of them, and defending them from the corruption of the foolish people. May Allâh send blessings and peace upon our Prophet Muhammad.

The Permanent Committee

### The ruling on carrying Cigarettes to the *Masjid*


**Q** A man was praying in the *Masjid* in the *Rawdah*, i.e., area in the Prophet's *Masjid* between his *Minbar* and his


house and a packet of cigarettes fell from his pocket. So, what is the ruling concerning his deed and is it permissible to carry cigarettes in the *Masjids*?

 If the intent of the question is concerning the ruling of his deed, which is he carrying the cigarettes to the *Masjid*, then it is not unknown that cigarettes are from the evil matters and that which is disgusting. Smoking them is forbidden due to what it contains of extreme harm upon the self, the wealth and the society. It is also forbidden due to lack of benefit in it. Since it is disgusting, the Houses of Allâh (i.e., the *Masjids*) must be protected from it. Carrying them (cigarettes) to the *Masjids* is from that which is contradictory to honoring the Houses of Allâh and respecting them. Therefore, it is not permissible to do so. However, if the intent of the question is concerning the ruling of the deed – meaning the prayer – and does the falling of the cigarettes from the pocket of the person praying corrupt or nullify the prayer, the prayer of such a person is correct. May Allâh send blessings and peace upon our Prophet Muhammad.

The Permanent Committee

### **The ruling on taking the Stones of an old *Masjid* that has been abandoned and using them for personal benefits**

 What is the ruling on taking stones of an extremely old *Masjid*, that with the continuation of time, floods have entered it and it is likely that there is a grave in it? Is it correct for anyone of the Muslims to move its stones to his house and take them as his own possessions?

 If the *Masjid* becomes ruined (i.e., dilapidated) and similar to it, due to a flood or other than it, it is legislated for the people of the area where the *Masjid* is located to rebuild it and establish prayer in it. This is due to the statement of the

Messenger of Allâh ﷺ:

«مَنْ بَنَى لِلَّهِ مَسْجِدًا بَنَى اللَّهُ لَهُ بَيْتًا فِي الْجَنَّةِ»

*“Whoever builds a Masjid for Allâh, Allâh builds a house for him in Paradise.”*<sup>[1]</sup>

Also, due to the statement of ‘A’ishah ؓ:

«أَمَرَ رَسُولُ اللَّهِ ﷺ بِنَاءَ الْمَسَاجِدِ فِي الدُّوْرِ، وَأَنْ تُنْظَفَ وَتُطَيَّبَ»

*“The Messenger of Allâh ﷺ ordered the building of Masjids in the Duwr and that they be cleaned, scented and made nice.”*<sup>[2]</sup>

This was recorded by Ahmad, Abu Dawud and Ibn Majah with a good chain of narration. The word *Duwr* here means among the tribes, in the neighborhoods and similar places. The *Hadiths* concerning the virtue of building *Masjids* are numerous. If there is another *Masjid* in the vicinity (of the *Masjid*) sufficient (for the people of that area), its stones and rubble may be moved and used to reconstruct another *Masjid* in another place or another land that needs that. It is the duty of the authority in the land where the mentioned *Masjid* is, whether it be a judge or governor or Shaykh of a tribe or anyone similar to them, to help in this. They must assist in the transporting of these materials (from the old *Masjid*) to be used in the construction of the *Masjids* that are in need of them or in selling them or using them for the benefits of the Muslims. It is not the right of anyone from the people of the land to take anything from these materials (left at vacant *Masjids*) except with the permission of the authorities.

If there was a grave in the *Masjid*, it is obligatory to dig up the grave and move whatever it contains of bones – if they are present – to the graveyard of the land. Hence, a grave should be dug for it and it should be buried in the graveyard, because it is not permissible Islamically to place graves in the *Masjids* or build

[1] Al-Bukhari no. 450 and Muslim no. 533.

[2] Ahmad 6:279 and Abu Dawud no. 455.

*Masjids* over graves. The reason is that this is a means that leads to *Shirk* (associating partners with Allâh) and *Fitnah* (evil trials or temptations) due to the graves. This is exactly what happened in most of the lands of the Muslims from times long ago, due to exaggeration concerning the people of the graves. Indeed it has been confirmed that the Prophet ﷺ ordered the digging up of the graves that were at the place where his *Masjid* was built. Also, it is confirmed in the Two *Sahihs* (*Al-Bukhari* and *Muslim*) that he ﷺ said:

«لَعَنَ اللَّهُ الْيَهُودَ وَالنَّصَارَى اتَّخَذُوا قُبُورَ أَنْبِيَائِهِمْ مَسَاجِدَ»

*“May Allâh curse the Jews and the Christians. They took the graves of their Prophets as Masjids.”*<sup>[1]</sup>

And in *Sahih Muslim* it is reported from Abu Murthad Al-Ghanawi that the Prophet ﷺ said:

«لَا تَصَلُّوا إِلَى الْقُبُورِ، وَلَا تَجْلِسُوا عَلَيْهَا»

*“Do not pray towards graves and do not sit on them.”*<sup>[2]</sup>

Also, in *Sahih Muslim* it is reported from Jundub bin ‘Abdullah Al-Bajali that the Prophet ﷺ said:

«أَلَا وَإِنَّ مَنْ كَانَ قَبْلَكُمْ كَانُوا يَتَّخِذُونَ قُبُورَ أَنْبِيَائِهِمْ وَصَالِحِيهِمْ مَسَاجِدَ، أَلَا فَلَا تَتَّخِذُوا الْقُبُورَ مَسَاجِدَ، إِنِّي أَنهَاكُمُ عَنْ ذَلِكَ»

*“Verily, those who were before you all, used to take the graves of their Prophets and righteous people as Masjids. So, do not take the graves as Masjids, for verily I prohibit you all from that.”*<sup>[3]</sup>

In the Two *Sahihs* it is reported from Umm Salamah and Umm Habibah ؓ that they mentioned to the Prophet ﷺ a church that they saw in Ethiopia and what was in it of pictures. So, he said:

«أُولَئِكَ إِذَا مَاتَ مِنْهُمْ الرَّجُلُ الصَّالِحُ بَنَوْا عَلَى قَبْرِهِ مَسْجِدًا وَصَوَّرُوا فِيهِ

[1] Al-Bukhari no. 1330 and Muslim no. 529.

[2] Muslim no. 972.

[3] Muslim no. 532.

تِلْكَ الصُّورَ أَوْلَيْكَ شِرَارُ الْخَلْقِ عِنْدَ اللَّهِ»

“These are people that whenever a righteous man dies among them, they build a Masjid over his grave and make these pictures in it. These people are the worst of creation with Allāh.”<sup>[1]</sup>

In *Sahih Muslim* it is reported from Jabir bin ‘Abdullah Al-Ansari رضي الله عنه that he said:

«نَهَى رَسُولُ اللَّهِ ﷺ، أَنْ يُجَصَّصَ الْقَبْرُ، وَأَنْ يُقَعَّدَ عَلَيْهِ وَأَنْ يُبْنَى عَلَيْهِ»

“The Messenger of Allāh ﷺ prohibited that the grave be plastered, sat on or built over.”<sup>[2]</sup>

At-Tirmithi added in his version, with an authentic chain of narration, that he ﷺ also forbade that it (the grave) be written on. Thus, these *Hadiths*, and what has been reported with the same meaning, all prove the forbiddance of building over graves, constructing *Masjids* over them, praying (*As-Salah*) over them, plastering them and similar things that lead to *Shirk* making association of those buried in the grave with Allāh.

In addition to this is the placing of curtains over the graves, writing on them, pouring perfumes over them and burning incense at them. All of this is from the causes of exaggeration concerning the graves and *Shirk* with their people (the deceased). Thus, it is obligatory upon all the Muslims to beware of this and to warn against it, especially those who are in authority. For verily it is a greater obligation upon them and their responsibility is even greater, because they have more power than others to remove these evils and other evils. Due to their laxity and the silence of many of those who are considered knowledgeable, these evils have increased and spread in most of the Islamic lands. For this reason *Shirk* has occurred and the people have fallen into what the people of the days of pre-Islamic ignorance fell into, who worshipped Al-Lat, Al-‘Uzza,

[1] Al-Bukhari no. 427, 1341 and Muslim no. 528.

[2] Muslim no. 970.

Manat and other idols. They said just as Allâh mentioned concerning them in His Noble Book:

﴿هَؤُلَاءِ شَفَعْتُنَا عِنْدَ اللَّهِ﴾

“These are our intercessors with Allâh.”<sup>[1]</sup>

And they said:

﴿مَا نَعْبُدُهُمْ إِلَّا لِيُقَرِّبُونَا إِلَى اللَّهِ زُلْفَى﴾

“We only worship them so that they may bring us near to Allâh.”<sup>[2]</sup>

The people of knowledge have mentioned that if the grave is placed in a *Masjid*, it is obligatory to dig it up and remove it from the *Masjid*. If the *Masjid* was put there last after the grave was already present there, the *Masjid* should be torn down and removed, because evil has occurred from its construction. This is because the Messenger ﷺ warned his *Ummah* (the Muslim nation) against building *Masjids* over graves and he cursed the Jews and Christians because of that. He forbade his *Ummah* from imitating them (the Jews and Christians) and he said to ‘Ali ؑ:

« لَا تَدَعْ صُورَةً إِلَّا طَمَسْتَهَا وَلَا قَبْرًا مُشْرِفًا إِلَّا سَوَّيْتَهُ »

“Do not leave a picture except that you erase it, nor an elevated grave except that you level it.”<sup>[3]</sup>

Allâh is the One Whom we ask to correct the conditions of all the Muslims and provide them with understanding of His religion. We ask Him to make the leaders of the Muslims righteous, gather their word upon piety and help them to rule according to His *Shari‘ah* (Islamic law). We ask Him to make them beware of that which opposes the *Shari‘ah*. Verily, He is Most Kind, Most Generous. May Allâh send blessings and peace


[1] *Yunus* 10:18.




[2] *Az-Zumar* 39:3.

[3] Muslim no. 969.

upon our Prophet Muhammad, his family and his Companions.  
Ash-Shaykh Ibn Baz



### Prayer in the *Masjids* of Makkah is not like Prayer in the Sacred *Masjid* (*Al-Masjid Al-Haram*)

 Is the reward of the prayer (*As-Salah*) in the *Masjids* of Makkah like the Sacred *Masjid* (*Al-Masjid Al-Haram*)?

 This is one of the issues where there is a difference of opinion between the people of knowledge. The correct view is that it (prayer in other *Masjids* of Makkah) is not like the prayer in the Sacred *Masjid* and that the increase (in blessings) of the prayer is only in the Sacred *Masjid*, which is the *Masjid* of the *Ka'bah*. This is due to what Muslim recorded in a *Hadith* from Maimunah  that the Prophet  said:

صَلَاةٌ فِيهِ أَفْضَلُ مِنْ أَلْفِ صَلَاةٍ فِيَمَا سِوَاهُ مِنَ الْمَسَاجِدِ، إِلَّا مَسْجِدَ  
الْكَعْبَةِ

“A prayer in it (my *Masjid* in *Al-Madinah*) is better than a thousand prayers in other *Masjids*, except for the *Masjid* of *Ka'bah*.”<sup>[1]</sup>

In reference to the rest of the *Masjids* that are inside the Sacred Area (*Al-Haram*) of Makkah, there is no doubt that they are better than the *Masjids* that are outside of the Sacred Area. For this reason, when the Prophet  stayed in *Al-Hudaibiyah*, some of it was outside of the Sacred Area while some of it was inside of the Sacred Area, he  offered his prayers inside the Sacred Area. Hence, when the term ‘the Sacred *Masjid*’ is used, it generally means the *Masjid* itself (at the *Ka'bah*). Allāh, the Most High said:

﴿يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِنَّمَا الْمُشْرِكُونَ نَجَسٌ فَلَا يَقْرَبُوا الْمَسْجِدَ الْحَرَامَ

[1] Muslim no. 1396.



بَعْدَ عَامِهِمْ هَذَا ﴿١﴾

“O you who believe, verily the Mushrikun (polytheists, idol worshippers, pagans) are impure, so let them not come near the Sacred Masjid (Al-Masjid Al-Haram in Makkah) after this year of theirs.”<sup>[1]</sup>

If what was intended by the term 'the Sacred Masjid' (in this Verse) was whatever was inside the surrounding boundaries, it would not be permissible for the polytheists to come near the surrounding areas. Rather, it would be obligatory for them to stay away from even these boundaries. Yet, it is well known that they may come near the boundary areas, but they may not enter them. They have only been prohibited from entering the boundary areas, even though the text of the Verse says:

﴿فَلَا يَفْرَوُا الْمَسْجِدَ الْحَرَامَ﴾

“So let them not come near the Masjid.”<sup>[2]</sup>

Thus, the prohibition of coming near, no doubt, is not the prohibition of entering the Sacred Masjid. This proves that when the Prophet ﷺ mentioned the Sacred Masjid, he intended by it the Masjid (at the Ka'bah) itself. This is also supported by the statement of the Prophet ﷺ:

«لَا تُسَدُّ الرَّحَالَ إِلَّا إِلَى ثَلَاثَةِ مَسَاجِدَ، الْمَسْجِدِ الْحَرَامِ، وَمَسْجِدِي هَذَا  
وَإِلَى مَسْجِدِ الْأَقْصَى»

“Do not undertake a religious journey except to three Masjids: the Sacred Masjid, this Masjid of mine (in Al-Madinah) and the Aqsa Masjid (in Jerusalem).”<sup>[3]</sup>

It is known that if a person intends to undertake a religious journey to the Masjid of Ash-Shi'b, for example, or the Masjid of

[1] At-Tawbah 9:28.

[2] At-Tawbah 9:28.

[3] At-Tirmithi 326 and Ahmad 2/234.

Al-Jumayzah or another *Masjid*, then we say that it is not permissible. This is because the Prophet ﷺ said not to undertake a religious journey except to three *Masjids*. If we permitted religious journeys to every *Masjid* inside of the Sacred Area (*Al-Haram*), the person could make religious journeys to tens or hundreds of *Masjids*. However, if the Sacred *Masjid* is full of people praying and the people become pressed against each other and they end up praying in the market, then it is hoped that these people who pray in the market get the reward of whoever was inside of the *Masjid*. This is because it is all that they were able to do and they took part in offering this act of worship with the people of the *Masjid*.

Ash-Shaykh Ibn 'Uthaimin

### **The ruling on taking away some part of the *Masjid* in order to expand the House of the *Imam***

**Q** We have an extremely large *Masjid* that is considered the largest *Masjid* in the land with the exception of the biggest congregational *Masjids*. However, the congregation of it (our *Masjid*) is small. Next to the *Masjid*, on the southern side, is a house that has been donated for the *Imam* of the *Masjid*. This house is very small and not suitable to reside in its current condition nor is it suitable to be rented out. Most of the time it remains locked due to the lack of anyone wanting to rent it because of its smallness and its lack of suitability. Is it possible to take a small portion from the southern part of the *Masjid* and add it to the house so that it may become desirable for usage without causing any harm to it? Rather, the vastness of the *Masjid* and this situation expose it to becoming dirty. Also it should be kept in mind that the person who donated the *Masjid* and the house is the same person, and there is no doubt that in his donating the house he intended it for the *Imam*. This was to fulfill the *Imam's* need and ease matters for him in his coming and

going. So, what do you all think? Please give us a ruling and may you be rewarded.



It is not permissible to take anything away from the area of the *Masjid* and add it to the mentioned house. This is because the fundamental principle regarding religious donations (*Awqaf*) is that they must remain the way that they were (when donated). Thus, no one should take liberties concerning the original trust (*Waqf*) by converting it from that which is superior (i.e., a *Masjid*) to that which is inferior (i.e., a house). If the house is not suitable for residents, then maybe the matter can be referred to the (Islamic) court so that the issue can be looked into and whatever is necessary may be carried out from the Islamic standpoint according to their regulations. The success is with Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### Maintaining the *Masjids* is by the Prayer (*As-Salah*)



Allâh, the Most High says:

﴿إِنَّمَا يَعْمُرُ مَسَاجِدَ اللَّهِ مَنِ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ﴾

*“Verily the Masjids of Allâh are only maintained by those who believe in Allâh and the Last Day.”*<sup>[1]</sup>

What is the meaning of the word ‘maintained’? Is it permissible for *Kuffar* (non-Muslims, disbelievers) to help in building a *Masjid*? Is it permissible that Christian workers take part in the construction?



In reality the maintenance of the *Masjids* is by prayer (*As-Salah*), acts of obedience, and *I’tikaf* (seclusion for devotional worship) in them, as well as other physical and verbal acts of worship. Hence, this Verse is commending those

<sup>[1]</sup> *At-Tawbah* 9:18.

who persistently observe acts of worship in the *Masjids* by various acts of drawing near to Allâh. This is a testimony to the faith of these people. It has been reported in a *Hadith* of the Prophet ﷺ that At-Tirmithi graded *Hasan*:

«إِذَا رَأَيْتُمُ الرَّجُلَ يَعْتَادُ الْمَسْجِدَ فَاشْهَدُوا لَهُ بِالْإِيمَانِ»

“If you see a man who is accustomed (to coming) to the Masjid, then testify to his faith.”<sup>[1]</sup>

This is proven by this Verse (9:18) and for this reason it is not for the *Mushrikun* (polytheists, idolaters) to maintain the *Masjids* of Allâh.

Included in this meaning is building them from good (lawful) earnings in order to seek the reward. For indeed it has been reported (in *Hadiths*) that which proves the virtue of building *Masjids* for the Face of Allâh, the Most High. Concerning those who disbelieve in Allâh, it does not benefit or profit them if they help with wealth in building *Masjids*. This is due to the nullification of their deeds by *Shirk* (their associating partners with Allâh). However, if they (the disbelievers) build it with their wealth as charity or they share in its construction, it is permissible to pray in it.

Ash-Shaykh Ibn Jibreen

## The Expansion has the same ruling of the Original

**Q** Concerning the Prophet’s statement:

«صَلَاةٌ فِي مَسْجِدِي هَذَا بِأَلْفِ صَلَاةٍ»

“A (single) prayer in this Masjid of mine is worth a thousand prayers.”<sup>[2]</sup>

Is this restrictive to the boundaries of his *Masjid* that existed in his time or does it include all of the current structure?

[1] At-Tirmithi no. 2617.

[2] Ahmad 2/397, 528.



His *Masjid* was smaller than it is now and so was the Sacred *Masjid* (of Makkah). However, the Rightly-Guided Caliphs added to both of them and so did those who came after them. And the ruling concerning that which is added, is the same as the ruling for that which has been added to, in all of the related laws.

The Permanent Committee

### **The ruling on Disbelievers entering the *Masjids* and seeking their help in constructing them and supervising their construction**

All praise is due to Allâh and may blessings and peace be upon the Messenger of Allâh, his family, his Companions and whoever follows him. To proceed:

In the sixteenth session of the Council of the Senior Scholars that was held in the city of At-Ta'if, that lasted from the twelfth of Shawwal in the year 1400 AH, until the twenty-first of the same month, the Council looked into the ruling of the disbelievers entering the *Masjids* of the Muslims and helping them in their construction.

This came about due to a written telegram that was brought to His Eminence, the General President for the Administrations of Scientific Researches, Religious Verdicts, Preaching and Guidance, from his Grace, the Deputy Minister of Public Works and Housing for affairs of public works by means of representation, with the number 2/5334 and dated 29/6/1400 AH. The text of the telegram is as follows:

“We would like to bring to your attention that one of the contractors suggested to us to rely upon an executive engineer who works with him for a project involving one of the *Masjids*. However, the mentioned engineer is a Christian. We hope to give our agreement if there is no prohibition in respect of the Islamic law against non-

Muslims participating in the execution of *Masjid* projects and supervising such projects.”

After the Council reviewed the research that was prepared by the Permanent Committee for Scientific Researches and Religious Verdicts concerning this matter, and listened to the statements of the people of knowledge regarding it, the Council agrees that this is not appropriate. Relying upon disbelievers in the construction of *Masjids* is not desired when there is someone who can do that among the Muslims. Also, disbelievers should not be brought (into Saudi Arabia) for this purpose or other purposes as well. This is in carrying out the will of the Messenger ﷺ that no two religions should be together in the (Arabian) Peninsula. This is also acting according to what will preserve the religion of this land (i.e., Islam), its safety and its stability. It will also keep dangers away from this land that have befallen neighboring lands due to disbelievers being allowed to live in them and their being placed in charge of many of the affairs. This is because there is no guarantee against the disbelievers' treachery while designing the construction plans for the *Masjids* or executing them. They may design them in a form that is close or similar to the design of the churches, as has happened with some of them. Likewise, they may behave deceptively in executing and building because they are enemies of this religion (Islam) and whoever follows it from the Muslims.

The Council advises that the governmental authorities in the Ministry of Public Works, the Ministry of Hajj and Endowments, and other Ministries to be aware of those who are being made responsible for constructing *Masjids* and overseeing such projects. They should give strict attention and care to that. They should stipulate in every contract for the establishment of *Masjids* that the contractors should not seek the aid of any non-Muslim in designing and executing the construction of the *Masjids*.


And Allâh is the Giver of success. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.


(Issued by:)  
 The Senior Scholars Board  
 President of the Session  
 ‘Abdur-Razzaq ‘Afifi

‘Abdul-‘Aziz bin ‘Abdullah bin Baz	—	‘Abdullah Khayyat
Muhammad bin ‘Ali Al-Harkan	—	‘Abdul-‘Aziz bin Salih
‘Abdullah bin Muhammad bin Humaid	—	Muhammad bin Jubayr
Ibrahim bin Muhammad Aal Ash-Shaykh	—	Sulayman bin ‘Ubayd
Rashid bin Khunayn	—	‘Abdul-Hamid Hasan
Salih bin Ghasun	—	‘Abdullah bin Ghadyan
Salih bin Luhaydan	—	‘Abdullah bin Mani’

‘Abdullah bin Qu‘ud

### The ruling on beautifying and decorating the *Masjids* during Special Occasions and ‘*Eid* Celebrations

 There is a custom that occurs in some of the *Masjids* during the days of ‘*Eidul-Fitr* and during other days of special religious occasions. That custom is that the *Masjids* are beautified with different kinds and colors of lights and flowers. Does Islam permit this action or not? What is the proof of its permissibility or prohibition?

 The *Masjids* are the Houses of Allâh and they are the best places on earth. Allâh has ordered that they be raised and honored with the *Tawhid* of Allâh (i.e., monotheistic belief in Him) and His remembrance, and that prayer be established in them. In them the people learn the affairs of their religion and they are guided to what it (Islam) contains of happiness and righteousness for them in this life and the hereafter. He ordered them to be cleansed from disgraceful things, idols, acts of *Shirk*, innovations and superstitions. He also ordered that they be cleansed from dirt, filth and impurities. He ordered that they be protected from frivolous activities, play, noise and raised voices.

Even calling out for a lost item, asking about lost articles and similar acts that make them like the public roads and business markets are not allowed. He prohibited the burial of people inside of them and building them over graves. He prohibited the hanging of pictures in them or drawing them on their walls, and other similar things that are a means that lead to *Shirk*, cause distractions to those worshipping Allâh in them and contradicts what they were built for. The Prophet ﷺ gave special attention to this as is well known in his *Seerah* (life history) and his actions. He explained this to his *Ummah* so that they would traverse upon his path and be guided by his guidance in respecting the *Masjids* and maintaining them with that which elevates them, such as establishing the symbols of Islam in them. In doing so, they (his *Ummah*) would be following the trustworthy Messenger ﷺ. It is not confirmed from the Prophet ﷺ that he honored the *Masjids* by lighting them and placing flowers on them during the *'Eids* and the special occasions. This was also not known from the Rightly-Guided Caliphs or the guided Imams from the first generations that the Messenger of Allâh ﷺ testified for as being the best of generations. This was the case even with the advancement of the people, and their abundance of wealth and their taking a large amount from the cultures and civilizations and availability of various kinds of beautification and colors in the first three generations. Thus, all good is in following the Prophet's guidance, the guidance of his Rightly-Guided Caliphs and those who traversed upon their path from the Imams of the religion after them.

Also, in lighting lights on the *Masjids* and hanging electrical lamps above them or around them or above their minarets, and hanging flags, and placing flowers on them during the *'Eids* and special occasions for beautification and magnification is an imitation of the disbelievers. This is imitating them in what they do at their synagogues and churches, and the Prophet ﷺ forbade imitating them in their celebrations and their acts of worship.



## The Book of Funerals

### Rulings Pertaining to Washing the Deceased

#### The legal Description of washing the Deceased

**Q** What is the correct description that has been related from the Chosen One (the Prophet ﷺ) regarding washing the deceased?

**A** The legal description of washing the deceased is that the person washes the private parts of the deceased and then he begins washing him (his entire body). He starts by washing the limbs like in *Wudhu'* (ablution). He performs his ablution for him except that he does not put water into the deceased's mouth or nose. He only moistens the cloth and cleans his nose and mouth with it. Then he washes the rest of the body and that is done with lotus leaves. The lotus leaves should be ground then put with water. Then it should be hit with the hand until it has a foamy lather. Then the lather is taken and the person's head and beard are washed with it. Then the rest of the body is washed with the leftover lotus leaves, because it will cleanse him well. Then camphor is put in the last washing. Camphor is a well-known perfume. The scholars have said that from its benefit is that it causes the body to harden and it repels vermin from it.

If the body of the deceased is very dirty, then the person may wash it more. This is due to the Prophet's statement to the women who were washing the body of his (deceased) daughter:

«اغْسِلْنَهَا ثَلَاثًا أَوْ خَمْسًا أَوْ سَبْعًا أَوْ أَكْثَرَ مِنْ ذَلِكَ إِنْ رَأَيْتِنَّ ذَلِكَ»

*“Wash her three times or five times or seven times or more than that if you think it is necessary.”*<sup>[1]</sup>

[1] Al-Bukhari no. 1259 and Muslim no. 939.

Then, after this, the person should wipe the deceased's body and place it in its shroud.

Ash-Shaykh Ibn 'Uthaimin

### **There is no harm in the Husband washing his Wife**

**Q** Verily, we have often heard from the common people that the wife is forbidden to her husband after death, meaning after her death. They say that it is not permissible for him to look at her nor is he allowed to put her into her place in the grave. Is this correct? Please answer us, and may Allâh bless you.

**A** The legislative proofs of Islam prove that there is no harm in the woman washing her husband (after death) and looking at him, and there is no harm in the husband washing his wife and looking at her. Asma' bint 'Umayyâh washed her husband Abu Bakr As-Siddiq, and Fatimah willed that 'Ali (her husband) wash her (upon her death) (may Allâh be pleased with them). And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### **The ruling on removing Gold Teeth from the Deceased**

**Q** If a person dies and he has gold teeth, should they be removed from him if he owes a debt – even though removing them may not be performed with ease – or should they be left if he does not owe a debt?

**A** If a person dies and he has gold or silver teeth, and removing them may not be done with ease, there is no harm in leaving them. It makes no difference if the person owes a debt or not. It is possible that he may be dug up after some time and the teeth may be taken for his heirs or (to pay) a debt. However, if it is easy to remove them, it is obligatory to do so,

because they are wealth that should not be wasted if one has the ability (to save them).

Ash-Shaykh Ibn Baz

## The ruling on cutting the Hair of the Deceased

**Q** Is it permissible to cut any of the hair of the deceased?

**A** There is no harm in cutting the hair of the moustache of the deceased if it is long. Likewise the hair of the armpits may be cut. However, it is not permissible to cut the pubic hair after death that are around the private parts. This is because it is not permissible to touch the private parts of a man or woman. Concerning the hair of the head of the man, it should be combed, and the hair of the woman should be braided in three plaits and placed behind her. Nothing of it (the hair on the head) should be cut. Rather, it should be left as it is.

Ash-Shaykh Ibn Jibreel

## Prayer (As-Salah) Over the Deceased

### The description of the *Janazah* (Funeral) Prayer

**Q** I would like for you all to clarify the manner of the prayer over the deceased person just as it is confirmed from the Prophet ﷺ, because many of the people are ignorant of it.

**A** The description of the prayer over the deceased has been explained by the Prophet ﷺ and his Companions. It is that the person first says '*Allâhu Akbar*' (Allâh is the Most Great). Then he seeks refuge with Allâh from the accursed Satan, and says '*Bismillâhir-Rahmanir-Rahim*' (In the Name of Allâh, the Most Gracious, the Most Merciful) and recites *Al-Fatihah* and a short *Surah* or some Verses (of Qur'an). Then the person says '*Allâhu Akbar*' (again) and sends blessings upon the

Prophet ﷺ, just as he does at the end of the regular prayer (As-Salah). Then he says 'Allāhu Akbar' a third time and he supplicates for the deceased. It is preferred for him to say:

«اللَّهُمَّ اغْفِرْ لِحَيِّنا وَمَيِّتِنا وَشَاهِدِنا وَعَائِلِنا، وَصَغِيرِنا وَكَبِيرِنا وَذَكَرِنا  
وَأُنثانا، اللَّهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الْإِسْلَامِ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ  
عَلَى الْإِيمَانِ»

*“O Allāh, forgive our living and our dead, our present ones and our absent ones, our children and our elders, our males and our females. O Allāh, whoever You give life to among us, then give him life upon Islam, and whoever You cause to die among us, then let him die upon Faith.”*<sup>[1]</sup>

«اللَّهُمَّ اغْفِرْ لَهُ وَارْحَمْهُ وَعَافِهِ وَاعْفُ عَنْهُ وَأَكْرِمْ نُزُلَهُ وَوَسِّعْ مُدْخَلَهُ،  
وَاعْسِلْهُ بِالْمَاءِ وَالتَّلْجِ وَالْبَرَدِ، وَنَقِّهِ مِنَ الْخَطَايَا كَمَا نَقَّيْتَ الثَّوْبَ  
الْأَبْيَضَ مِنَ الدَّنَسِ، وَأَبْدِلْهُ دَارًا خَيْرًا مِّنْ دَارِهِ، وَأَهْلًا خَيْرًا مِّنْ أَهْلِهِ،  
اللَّهُمَّ أَدْخِلْهُ الْجَنَّةَ وَأَعِذْهُ مِنْ عَذَابِ الْقَبْرِ وَمِنْ عَذَابِ النَّارِ»

*O Allāh, forgive him, have mercy upon him, give him well-being, pardon him, give him a place of honor, expand his entry and wash him with water, hail and snow. Cleanse him from his sins, just as the white garment is cleansed from dirt. O Allāh, transfer him to a home that is better than his home and a family that is better than his family. O Allāh, enter him into Paradise and protect him from the punishment of the grave and the punishment of the Fire.”*<sup>[2]</sup>

«وَأَفْسَحْ لَهُ فِي قَبْرِهِ وَنَوِّرْ لَهُ فِيهِ، اللَّهُمَّ لَا تَحْرِمْنَا أَجْرَهُ وَلَا تُضِلَّنَا بَعْدَهُ»

*Make his grave spacious for him and give him light in it. O Allāh, do not prevent us from his reward and do not misguide us after him.”*<sup>[3]</sup>

[1] Abu Dawud no. 3201 and Ibn Majah no. 1498.

[2] Muslim no. 963.

[3] Muslim no. 920.

All of this is preserved from the Prophet ﷺ. If the person supplicates for him with some other supplication, there is no harm in that. For example if one says:

«إِنْ كَانَ مُحْسِنًا فَزِدْ فِي إِحْسَانِهِ وَإِنْ كَانَ مُسِيئًا فَتَجَاوَزْ عَنْهُ»

*“If he was good, increase his goodness; and if he was evil, overlook his evils.”*<sup>[1]</sup>

«اللَّهُمَّ اغْفِرْ لَهُ وَثَبِّتْهُ بِالْقَوْلِ الثَّابِتِ»

*“O Allāh, forgive him and make him firm with the firm statement.”*<sup>[2]</sup>

Then the person says ‘*Allāhu Akbar*’ a fourth time and remains standing for a short time. Then he makes one salutation of peace to his right side, saying ‘*As-Salamu ‘Alaikum wa Rahmatullāh*’ (Peace be upon you and the mercy of Allāh). It is recommended for him to raise his hands with each saying of ‘*Allāhu Akbar*’, as this is confirmed from the Prophet ﷺ and some of his Companions.

It is from the Sunnah for the *Imam* to stand at the head of the (deceased) man and at the middle of the (deceased) woman, as this is confirmed from the Prophet ﷺ in a *Hadith* related by Anas and Samurah bin Jundub, may Allāh be pleased with them. In reference to the saying of some of the scholars that the Sunnah is to stand at the chest of the man, this is a weak statement that has no evidence for it as far as we know. When the deceased person is being prayed over, he should be placed facing the direction of the *Qiblah*. This is due to the Prophet’s statement about the *Ka’bah*:

«إِنَّهَا قِبْلَةُ الْمُسْلِمِينَ أَحْيَاءَ وَأَمْوَاتًا»

*“Verily, it is the Qiblah of the Muslims, both their living and their dead.”*

And Allāh is the Giver of Success.

Ash-Shaykh Ibn Baz

[1] Al-Hakim 1:359.

[2] Ibn Abi Shaybah no. 11491.

## His Child died and He did not pray over it out of forgetfulness

**Q** I had a six-month-old child that died. I took him to the graveyard and buried him without praying over him, as it slipped my mind. Knowing that I do not know the exact place of the grave where I buried the infant, is there any charity I can give that will compensate for the prayer or any other deed that can compensate for prayer over him?

**A** There is no other deed that can compensate for the funeral prayer over the deceased, whether it is a child or an adult. This cannot be made up by charity or any other acts of goodness. You must go to the graveyard where you buried him, place the graveyard between you and the *Qiblah* and pray the funeral prayer over this infant. You must do this in a state of purity (having *Wudhu*) and fulfilling the other conditions of the prayer. This will suffice you, as you do not know exactly where the grave of the infant is. Allâh, the Most High said:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

“Allâh does not burden a soul except with what it can bear.”<sup>[1]</sup>

And He said:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

“And fear Allâh as much as you are able.”<sup>[2]</sup>

And the Prophet ﷺ said:

﴿إِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ، وَإِذَا نَهَيْتُكُمْ عَنْ شَيْءٍ فَاجْتَنِبُوهُ﴾

“If I order you all to do something, then do whatever you are able of it, and if I forbid you all from something, avoid it.”<sup>[3]</sup>

And Allâh gives success.

The Permanent Committee

[1] *Al-Baqarah* 2:286.

[2] *At-Taghabun* 64:16.

[3] *Al-Bukhari* no. 7288 and *Muslim* no. 1337.

## When the Funeral Prayer and the Obligatory Prayer occur together


**Q** What is the ruling if a person enters the *Masjid* and finds the people praying over a deceased person during a time period that is short, like the time for the *Maghrib* prayer, and the person has not prayed yet? Does he pray the funeral prayer over the deceased or does he pray the obligatory prayer?

**A** It is permissible for him to prefer the funeral prayer if he does not fear that the time for the obligatory prayer will expire. This is because he might miss the funeral prayer, but he will not miss the obligatory prayer. So, in this case he will combine the two virtuous acts (i.e., offering both of the prayers). However, if he fears missing the time (of the obligatory prayer), he should start by praying the obligatory prayer and leave the prayer over the deceased. This is because the funeral prayer is *Fardh Kifayah* (a collective obligation on the community) that is fulfilled by someone praying over the deceased. The performance of the prayer within its prescribed time is a condition of the prayer, but it is extensive, i.e., permissible to perform the prayer earlier or later within these bounds – until their remains only enough time sufficient to perform it. Then, it becomes restricted, in which case it is required of the person to offer the obligatory prayer at that time (i.e., immediately). Success is with Allâh, and may He send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee


## The ruling on praying over the Deceased during the prohibited Time (for Prayer)


**Q** Is it permissible to pray the funeral prayer over the deceased during the prohibited time (for prayer)?

 It is permissible to pray the funeral prayer over the deceased during the prohibited time that is lengthy, like after *'Asr* and after *Fajr*. However, it is not permissible to pray it during the short times, such as during the setting of the sun until it completely sets, and the rising of the sun until it has completely risen a spear's height. Also, it is not permissible when the sun is at its peak in the sky until it begins to decline (*Az-Zawal*). It is also not permissible to bury the deceased during these times.

Ash-Shaykh Ibn Jibreen

### It is permissible for the Woman to pray the Funeral Prayer

 Is it permissible for the woman to participate along with the men in the funeral prayer over the deceased?

 The basic principle concerning the acts of worship that Allâh legislated in His Book and that the Messenger of Allâh ﷺ explained in his Sunnah is that they are generally inclusive for the males and the females. This is the case unless there is some evidence that proves that something is specific for males or females. The funeral prayer is from the acts of worship that Allâh and His Messenger ﷺ legislated, and the instructions concerning its performance is addressed to both men and the women. However, it is more likely that men carry out its performance, as the women usually stay in their homes. For this reason, if it happens that no one attends the funeral prayer except women, they pray over the deceased and fulfill the obligation concerning it. It is confirmed that 'A'ishah رضي الله عنها commanded for Sa'd bin Abu Waqqas to be brought so that she could pray over him, and it is not known that anyone of the Companions objected to her doing that. This proves that the woman may participate with the men in the prayer over the deceased or other than it (of prayers) with the men. The rows of the women should be behind the rows of the men. It is also



confirmed that the women prayed over the Prophet ﷺ just as the men prayed over him. However, the women do not go out with the funeral processions for burial, as the Prophet ﷺ prohibited that.

The Permanent Committee

## Does the Woman attend the Funeral Prayer?

**Q** It has been noticed that the woman does not attend the funeral prayer, so the question to the noble Shaykh is, is this prohibited?



The prayer over the deceased is legislated for the men and the women. This is due to the Prophet's statement:

«مَنْ شَهِدَ الْجَنَازَةَ حَتَّى يُصَلِّيَ فَلَهُ قِيرَاطٌ، وَمَنْ شَهِدَ حَتَّى تُدْفَنَ كَانَ لَهُ قِيرَاطَانِ قِيلَ: وَمَا الْقِيرَاطَانِ؟ قَالَ: مِثْلُ الْجَبَلَيْنِ الْعَظِيمَيْنِ»

*“Whoever prays over the deceased, he will receive a Qirat, and whoever follows the deceased until he is buried, he will receive two Qirats.” It was said: “O Messenger of Allāh, what are two Qirats?” He said, “Like two huge mountains (meaning in reward).”*<sup>[1]</sup>

This *Hadith's* authenticity is agreed upon. However, it is not allowed for the women to follow the funeral processions to the graveyard, because they have been prohibited from that. This is due to what has been confirmed in the Two *Sahih*s (*Al-Bukhari* and *Muslim*) from Umm 'Atiyyah ؓ, who said:

«نُهِينَا عَنِ اتِّبَاعِ الْجَنَائِزِ وَلَمْ يُعْزَمَ عَلَيْنَا»

*“We (the women) were prohibited from following the funeral processions, but it was not strictly enforced on us.”*<sup>[2]</sup>

However, concerning the prayer over the deceased, the woman

[1] Al-Bukhari no. 1325 and Muslim no. 945.

[2] Al-Bukhari no. 1278 and Muslim no. 938.

has not been prohibited from that. It makes no difference whether the prayer over the deceased is performed in the *Masjid* or in the home or at a designated prayer area. The women used to pray over the deceased in the Prophet's *Masjid* along with the Prophet ﷺ and after him (i.e., his death). Concerning visiting the graves, this is something specifically for the men, just like following the funeral processions to the graveyard. This is because the Messenger ﷺ cursed those women who visited the graves. The wisdom in that – and Allâh knows best – is what is feared from their following the funeral processions to the graveyards and their visiting the graves of *Fitnah* (trials, temptations) from them and upon them. This is also due to the Prophet's statement:

«مَا تَرَكْتُ بَعْدِي فِتْنَةً أَضَرَّ عَلَى الرَّجَالِ مِنَ النِّسَاءِ»

*"I did not leave any Fitnah (trial, temptation) after me more harmful upon the men than the women."*<sup>[1]</sup>

This *Hadith's* authenticity is agreed upon, and success is from Allâh.

Ash-Shaykh Ibn Baz

## Prayer of the absent Deceased



How do we pray over the absent deceased person?



The prayer over the absent deceased is just like the prayer over the deceased who is present. For this reason, when the Prophet ﷺ announced the death of An-Najashi, he ordered the people to come out to the designated prayer area and he arranged them in rows. Then he pronounced the *Takbir* (saying '*Allâhu Akbar*') four times, just like the *Takbirs* over the deceased who is present.

However, should the funeral prayer be prayed over every absent

[1] Al-Bukhari no. 5096 and Muslim no. 2740.

deceased person or not?

In this issue there is a difference among the people of knowledge. Among them there are those who say that prayer should be made over every deceased person who is absent. Some of them even say that it is necessary for the person to pray the funeral prayer every night, and he should intend by it to pray over whoever died from the Muslims on that day, in the east and the west of the earth. Others have said that no one should be prayed over (for the absent deceased) except for the one whom it is known that he was not prayed over. A third group says that the prayer (for the absent deceased) should be prayed for everyone who had some major influence on the Muslims, such as beneficial knowledge or other things. The correct view is that no one should be prayed for (as an absent deceased) except whoever did not have prayer performed for him.

In the time of the Rightly-Guided Caliphs many people died from those who had dominant influences over the Muslims, and the prayer for the absent deceased was not made for any of them. The fundamental principle concerning acts of worship is *At-Tawqif* (i.e., it is not to be done) until an evidence is established to prove its legality.

Ash-Shaykh Ibn 'Uthaimin

### Prayer over the absent Deceased is not something specific for the Messenger ﷺ

**Q** Is it permissible for us to pray the funeral prayer for the absent deceased as the Prophet ﷺ did with his beloved, An-Najashi, or is that something that is specifically for him?

**A** Prayer is permissible for the absent deceased due to the action of the Prophet ﷺ. That is not something specifically for the Prophet ﷺ. For verily, the Companions ﷺ prayed with him for An-Najashi. Also, the basic principle is lack

of specification (*Al-Khususiyah*). However, this should be specifically for whoever had some important status in Islam, and it is not for everyone. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

## The ruling on supplicating after the Funeral Prayer

**Q** What is the ruling on supplicating after the funeral prayer?

**A** Supplication is the core of worship. So, the servant asking his Lord for himself or others, and his announcing his humility and servitude to his Master when he requests his needs from Him is encouraged by Allâh in His Noble Book. He said:

﴿وَقَالَ رَبُّكُمْ ادْعُونِي أَسْتَجِبْ لَكُمْ﴾

“And your Lord said: ‘Supplicate to Me, I will answer you.’”<sup>[1]</sup>

And He said:

﴿ادْعُوا رَبَّكُمْ تَضَرُّعًا وَخُفْيَةً﴾

“Supplicate to your Lord, in humility and secretly.”<sup>[2]</sup>

The Messenger of Allâh ﷺ made this a Sunnah by his statements and actions. The basis in supplicating is that it is unrestricted unless there is something confirmed that restricts it to a time or an encouragement to increase it in a certain situation or at a specific time. An example would be the situation of prostration in the prayer or at the end of the night. Hence, the Muslim strives to perform it according to what has been explained in the texts, whether it is unrestricted or restricted. Supplicating for the deceased has been confirmed in the *Hadiths* concerning the funeral prayer. Supplicating for forgiveness for the deceased after completing his burial has also

[1] *Ghafir* 40:60.

[2] *Al-A'raf* 7:55.

been confirmed. Verily, when the Messenger ﷺ finished burying the deceased he would stand over him (i.e., the grave) and say:

«اسْتَغْفِرُوا لِأَخِيكُمْ وَاسْأَلُوا لَهُ بِالتَّشْيِيتِ فَإِنَّهُ الْآنَ يُسْأَلُ»

*“Seek forgiveness for your brother and ask for firmness for him. For verily he is being questioned now.”*<sup>[1]</sup>

This was recorded by Abu Dawud by way of ‘Uthman bin ‘Affan in ‘The Book of Funerals’ in his *Sunan*. Supplicating when visiting the person’s grave is also confirmed. The Messenger of Allāh ﷺ used to visit the graves and supplicate for their inhabitants. He used to teach his Companions the supplication for visiting the graves just as he would teach them a chapter of the Qur’an. Supplicating after the funeral prayer has not been confirmed from the Prophet ﷺ and this was not from his Sunnah or the Sunnah of his Companions. If this happened with him or them, it would have been reported just as supplicating for the person in the prayer, when visiting his grave and after burying him have been reported. Therefore, based upon this, sanctioning supplication for the deceased or anyone else after completion of the funeral prayer is an innovation. This is not befitting of the Muslim to do, due to the *Hadith*:

«عَلَيْكُمْ بِسُنَّتِي وَسُنَّةِ الْخُلَفَاءِ الرَّاشِدِينَ الْمَهْدِيِّينَ وَإِيَّاكُمْ وَمُحَدَّثَاتِ الْأُمُورِ...»

*“You all must adhere to my Sunnah and the Sunnah of the Rightly-Guided Caliphs after me. And avoid newly invented matters...”*<sup>[2]</sup>

This was recorded by the *Sunan* compilers by way of Al-‘Irbadh bin Sariyah. May Allāh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

[1] Abu Dawud no. 3221.

[2] Abu Dawud no. 4607.

## The ruling on attending the Funerals of the Disbelievers

**Q** What is the ruling of Allâh regarding attending funerals of the disbelievers, which has become a political tradition and an agreed upon custom?

**A** If there are among the disbelievers those who bury their dead, it is not (allowed) for the Muslims to support or participate with or assist the disbelievers in their burial. Also, they should not be courteous to them in their funeral processions. For verily, this is not known from the Messenger of Allâh ﷺ or the Rightly-Guided Caliphs. Rather, Allâh prohibited His Messenger ﷺ from standing over the grave of ‘Abdullah bin Ubayy bin Salul, and the reason for that was his disbelief. Allâh said:

﴿وَلَا تَصَلِّ عَلَى أَحَدٍ مِّنْهُمْ مَاتَ أَبَدًا وَلَا نَعْمَ عَلَى قَبْرِهِ إِذْهُمْ كَفَرُوا بِاللَّهِ وَرَسُولِهِ  
وَمَا تَأْتُوا وَهُمْ فَاسِقُونَ﴾

*“And never pray over any of them who has died, nor stand over his grave. Verily they disbelieved in Allâh and His Messenger and died while they were Fasiqun (wrongdoers, sinners, transgressors, etc.).”*<sup>[1]</sup>

However, if there is not anyone among them to bury their deceased, the Muslims may bury him just as the Prophet ﷺ did with the (non-Muslim) people who were killed at the battle of Badr.

The Permanent Committee

## The ruling on attending the Funerals of the People of superstitions

**Q** Is it possible for *Ahlu-Sunnah* (the people of the Sunnah) to attend the funerals of the people of

[1] *At-Tawbah* 9:84.

superstitions and pray over their deceased?



The people of superstitions, whose superstitious beliefs reach the level of *Shirk* with Allâh, like those who seek assistance and help from the deceased or those who are absent, such as the jinns, the angels or other creatures, are disbelievers. It is not permissible to pray over their dead or attend their funerals. Concerning those whose superstitious beliefs do not take them to the level of *Shirk*, such as the innovators who celebrate birthdays that do not contain *Shirk*, or the night of *Al-Isra'* and *Al-Mi'raj*, or similar things, they are disobedient sinners. They are to be prayed over and their funerals attended. What is hoped for the sinful people of those who believe in *At-Tawhid* is hoped for them. This is due to Allâh, the Most High's Statement:

﴿إِنَّ اللَّهَ لَا يَغْفِرُ أَنْ يُشْرَكَ بِهِ وَيَغْفِرُ مَا دُونَ ذَلِكَ لِمَنْ يَشَاءُ﴾

*“Verily, Allâh does not forgive that anything is associated with Him, but He forgives whoever He wishes for what is less than that.”*<sup>[1]</sup>

The Permanent Committee

## Rulings Pertaining to Burial

### The Deceased is to be buried in the land in which He dies



A father requested his children to transfer his body after his death from his land to the city of Al-Madinah Al-Munawwarah so that he may be buried in the cemetery of Baqi'ul-Gharqad. So, what is the ruling on transporting the body from one land to another so that it can be buried there?



The Sunnah that was acted upon in the time of the Prophet ﷺ and the time of the Companions was that the

[1] *An-Nisa'* 4:48.

deceased were buried in the graveyards of the land where they died. Also, the martyrs were buried in the place where they died. It is not confirmed in any authentic *Hadith* or report from the Companions that anyone of the Companions was transported anywhere other than to the graveyards of the land where they died or the outskirts of the land or a place near to it.

For this reason, the majority of the *Fiqh* scholars have said that it is not permissible to transport the deceased before burying him to a land other than the land in which he died. The only exception is if there is a valid reason for doing so. This could be if it is feared that in burying him where he died something bad will happen to his grave or its honor will be violated due to some dispute or a lack of concern or care for it. In this case, it is obligatory to move it to where it will be safe. Another example is that the deceased be transported to his own land to make situations better for his family and so that they will be able to visit his grave. Hence, this is permissible. In regard to these reasons and their likes, the scholars have stipulated the conditions that there should not be any fear that the body will begin to change (i.e., decompose) due to the delay of burial, and that its honor is not violated. If there is no call for this (transporting the deceased to another land) or these conditions are not met, it is not permissible to transport it.

However, the allowance of transporting the body to a better land hoping for blessings – along with what it contains of fault (i.e., not being buried in the land where he died) – may be an evil that opens a door that may be difficult to close thereafter. This is because the people will successively follow this action and for the same reason the requests from them – for permission – will increase. Thus, the Committee thinks that every deceased person should be buried in the graveyards of the land in which he died, and that the deceased persons should not be transported (to another land) except for a sound and valid reason. This is acting according to the Sunnah, following what the *Salaf* of this *Ummah* were upon and blocking the means of evil. It is also actualizing that which the Islamic law



encourages of hastening the burial and as a protection for the deceased from being subjected to procedures (i.e., embalming) used to preserve it from change (i.e., from decay). This also guards against the extravagance of spending large amounts of wealth without a legislated need or necessity that calls for it. It also protects the rights of the heirs and nurtures the Islamically sanctioned avenues of spending and righteous deeds that this wealth and its like should be spent on. This is what has been approved by signatures (of the members of Committee). May Allāh send blessings upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The ruling on moving a Corpse from one land to another

**Q** What do you think about someone who wills that when he dies he should be buried in a certain place. Should this will be carried out?

**A** Firstly, it must be asked why has he chosen this place? Perhaps he chose it to be near some false tomb or a tomb that is taken as a partner (i.e., worshipped) along with Allāh or for some other forbidden reasons. Hence, in this case it is not permissible to carry out his will and he should (instead) be buried with the Muslims if he was a Muslim. If he willed this for some other reason, such as him willing that he be transported to his land where he lived, then there is no harm in carrying out his will. This is allowed as long as it does not involve wastefully destroying wealth. If this involves the destruction of wealth such that the person cannot be transported except by paying a lot of dirhams (i.e., money), then his will should not be carried out. Allāh's land is one, as long as the land is the land of the Muslims.

Ash-Shaykh Ibn 'Uthaimin

## The Deceased should be buried on his right side facing the *Qiblah*

**Q** In Egypt with us the people bury the deceased on his back with his right hand on his left over his stomach. However, I found in Saudi Arabia that the people bury the deceased on his right side. I hope for some beneficial answer.

**A** What is correct is that the deceased be buried on his right side facing the *Qiblah*. For verily the *Ka'bah* is the *Qiblah* of the people, both the living and the dead. Just as the sleeping person sleeps on his right side, as the Prophet ﷺ ordered, likewise the deceased is placed on his right side. For verily, sleep and death share in the fact that each of them is demise (i.e., taking off the soul). This is just as Allâh, the Most High said:

﴿اللَّهُ يَتَوَفَّى الْأَنْفُسَ حِينَ مَوْتِهَا وَالَّتِي لَمْ تَمُتْ فِي مَنَامِهَا﴾

*"Allâh takes away the souls at the time of their death, and those (souls) that do not die (He takes them) during their sleep."*<sup>[1]</sup>

And He said:

﴿وَهُوَ الَّذِي يَتَوَفَّاكُمْ بِاللَّيْلِ وَيَعْلَمُ مَا جَرَحْتُمْ بِالنَّهَارِ ثُمَّ يَبْعَثْكُمْ فِيهِ لِيُقْضَىٰ أَجَلٌ مُّسَمًّى﴾

*"It is He, Who takes your souls by night (when you are asleep), and He has knowledge of all that you have done by day, then he raises (wakes) you up again during it (the day) that a term appointed (your life period) be fulfilled."*<sup>[2]</sup>

Thus, what is legislated in burying the deceased is that he be laid on his right side facing the *Qiblah*. Perhaps what the questioner saw in his land has occurred as a result of ignorance regarding this matter. For I do not know of anyone of the people of knowledge who says that the deceased is to be placed on his

[1] Az-Zumar 39:42.

[2] Al-An'am 6:60.

back and his hands placed on his stomach.

Ash-Shaykh Ibn 'Uthaimin

### The ruling on placing Muslims in Wooden Coffins

All praise is due to Allâh alone, and may blessings and peace be upon he whom there is no Prophet after him – our leader and Prophet, Muhammad. May Allâh send blessings and peace upon him, his family and his Companions.

The Council of Islamic *Fiqh* Academy has looked into the matter of a question that came from the General Supervisor for the Islamic Youth and the Head of the delegation of the Islamic Society in the state of Victoria, Australia, concerning the ruling on burying deceased Muslims in wooden coffins in the way that the Christians do. The questioner says that some of the Muslims there (in Australia) continue to hold this way as something good and they follow it, even though the government of the mentioned country has allowed the Muslims to bury their dead in the Islamic way. Meaning, they allow them to be buried in an Islamic shroud without a casket.

After discussion and debate, the Council of *Fiqh* Academy decided the following:

1. Verily, every action or manner that comes from the Muslims with the intention of imitating and following the non-Muslims, then it is Islamically forbidden and prohibited by the clear Prophetic *Hadiths*.
2. Verily, burial in a coffin, if the intent behind it is to imitate the non-Muslims, is forbidden. If the intent behind it is not to imitate the non-Muslims, then it is disliked as long as there is no need that calls for it. If there is a need that calls for it, then there is no harm in it.

May Allâh send blessings and abundant peace upon our leader, Muhammad, his family and his Companions. And all praise is due to Allâh, the Lord of all the worlds.

## The ruling on burying the Deceased at Night

**Q** If a person dies before midnight or after midnight, is it permissible to bury him at night or is it not permissible to bury him until after the coming of *Fajr* (i.e., the first crack of true dawn)?

**A** It is permissible to bury the deceased at night. This is due to what Ibn ‘Abbas, may Allāh be pleased with them both, narrated. He said: “A man died whom the Prophet ﷺ used to visit. He died at night so they buried him at night. When morning came they informed him (the Prophet ﷺ) and he said:

«مَا مَنَعَكُمْ أَنْ تُعَلِّمُونِي»

*‘What prevented you all from informing me.’<sup>[1]</sup>*

They said, ‘It was nighttime and it was dark. So, we did not like to bother you.’ So the Prophet ﷺ went to his grave and prayed (the funeral prayer) over him.” This was recorded by Al-Bukhari and Muslim. Thus, the Prophet ﷺ did not object to their burying him at night. He only objected that his Companions did not inform him about it until morning. So, when they gave him an excuse, he accepted their excuse. Abu Dawud recorded from Jabir that he said: “Some people saw a fire in the graveyard, so they went to it and found the Messenger of Allāh ﷺ there in the graveyard. He was saying:

«نَاوِلُونِي صَاحِبِكُمْ»

*‘Give me your companion.’<sup>[2]</sup>*

This was one who used to raise his voice with the remembrance of Allāh.”

This occurred at night just as the statement of Jabir alludes to when he said: “Some people saw a fire in the graveyard...”

[1] Al-Bukhari no. 1247.

[2] Abu Dawud no. 3164.

Also, the Prophet ﷺ was buried at night. Imam Ahmad recorded from 'A'ishah, may Allâh be pleased with her, that she said: "We did not know of the burial of the Messenger of Allâh ﷺ until we heard the sound of the shovels at the end of the night, and it was the night before Wednesday." The shovels are the tools that are used to remove the dirt.

Also, Abu Bakr, 'Uthman, 'A'ishah and Ibn Mas'ud were all buried at night. That which has been reported that alludes to the dislike of burial at night means that if the reason for hurriedly burying the person at night is because he is not one of the important people. Thus, they do not allow him to remain out until morning to allow the people to attend his funeral or they did not wrap his shroud nicely, so they hastily bury him. Therefore, he (the Prophet ﷺ) rebuked them for that. It could also mean a clarification of what is best (i.e., that he be buried during the day) so that many of the Muslims may pray over him and it is easier for those who are going to attend his funeral procession. It also makes it more possible for his burial to be done nicely and the Sunnah to be followed in the manner of making his *Lahd* (niche in the grave). This is when there is no pressing need that requires hastening his burial. However, it is more mandatory to hasten his burial, even if it is at night. May Allâh send blessing and peace upon our Prophet Muhammad and his family.

The Permanent Committee

### Combining two dead People in one Grave due to necessity

**Q** It happened that a baby girl died who was six months old and she was buried with a baby boy who died from a miscarriage when he was in his sixth month in his mother's womb. Is this permissible or not. If not, then what is the ruling of those who buried them in one grave?



What is legislated is that each deceased person be buried in a grave alone. This is the Sunnah that the Muslims

have acted upon since the time of the Prophet ﷺ until our time now. However, if there is a need that calls for burying two or more people in a single grave, then there is no harm in that. Verily, it is confirmed in the Two *Sahihs* and other than them that the Prophet ﷺ used to put two or three men from the martyrs of the battle of Uhud in a single grave if there was a need for that. Concerning this baby girl and this miscarried child that were buried together in one grave, it is not obligatory to dig them up now because it is too late. Whoever buried them in a single grave due to ignorance concerning that, then there is no sin on him. However, it is necessary that everyone who does an action from the acts of worship or other than them know the limits of Allâh concerning that action before he proceeds forth with it. This is so that he does not fall into that which should be avoided Islamically.

Ash-Shaykh Ibn ‘Uthaimin

### Burying the Deceased with another Person

**Q** My mother died at the age of almost eighty-five years and she was buried with another woman who died three years before her. So, what is the ruling of the Islamic law.

**A** It is not permissible to bury someone along with another deceased person as long as there is anything left of his (the person already in the grave) corpse. Based upon this, it is obligatory to bury each dead person in a separate grave. So, if the people dig and something is found from the wrappings of (other) dead people, it is obligatory to bury it back by covering it up with earth and then searching for another (place for the) grave, even if it is far away. This is due to the sacredness of the Muslim, even if he is dead. It has been related in a *Hadith* that breaking the bone of the deceased is like breaking the bone of the living.

Ash-Shaykh Ibn ‘Uthaimin

## Undoing the fastening Belts of the Woman in the Grave

**Q** Please give me a verdict concerning what has been mentioned in the book *Adh-Dhiya'ul-Lami' minal-Khutabil-Jawami'*, written by Muhammad bin Salih bin 'Uthaimin, because I take from its *Khutbahs* for *Jumu'ah* day, as I am an *Imam*. One of the students of knowledge was opposed to the following expression in a *Khutbah* that encourages the people to perform *Hajj* and that which relates to it. It states: "The wisdom behind the obligation of the accompaniment of the *Mahram* (male relative) is to safeguard and protect the woman. In reference to the statement of some of the common people that this is so that he (the *Mahram*) may undo her fastening belts (when she is lowered into the grave) if she dies, this is not correct. Because it is permissible for everyone to undo the fastening belts of the woman if she dies, whether it is a *Mahram* or someone who is not a *Mahram*. Verily it is confirmed that the Prophet ﷺ sat at the grave of his daughter while she was being buried and his eyes were flowing with tears. So, he ordered Abu Talhah to go down into her grave and the Messenger ﷺ and her husband 'Uthman ؓ were both present."

**A** Yes, what Shaykh Muhammad bin Salih Al-'Uthaimin said in *Adh-Dhiya'ul-Lami'*, that the woman's *Mahram* accompanying her during travel for *Hajj* and similar travels is not so that he (the *Mahram*) can undo her fastening belt if she dies, is correct. Also, that which he used as an evidence concerning the Prophet ﷺ sitting at the grave of his daughter – who was Umm Kulthum, the wife of 'Uthman ؓ – and him commanding Abu Talhah to go down into her grave to assist in burying her while her father and husband were both present, is correct. This was not something specifically for the daughter of the Messenger of Allāh ﷺ, because the fundamental principle is that things are not specific for an individual unless there is proof

to show otherwise. And in this case there is no evidence that proves that.

The Permanent Committee

### If the Woman is lowered into her Grave by someone other than her *Mahram*

**Q** I am a man whose leg is cut off and I had a wife who was stricken with an illness. She was moved to one of the hospitals in the Kingdom (of Saudi Arabia) and I was with her until she died. Then, after her death, she was taken to the graveyard by an ambulance and some of the hospital workers went along while I was with them. When it was time to lower her into the grave, these men who were not related to her (i.e., the hospital workers) lowered her into the grave by themselves. I was unable to do it because of my leg. I am uncertain about this matter. Is there any sin on me for this, and is there anything wrong with men who are not related to a woman lowering her into her grave? Please benefit me with a reply.

**A** There is no harm if people other than a woman's *Maharim* (the plural of *Mahram*) lower her into her grave. The *Mahram* has only been made a condition for the woman to travel and not for lowering her into her grave. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### The ruling on burying Muslims in the Graveyards of the Disbelievers due to necessity

**Q** Is it permissible to bury the Muslims in the graveyards of the non-Muslims if the Muslims are living in a land that is far away from their (Muslims') graveyards and their burying them in the Muslims' graveyards would require them to travel more than a week with the deceased? This is while



knowing that it is from the Sunnah to hasten the burial of the deceased.



It is not permissible for the Muslims to bury a Muslim in the graveyards of the disbelievers. This is because the action of the people of Islam from the time of the Prophet ﷺ, the Rightly-Guided Caliphs and those who came after them has continued to be separating the graveyards of the Muslims from those of the disbelievers. They would not bury the Muslim with the *Mushrik* (polytheist, idolater, pagan). This was a consensus (*Ijma'*) in action, that they would single out the graveyards of the Muslims from those of the disbelievers. This is also due to what An-Nasa'i recorded from Bashir bin Al-Khasasiyyah that he said, "I was walking with the Messenger of Allāh ﷺ when he passed by the graves of the Muslims. So he said:

«لَقَدْ سَبَقَ هَؤُلَاءِ شَرًّا كَثِيرًا»

*'Verily these people have gone ahead (leaving behind them) much evil (i.e., the evil of this world).'*

Then, he passed by the graves of the *Mushrikun* (polytheists, idolaters, pagans) and he said:

«لَقَدْ سَبَقَ هَؤُلَاءِ خَيْرًا كَثِيرًا»

*'Verily these people have gone ahead (leaving behind them) much good (i.e., having failed to do good deeds in this world).'*'<sup>[1]</sup>

Hence, this proves the separation between the graves of the Muslims and the graves of the *Mushrikun*.

It is obligatory upon every Muslim to avoid taking an un-Islamic land as his homeland and he should not live among the disbelievers. Rather, he must move to an Islamic land, fleeing with his religion from the evil trials of the un-Islamic lands. This is also so that he may be able to establish the symbolic characteristics of his religion (Islam), help his Muslim brothers

[1] An-Nasa'i no. 2050.

in righteousness and piety and increase the population of the Muslims. The exception is for whomever lives among them (i.e., the non-Muslims) in order to spread Islam, and he is fit for that work and able to carry it out. This is for the person who it is known will have an effect on others and will not be overcome (by the evils and temptations of the disbelievers). This is allowed for such a person. Likewise, whoever is forced to live among the disbelievers (it is allowed for them to do so). These people must work together and help each other. They must establish specific graveyards for themselves so that they can bury their deceased in them.

The Permanent Committee

### The ruling on burying the Disbelievers in the Graveyards of the Muslims

**Q** Is it permissible to bury a disbelieving child in the graveyards of the Muslims if a Muslim adopted him, then he died before reaching the age of puberty?

**A** It is not permissible to bury a disbeliever in the graveyards of the Muslims, regardless of whether he was adopted by a Muslim or not, and regardless of whether he reached the age of puberty or not. However, if something is found in him (the child) that proves (or alludes to) his Islam, then he is to be buried in the graveyards of the Muslims. It also should be known that adoption is forbidden in Islam, due to Allāh's Statement:


﴿ادْعُوهُمْ لِآبَائِهِمْ﴾

*"Call them (adopted son) by (the names of) their fathers."*<sup>[1]</sup>

The Permanent Committee

[1] Al-Ahzab 33:5.


## The ruling on placing Green Branches on the Graves

 Ibn ‘Abbas, may Allâh be pleased with them both, said: “The Prophet ﷺ passed by two graves and said:

«إِنَّهُمَا لَيُعَذَّبَانِ، وَمَا يُعَذَّبَانِ فِي كَبِيرٍ، أَمَّا أَحَدُهُمَا فَكَانَ لَا يَسْتَرُّ مِنَ  
الْبَوْلِ، وَأَمَّا الْآخَرُ فَكَانَ يَمْشِي بِالنَّمِيمَةِ، ثُمَّ أَخَذَ جَرِيدَةً رَطْبَةً فَشَقَّهَا  
بِضَمْنَيْنِ فَعَرَزَ فِي كُلِّ قَبْرٍ وَاحِدَةً، قَالُوا يَا رَسُولَ اللَّهِ، لِمَ فَعَلْتَ هَذَا،  
قَالَ: لَعَلَّهُ أَنْ يُخَفَّفَ عَنْهُمَا مَا لَمْ يَبْسَسَا»

*‘Verily, they are being punished and they are not being punished for something major. One of them would not protect himself from urine (when relieving himself) and the other used to go around spreading slanderous gossip.’ Then he took a fresh palm branch, split it in half and planted one of them on each grave. The people said: ‘O Messenger of Allâh, why did you do that?’ He said: ‘Perhaps the punishment will be lightened for them as long as these (branches) do not dry up.’”<sup>[1]</sup>*

This was recorded by Al-Bukhari. So, is it correct for us to follow the Prophet ﷺ in this? And is it permissible to place something similar to the palm branch from the fresh green things on graves based upon an analogy with the palm branch? Also, is it permissible to plant a tree over the grave so that it will always be green for this purpose?

 Verily, the Prophet’s placing the palm branch on the two graves and his hoping that the punishment would be lightened for those whom the branches were placed on their graves was a specific occurrence that has no generality. That was something specifically for the Messenger of Allâh ﷺ. Also, this was not a Sunnah from him that was applied to the graves of the Muslims. The amount of times that it occurred was only twice or thrice, and no more – if each report was counted as a separate

[1] Al-Bukhari no. 1361.

incident. It is not known that this action was done by anyone of the Companions and they were the most zealous of the Muslims in following him (the Prophet ﷺ), and the most eager for what benefits the Muslims. However, there is a narration reported from Buraidah Al-Aslami that he willed that two palm branches be placed in his grave. Yet, it is not known that anyone of the Companions ﷺ agreed with Buraidah in that. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The ruling on placing Palm Leaves of Palm Trees on the Grave of the Deceased

**Q** What is the ruling on placing palm leaves of palm trees and green Indian figs on the grave of the deceased?


**A** This is not permissible. The Prophet's placing two palm branches on the grave of some people who were being punished and whom he ﷺ was informed about, this was something specifically for the Prophet ﷺ. Thus, it is not permissible that anything be placed on the graves; not the palm branches of the palm trees or anything else from the trees. And success is with Allâh.

Ash-Shaykh Ibn Baz

### What is allowed to be placed on the Graves


**Q** I have seen a number of graves that had the following descriptions: Some graves have one *Rakizah* (erected stone) placed on them at the front of the grave. On some other graves the people place two erected stones: one at the front of the grave and one at the back of the grave. On the third type of grave the people put three erected stones: one at the front, one in the middle and one at the back of the grave. What is meant by the word *Rakizah* is a stone that is


embedded (in the soil of) the grave. Some people call it *Nasibah* (that which is erected), because it is erected over the grave. I would like a clarification of what thing is permissible to be placed on the graves of the men and the graves of the women.

 What is legislated after burying the deceased is that only two bricks be placed erect at the two ends (edges) of the grave. This is so that it will be known that it is a grave even if it is in the center of the graveyard. There is no difference between the grave of a man, the grave of a woman and the grave of a child. No more than two bricks may be placed and there is no harm if a stone or something similar is placed at its (the grave's) side so that it will be known by it and the grave may be visited and so forth.

Ash-Shaykh Ibn Jibreen

### The ruling on writing on the Grave of the Deceased

 Is it permissible to place a piece of iron or a sign upon the grave of the deceased that has Verses of the Qur'an written on it along with the name of the deceased person and the date that he died, etc.?

 It is not permissible to write on the grave of the deceased, neither the Verses of the Qur'an nor anything else. No writing should be done, whether it is on iron, on a sign or anything other than them. This is due to what is confirmed from the Prophet ﷺ in a *Hadith* related from Jabir ؓ that he (the Prophet ﷺ) prohibited plastering the grave, sitting on it and building structures over it. This was recorded by Muslim. At-Tirmithi and An-Nasa'i both added in their versions with an authentic chain of narration: "and that he (the Prophet ﷺ) prohibited that it be written on."

Ash-Shaykh Ibn Baz

## The ruling on building Structures over the Graves and writing on them

**Q** I noticed that with us on some of the graves are cement slabs that are made approximately a meter in length and half a meter in width. On these slabs is written the name of the deceased, the date of his death and some sentences, like: “O Allâh, have mercy on so-and-so, the son of so-and-so,” and so forth. So what is the ruling on this practice?

**A** It is not permissible to build structures on graves; nor cement slabs or anything else. It is also not permissible to write on them due to what is confirmed from the Prophet ﷺ of the prohibition of building structures over graves and writing on them. Muslim recorded a *Hadith* from Jabir رضي الله عنه in which he said:

«نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يُجَصَّصَ الْقَبْرُ، وَأَنْ يُنْبَى عَلَيْهِ»

“The Messenger of Allâh ﷺ prohibited plastering the grave, sitting on it and building structures over it.”<sup>[1]</sup>

At-Tirmithi and others reported this same *Hadith* with an authentic chain of narration and he added: “And he (the Prophet ﷺ) also prohibited that it be written on.” Because this is a type of exaggeration, it is obligatory to prevent it. Also, writing (on the graves) might lead to wicked consequences, such as exaggeration and other things that are forbidden Islamically. The only thing that should be done is returning the dirt of the grave back onto it and elevating it approximately a hand’s span so that it will be known that it is a grave. This is the Sunnah regarding the graves that the Messenger of Allâh ﷺ and his Companions رضي الله عنهم used to follow. It is also not permissible to establish *Masjids* over graves, dress them with covering cloth, nor to place domes (or shrines) over them. This is due to the statement of the Prophet ﷺ:

[1] Muslim no. 970.

«لَعَنَ اللَّهُ الْيَهُودَ وَالنَّصَارَى اتَّخَذُوا قُبُورَ أَنْبِيَائِهِمْ مَسَاجِدَ»

“May Allāh curse the Jews and the Christians. They took the graves of their Prophets as Masjids.”<sup>[1]</sup>

This *Hadith*'s authenticity is agreed upon.

This is also due to what Muslim recorded in his *Sahih* from Jundub bin 'Abdullah Al-Bajali. He said: “I heard the Messenger of Allāh ﷺ saying five days before he died:

«إِنَّ اللَّهَ قَدْ اتَّخَذَنِي خَلِيلًا، كَمَا اتَّخَذَ إِبْرَاهِيمَ خَلِيلًا، وَلَوْ كُنْتُ مُتَّخِذًا مِنْ أُمَّتِي لَأَتَّخَذْتُ أَبَا بَكْرٍ خَلِيلًا، أَلَا وَإِنَّ مَنْ كَانَ قَبْلَكُمْ كَانُوا يَتَّخِذُونَ قُبُورَ أَنْبِيَائِهِمْ وَصَالِحِيهِمْ مَسَاجِدَ، أَلَا فَلَا تَتَّخِذُوا الْقُبُورَ مَسَاجِدَ، إِنِّي أَنْهَاكُمْ عَنْ ذَلِكَ»

‘Verily, Allāh took me as a Khalil (intimate companion) just as he took Ibrahim as a Khalil. If I had taken a Khalil from my Ummah, I would have taken Abu Bakr as a Khalil. Verily, those before you all used to take the graves of their Prophets and righteous people as Masjids. Do not take the graves as Masjids, for verily I forbid you all from that.’<sup>[2]</sup>

The *Hadiths* with this meaning are numerous.

Ash-Shaykh Ibn Baz

## Building over Graves

**Q** There is an extremely old graveyard in Hadhramout (Yemen), and the proof of its ancientness is that some of its graves are facing the direction of Jerusalem. The question is, is it permissible to build over it as it is very old?



It is not permissible to build over graves as long as there are clear signs (or markings) that confirm that they are

[1] Al-Bukhari no. 1330 and Muslim no. 529.

[2] Muslim no. 532.

graves, even if they are old. The fact that they are facing Jerusalem is not an evidence of the graveyard's ancientness, nor is it an evidence that its people (in the graves) were not Muslims, as long as it is a Muslim land. Therefore, you must put a preventive wall around it and you may use the rest of your land for planting, building and other things.

Ash-Shaykh Ibn Jibreen

### The ruling of standing at Graves to seek forgiveness and pray for the Deceased after burying him

**Q** Is it permissible to stand at the grave to seek forgiveness or supplicate for the deceased after burying him and sprinkle dirt on top of it?

**A** Yes, it is permissible to stand at the grave of the deceased after burying him and sprinkle dirt over it, for seeking forgiveness and supplicating for him. Actually, that is recommended due to what Abu Dawud and Al-Hakim recorded, and Al-Hakim graded it authentic, that 'Uthman رضي الله عنه said: "Whenever the Messenger of Allāh ﷺ completed burying the deceased, he would stand over him and say:

«إِسْتَعْفِرُوا لِأَخِيكُمْ وَاسْأَلُوا لَهُ بِالتَّشْيِيتِ فَإِنَّهُ الْآنَ يُسْأَلُ»

*'Seek forgiveness for your brother and ask for steadfastness for him. For verily he is being questioned now.'*<sup>[1]</sup>

The Permanent Committee

### How to supplicate for the Deceased after burying him

**Q** In what condition is the deceased to be supplicated for, after its burial and leveling of the dirt (of his grave)? Should the one who supplicates for the deceased be sitting or

[1] Abu Dawud no. 3221 and Al-Hakim 1:370.



standing? Which is better?



The Sunnah for whoever wants to supplicate for the deceased – after his burial and leveling of the dirt over him – is that the person supplicates while he is standing. The basis for this is what Abu Dawud recorded with his chain of narration from ‘Uthman رضي الله عنه. He (‘Uthman) said: “Whenever the Prophet ﷺ completed burying the deceased, he would stand over him and say:

«إِسْتَغْفِرُوا لِأَخِيكُمْ وَاسْأَلُوا لَهُ بِالتَّشْيِيتِ فَإِنَّهُ الْآنَ يُسْأَلُ»

*‘Seek forgiveness for your brother and ask for steadfastness for him. For verily he is being questioned now.’*<sup>[1]</sup>

Abu Dawud and Al-Munthari were silent about it (i.e., its authenticity). Al-Hakim also recorded it and he graded it authentic. Al-Bazzar also recorded it and he said: “It has not been reported from the Prophet ﷺ except in this manner (i.e., this chain of narration).” And success is with Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The legislated Sunnah of supplicating for the Deceased



What is the ruling of specifying certain days for supplicating for the deceased, like the first day (after his death), the seventh day and the fortieth day? What are the legislated *Sunnahs* of supplicating for the deceased? What is the ruling of sending blessings upon the Prophet ﷺ when placing the deceased in the grave?



Concerning specifying the first day, the seventh day and the fortieth day for supplicating for the deceased, we do

[1] Abu Dawud no. 3221 and Al-Hakim 1:370.

not know of any basis for this from the Book and the Sunnah, nor from the Companions ﷺ or anyone other than them of the *Salaf* of the *Ummah*. Rather, it is an innovation from the newly invented innovations. It has been confirmed from the Messenger of Allâh ﷺ that he said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

*“Whoever does a deed that is not in accordance with our matter, then it is rejected.”*<sup>[1]</sup>

In another narration he said:

«مَنْ أَحَدَّثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ»

*“Whoever introduces into this matter of ours what is not of it, then it is rejected.”*<sup>[2]</sup>

Secondly: What is said when placing the person into the grave is what Ibn ‘Umar ﷺ reported from the Prophet ﷺ. He said: “Whenever he (the Prophet ﷺ) put a deceased person into the grave, he would say:

«بِسْمِ اللَّهِ وَعَلَىٰ مِلَّةِ رَسُولِ اللَّهِ»

*“With the Name of Allâh and upon the religion of the Messenger of Allâh.”*<sup>[3]</sup>

It has also been reported with the wording:

«بِسْمِ اللَّهِ وَعَلَىٰ سُنَّةِ رَسُولِ اللَّهِ ﷺ»

*“Upon the Sunnah of the Messenger of Allâh.”*<sup>[4]</sup>

At-Tirmithi said: “This *Hadith* is *Hasan Gharib*.”

Thirdly: It is recommended that the person who is attending the funeral and burial proceedings of the deceased should stand

[1] Muslim no. 1718.

[2] Al-Bukhari no. 2697.

[3] Ibn Majah no. 1550.

[4] Abu Dawud no. 3213.

over his grave after the burial and supplicate for forgiveness for him and steadfastness, because the Prophet ﷺ ordered that.

In reference to sending blessings upon the Prophet ﷺ when entering the deceased into the grave, we do not know of any basis for that.

The Permanent Committee

## **Rulings Pertaining to Condolences**

### **An advice and reminder regarding Matters of Condolences**

From ‘Abdul-‘Aziz bin ‘Abdullah bin Baz to whoever sees it and reads it from my Muslim brothers. May Allâh grant them and me success in doing the acts of obedience and may he keep them and me away from the innovations and evil deeds. *Aameen*.

Peace be upon you and the mercy and blessings of Allâh. To proceed:

Verily, that which has led to the writing of this statement is a need for advice, reminding and drawing attention to matters of condolences that are opposed to the Islamic law, that some of the people have fallen into. It is not appropriate to be silent about these things. Rather, it is obligatory to alert and warn against them. So, I say – and the success is with Allâh:

It is obligatory upon every Muslim to know with certainty that whatever befalls him is from the Preordainment of Allâh and His Decree. The Muslim must be patient and seek the reward of Allâh. The person who has been afflicted with some calamity must seek the help of Allâh, console himself with His condolences and act according to His Command to seek help with patience and prayer. This is so that he may attain that which Allâh has promised those who are patient in His Saying:

﴿وَبَشِّرِ الصَّابِرِينَ ﴿١٥٥﴾ الَّذِينَ إِذَا أَصَابَتْهُمُ مُصِيبَةٌ قَالُوا إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ ﴿١٥٦﴾﴾

﴿١٧٧﴾ أَوْلَاتِكُمْ عَلَيْهِمْ صَلَوَاتٌ مِّن رَّبِّهِمْ وَرَحْمَةٌ وَأُولَاتِكُمْ هُمُ الْمُهْتَدُونَ ﴿١٧٧﴾

*“And give glad tidings to those who are patient. They are those who when they are stricken by a calamity they say: ‘Verily, we belong to Allāh, and unto Him we are returning.’ It is these who upon them are the prayers of blessings from their Lord and mercy, and it is these who are guided.”* [1]

Muslim recorded in his *Sahih* from Umm Salamah, may Allāh be pleased with her, that she heard the Messenger of Allāh ﷺ saying:

«إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ، اللَّهُمَّ أَجْرِي فِي مُصِيبَتِي وَأَخْلِفْ لِي خَيْرًا مِنْهَا»

*“There is no servant (of Allāh) who is stricken by a calamity and then he says, ‘Verily, we belong to Allāh and unto Him we are returning. O Allāh, recompense me in my calamity and grant me that which is better than it after it,’ except that Allāh will recompense him in his calamity and grant him better than it after it.”* [2]

Let the person who has been stricken with a calamity beware of saying anything that will cause him to lose his reward and anger his Lord, from words that resemble complaints of oppression and anger (with the decree). For verily, Allāh is Just and He does not oppress. Whatever He took belongs to Him and whatever He gave belongs to Him. Everything has an appointed term with Him and He has a profound wisdom in that. He does whatever He wants. Whoever opposes this or wishes to prevent it, then he is only objecting to the Preordainment of Allāh and His Decree, which is beneficial and has wisdom. It is the foundation of justice and righteousness. The person should not supplicate against himself, because when Abu Salamah died the Prophet ﷺ said:

[1] *Al-Baqarah* 2:155-157.

[2] Muslim no. 918.

«لَا تَدْعُوا عَلَىٰ أَنْفُسِكُمْ إِلَّا بِخَيْرٍ، فَإِنَّ الْمَلَائِكَةَ يُؤْمِنُونَ عَلَىٰ مَا تَقُولُونَ»

*“Do not supplicate against yourselves, except for good. For verily the angels say ‘Aameen’ to whatever you say.”*<sup>[1]</sup>

The person should seek the reward of Allāh and praise Him.

Giving condolences to the person who has been stricken with the loss of a deceased (loved one) is recommended. This is due to what is reported from Ibn Mas‘ud رضي الله عنه that the Messenger of Allāh صلى الله عليه وسلم said:

«مَنْ عَزَىٰ مُصَابًا فَلَهُ مِثْلُ أَجْرِهِ»

*“Whoever gives condolences to someone stricken with a calamity, he will have a reward similar to his reward.”*<sup>[2]</sup>

The goal behind the condolences is to console the family that has been stricken with a calamity during their misfortune, to comfort them and to give them support. There is no harm in crying over the deceased, because the Prophet صلى الله عليه وسلم did so when his son Ibrahim died and also when some of his daughters died.

In reference to wailing, screaming, striking the cheeks, tearing the clothes, scratching the face, pulling out the hair, supplicating while wailing and lamenting loudly, and things similar to this, all of that is forbidden. This is due to what Ibn Mas‘ud رضي الله عنه reported from the Prophet صلى الله عليه وسلم that he said:

«لَيْسَ مِنَّا مَنْ ضَرَبَ الْخُدُودَ، وَشَقَّ الْجُيُوبَ، وَدَعَا بِدَعْوَى الْجَاهِلِيَّةِ»  
«إِنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم بَرِيءٌ مِنَ الصَّالِقَةِ وَالْحَالِقَةِ وَالشَّاقَّةِ»

*“Whoever strikes the cheeks, tears the clothes and calls out with the cry of the pre-Islamic days of ignorance, is not from us.”*<sup>[3]</sup>

Abu Musa رضي الله عنه narrated that the Messenger of Allāh صلى الله عليه وسلم declared

[1] Muslim no. 920.

[2] Ibn Majah no. 1602.

[3] Al-Bukhari no. 1296.

himself innocent of the woman who wails, the woman who shaves her head and the woman who tears her clothing. This is because these things and whatever resembles them contain an aspect of showing anguish, anger, and lack of being pleased and submitting (to Allâh's Decree).

It is recommended to prepare some food for the family of the deceased and send it to them as a means of helping them and strengthening their hearts. For it is likely that they are preoccupied with their misfortune and those who come to visit them, so they are not able to prepare food for themselves. This is due to what Imam Ahmad, Abu Dawud, At-Tirmithi and Ibn Majah all recorded with an authentic chain of narration from 'Abdullah bin Ja'far bin Abu Talib رضي الله عنه. He said that when the announcement of Ja'far's death came, the Messenger of Allâh ﷺ said:

«اصْنَعُوا لآلِ جَعْفَرٍ طَعَامًا فَإِنَّهُ قَدْ أَتَاهُمْ أَمْرٌ يَشْغَلُهُمْ»

*“Prepare some food for the family of Ja'far, for verily there has come to them that which will preoccupy them.”*<sup>[1]</sup>

It has been reported from 'Abdullah bin Abu Bakr, may Allâh be pleased with him, that he said: “This did not cease being the Sunnah among us until those who abandoned it, abandoned it.”

In reference to the family of the deceased preparing food for the people, whether it is from the money of the inheritors or from a third of the deceased's wealth or from a person who comes to them (from another locality), all of this is not permissible. This is because it is opposed to the Sunnah and it is from the acts of pre-Islamic days of ignorance. Also, because this contains added hardship for them during their misfortune and added work on top of their existing toil. Ahmad and Ibn Majah recorded with a good chain of narration from Jarir bin 'Abdullah Al-Bajali رضي الله عنه that he said: “We used to consider gathering at the home of the deceased's family and (the family) preparing food after the

[1] Abu Dawud no. 3132.

burial as wailing.” In reference to mourning, it is forbidden to mourn over the deceased for more than three days. The exception to this is the husband, as his wife is obligated to mourn over him for the period of her *Iddah* (waiting period that concludes a marriage) only (and not more than that). This is due to the Prophet’s statement:

«لَا يَجِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ تُحَدَّ عَلَى مَيِّتٍ فَوْقَ ثَلَاثِ لَيَالٍ إِلَّا عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا»

*“It is not permissible for a woman who believes in Allāh and the Last Day to mourn over a deceased person for more than three nights; except for her husband, who she mourns for four months and ten days.”*<sup>[1]</sup>

In reference to the women mourning for a complete year, this is opposed to the noble Islamic law and it is from the customs of the pre-Islamic days of ignorance that Islam nullified and warned against. Therefore, it is obligatory to denounce this practice and advise others to abandon it. Imam Ibn Al-Qayyim said: “This is from the perfection of the beautiful aspects of the Islamic law, its wisdom and its care in the most complete manner. For verily, mourning over the deceased is a form of magnifying the calamity of death that the people of pre-Islamic ignorance used to exaggerate in the most extreme way. The woman would stay in an extremely small house and isolate herself for a year. She would not use any fragrance or cosmetics, and she would not bathe, and other things as well that are a form of showing displeasure with the Lord and His Decrees. Thus, Allāh, with His Wisdom, nullified this custom of pre-Islamic ignorance and directed us to patience and praise, in exchange for it. Since the calamity of death undoubtedly causes the grieved person to be upset, hurt and sad, as the innate nature demands, the Most Wise, the Most Aware (Allāh) allowed a moderate amount of that. This moderate portion is

[1] Al-Bukhari no. 5334 and Muslim no. 1486.

three days by which you will find a type of relaxation and fulfill your need to grieve. Whatever is more than that, then it is probably corruptive and thus, He (Allâh) prevented it. The intent here is that He allowed the women to mourn their deceased for three days. In reference to mourning the husband, then it conforms with the *'Iddah* in that it is over a period of months. Concerning the pregnant woman, when she delivers her child the obligation of mourning is dropped, because it only continues until the time of her delivery..."

Concerning having a party after the woman comes out of the *'Iddah*, this is an innovation if it contains what Allâh forbade of wailing, lamenting, moaning and similar things. It is not confirmed from the Messenger of Allâh ﷺ or anyone of his Companions or anyone of the Pious Predecessors (*As-Salaf As-Salih*) that they held a party for the deceased at all. This was not done upon the person's death or a week after his death or after forty days or after a year from his death. Rather, this is an innovation and an evil custom. Therefore, it is obligatory to avoid the likes of these things, reject them, repent to Allâh from them and keep away from them. This is due to what these things contain of innovating in the religion and imitating the *Mushrikun* (polytheists, idolaters and pagans). Verily, it is confirmed from the Prophet ﷺ that he said:

«بُعِثْتُ بَيْنَ يَدَيِ السَّاعَةِ بِالسَّيْفِ حَتَّى يُعْبَدَ اللَّهُ وَحْدَهُ لَا شَرِيكَ، لَهُ،  
وَجُعِلَ رِزْقِي تَحْتَ ظِلِّ رُمْحِي، وَجُعِلَ الذُّلَّةُ وَالصَّغَارُ عَلَيَّ مَنْ خَالَفَ  
أَمْرِي، وَمَنْ تَشَبَّهَ بِقَوْمٍ فَهُوَ مِنْهُمْ»

*"I was sent with the sword before the Hour so that Allâh would be worshipped alone without any partner. My sustenance was placed under the shadow of my spear, and disgrace and humiliation was placed upon whoever opposes my command. And whoever imitates a people, then he is one of them."*<sup>[1]</sup>

[1] Ahmad 2:50.



It is also confirmed from him ﷺ that he said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

“Whoever does a deed that is not in accordance with our matter, then it is rejected.”<sup>[1]</sup>

There are other *Hadiths* besides these that prove the prohibition of imitating the *Mushrikun* (polytheists, idolaters and pagans) and innovating in the religion. And Allâh knows best.

### The ruling on Condolences and how they are to be given - Is there a specific time for them and should Condolences be given for the Infant and the extremely Old Person who dies?

**Q** Is specifying three days for condolences for the family of the deceased considered from the innovated matters, and are there any condolences to be given for the infant, the elderly person and the terminally ill person after their death?


**A** Giving condolences is a Sunnah due to what it contains of showing support for the one stricken with a calamity, and supplicating for good for him. There is no difference in that as to whether the deceased is a child or an adult. There is no specific wording for it. Rather, the Muslim consoles his brother by whatever is easy of appropriate words, for example saying: “May Allâh make your condolences good and grant you strength in your calamity and forgive your deceased.” This is if the deceased was a Muslim. However, if the deceased was a disbeliever, supplications should not be made for him. Condolences are only given to his Muslim relatives with words similar to what has been mentioned (i.e., condolences to non-Muslims should not include such supplication for them).


[1] Muslim no. 1718.

There is no specified time for condolences, nor any specified days. Rather, it is legislated from the time of the death of the deceased. It may be before the funeral prayer and after it, and before the burial and after it. It is better to make haste in giving the condolences early on in the case of severe calamity. It is also allowed to give condolences after three days from the passing of the deceased, as there is no evidence that proves any restriction.

Ash-Shaykh Ibn Baz


### **The ruling on travelling for the sake of giving Condolences**


 What is the ruling regarding someone who travels for the sake of giving condolences to a relative or a friend? Is it permissible to give condolences before the burial?

 We do not know of any harm in travelling to give condolences to a relative or friend, due to what that contains of supporting, consoling and lightening the pains of the misfortune. There is no harm in giving condolences before the burial and after it. The closer that the condolences are given to the time of the calamity, the better it is for lightening its pains. And success is from Allâh.

Ash-Shaykh Ibn Baz

### **The ruling on specifying a particular time for accepting Condolences like the gathering of the Family of the Deceased for three days**

 In some countries, when a person dies, the family of the deceased sits in order to accept condolences after the *Maghrib* prayer for a period of three days. Is this permissible or is it an innovation?

 Giving condolence to the person who has been stricken with the misfortune of a death (i.e., loss of a loved one) is

legislated. There is no problem with this. In reference to specifying a particular time for accepting the condolences and making it three days, then this is from the innovations. Verily, it is confirmed from the Messenger of Allāh ﷺ that he said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

*“Whoever does a deed that is not in accordance with our matter, then it is rejected.”*<sup>[1]</sup>

And success is with Allāh.

The Permanent Committee

### The ruling on sitting for Condolences for a week or more along with offering Food

**Q** The people of our land have taken it as a custom to sit for condolences for a week or more when a person among them dies. They exaggerate concerning this by spending a lot of money for slaughtering animals and other things. The people who give condolences are burdened with expenses and they are expected to come from great distances to offer condolences. If someone contradicts this method of condolences, the people speak ill of him, and they call him miserly and one who has abandoned what they think is obligatory concerning that.

**A** Offering condolences is legislated and it contains mutual assistance in encouraging patience during misfortune. However, sitting in the manner mentioned for receiving condolences, and taking that as a custom, is not from the practice of the Prophet ﷺ or his Companions. What the people have taken as a custom of sitting for condolences until they think that it is something (legislated), and their spending huge sums of wealth in that is incorrect. It may be that some of this

[1] Muslim no. 1718.

money spent in this way) is from the inheritance for the orphans (of the deceased). They neglect or suspend that which is beneficial for them (by spending on condolences). Also, they blame and criticize whoever does not participate with them in this, and does not travel to come to them, just as they would criticize whoever abandons one of the aspects of Islam (i.e., Islamic religious ceremonies).

This is from the newly invented innovations that the Messenger of Allāh ﷺ rebuked in the general meaning of his statement:

«مَنْ أَحَدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ فِيهِ فَهُوَ رَدٌّ»

*“Whoever introduces into this religion of ours that which is not of it, then it is rejected.”*<sup>[1]</sup>

In another *Hadith* he ﷺ said:

«عَلَيْكُمْ بِسُنَّتِي وَسُنَّةِ الْخُلَفَاءِ الرَّاشِدِينَ الْمَهْدِيِّينَ تَمَسَّكُوا بِهَا، عَضُّوا عَلَيْهَا بِالنَّوَاجِدِ، وَإِيَّاكُمْ وَمُحَدَّثَاتِ الْأُمُورِ، فَإِنَّ كُلَّ مُحَدَّثَةٍ بَدْعَةٌ، وَكُلُّ بَدْعَةٍ ضَلَالَةٌ»

*“You must adhere to my Sunnah and the Sunnah of the Rightly-Guided Caliphs after me. Bite down upon it with the molar teeth. And beware of the newly invented matters. For verily, every innovation is a misguidance.”*<sup>[2]</sup>

Thus, he commanded the following of his Sunnah and the Sunnah of the Rightly-Guided Caliphs after him, and they were not doing this (type of condolence). He warned against innovating and introducing new things into the religion, and he explained that to do so is misguidance. Therefore, it is obligatory upon the Muslims to work together in rejecting these evil customs and stop them. This is in following the Sunnah and saving wealth and time. It is also a means of avoiding that which causes sadness and grief, (avoiding) competing in having a lot of

[1] Al-Bukhari no. 2697.

[2] Abu Dawud no. 4607.

animals slaughtered, the coming of a lot of people for condolences and lengthy sittings. It should suffice these people to do that which sufficed the Companions and *As-Salaf As-Salih*, such as giving condolences to the family of the deceased, consoling them, giving charity on the deceased's behalf and supplicating for forgiveness and mercy for him. May Allâh send blessings and peace upon our Prophet Muhammad and his family.

The Permanent Committee

### Showing kindness to the Family of the Deceased by giving them Clothing and Money instead of preparing Food for them

**Q** Is it permissible to do deeds of goodness and kindness to the family of the deceased by (giving them) clothing, money and other things, so that this wealth and kindness may take the place of the food that is in accordance with the Prophet's statement:

«اضْنَعُوا لِآلِ جَعْفَرٍ طَعَامًا»

*"Prepare some food for the family of Ja'far."*<sup>[1]</sup>

Is this permissible or not?

**A** Giving clothes or money to the family of the deceased may take the place of preparing food for them. This is due to the Prophet's statement at the end of the *Hadith*:

«فَدَأَتْهُمُ أَمْرٌ يَشْغَلُهُمْ»

*"Verily there has come to them that which will preoccupy them."*<sup>[2]</sup>

This is clear in that food was ordered to be prepared for the

[1] Abu Dawud no. 3132.

[2] Abu Dawud no. 3132.

family of the deceased only because they were preoccupied with their misfortune and unable to prepare food for themselves. However, showing kindness by giving clothes or money to whoever needs that of the deceased's family is good in itself, and the Islamic law encourages it in general whenever there is a necessity for it. It makes no difference whether it is for the family of the deceased or other than them. Thus, whoever does that to remove a hardship or relieve a distress, then verily he has done something good.

The Permanent Committee

## Rulings Pertaining to Visiting the Graves

### Visiting the Graves of the Muslims and supplicating for the People in them is a Sunnah

**Q** I live in a neighborhood that has a graveyard and everyday I walk along a path that passes beside it. Actually, I walk along this path more than once everyday. What is obligatory upon me in this situation? Should I always give the greetings of peace to the deceased or what should I do? Please give me some direction, may Allâh bless you.

**A** Visiting the graves in the legislated manner is a Sunnah due to what it contains of reminding of the Hereafter and death, and what it contains of supplication for forgiveness, mercy and safety from the Fire for the deceased – if they were Muslims. This is due to the Prophet's statement:

«زُورُوا الْقُبُورَ فَإِنَّهَا تُذَكِّرُكُمْ الْآخِرَةَ»

*“Visit the graves, for verily they remind you all of the Hereafter.”*<sup>[1]</sup>

The Prophet ﷺ used to teach his Companions to say when they

[1] Muslim no. 976 and Ibn Majah no. 1569.

visited the graves:

«السَّلَامُ عَلَيْكُمْ أَهْلَ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ، وَإِنَّا، إِنْ شَاءَ اللَّهُ  
لَلْحَاقُونَ، أَسْأَلُ اللَّهَ لَنَا وَلَكُمْ الْعَافِيَةَ»

*“Peace be upon you, O people of the abodes among the Muslims and the believers. If Allâh wills, verily we will be joining you. We ask Allâh for well-being for us and you.”*<sup>[1]</sup>

The *Hadiths* concerning visiting the graves are numerous. It is legislated for you to give the greetings of peace every time you pass by the graves, to those who are in them and supplicate for forgiveness and well-being for them. Yet, this is not obligatory. Rather, it is recommended and it contains great reward. If you pass by the graves and you do not give the greetings of peace, there is no sin upon you. And success is from Allâh.

Ash-Shaykh Ibn Baz

### The Woman does not visit the Grave


**Q** What is the ruling on the woman visiting graves?


**A** It is not permissible for women to visit the graves because the Messenger ﷺ cursed the women who visited the graves. Also, because they are a *Fitnah* (source of trial and temptation) and they have very little patience. Therefore, from the mercy of Allâh and His kindness is that He forbade visiting graves for them so that they would not be exposed to temptation, nor would they cause temptation for others. May Allâh correct the situation of everyone.

Ash-Shaykh Ibn Baz

<sup>[1]</sup> Muslim no. 975.

## The ruling on Women visiting Graves and some Superstitions

 Can I visit the grave of my son, as he has died and I heard from some of the people that if the mother goes to the grave before sunrise without crying and she recites *Surah Al-Fatihah*, her son will be able to see her. The distance between them will be like the holes of a sieve (strainer or sifter). However, if she cries over him, she will be veiled from him. What is the authenticity of this and what is the ruling on women visiting the graves?

 This action of a woman that you have mentioned – her visiting the grave of her son on the day of *Al-Jumu'ah* (Friday) before sunrise and reciting *Surah Al-Fatihah* without crying, then he will be unveiled for her so that she can see him as if she is looking at him through a sieve (strainer or sifter) – we say that this statement is not correct. It is a false statement that should not be relied upon.

Concerning the ruling on women visiting the graves, the scholars have differed concerning it. Some of them have said that it is disliked; some of them have said it is allowed if it does not contain anything forbidden; and some of them have said that it is forbidden. I think that the correct view from the statements of the people of knowledge is that it is forbidden for women to visit the graves. This is because the Prophet ﷺ cursed the women who visit the graves, those who establish *Masjids* over them and those who place lights (or lamps) at them. The curse (of the Prophet ﷺ) does not occur for an action that is allowed or disliked. Rather, the curse is mentioned concerning that action which is forbidden. The well-known principle with the people of knowledge necessitates that the women's visiting of graves is from the major sins, because it carries the curse (invoked by the Prophet ﷺ). If the sin carries the curse (of the Prophet ﷺ) then it becomes one of the major sins, just as the fundamental principle with many or most of the people of knowledge



dictates. Based upon this, my advice to this woman whose son died is that she should increase in her seeking of forgiveness and supplicating for him in her house. If Allâh, the Most High accepts that from her, it will benefit her son even if she is not at his grave.

Ash-Shaykh Ibn 'Uthaimin

### The reason that the Woman is prevented from visiting the Graves

**Q** What is the wisdom behind preventing the women from visiting the graves?

**A** It is not for the woman to visit the graves. Rather, the most correct view from the statements of the people of knowledge is that her visiting the graves is forbidden, and it is from the major sins. This is because the Prophet ﷺ cursed the women who visit the graves, and the curse is only for a major sin. For this reason, the people of knowledge have pointed out that one of the signs of the major sin is that it contains the curse (of Allâh or His Messenger ﷺ). This is because it (this curse) is a tremendous punishment, and the tremendous punishment is only for a tremendous sin.

However, if the woman happens to pass by the graveyards, there is no sin on her that she stops and supplicates for the people in the graves. In reference to her leaving out of her house intending to visit the graves, then this is forbidden.

The wisdom behind this is that the women visiting graves contains evils. Among these evils is the fact that the woman has a weak will and strong emotions. It is likely that if she comes to the grave of her relative, like her mother or her father, she will not be able to bear her grief. Thus, she will begin crying, wailing and lamenting, which will be harmful to her in her religion and her body.

Also, from the wisdom in this is that if the woman is allowed to

visit the graves, which usually do not have any people at them, she will be exposed to the harms of the wicked and sinful people that may come to this empty place. Then something may happen to her that might have detestable consequences.

Also, from the wisdom in this is that the woman is weak in her will and strong in her emotions. She may take the visiting of graves to be a habitual practice and thereby lose the beneficial things of her religion and her worldly life. Her soul will then remain attached to this visiting.

If there was no wisdom in preventing women from visiting the graves other than that the Messenger ﷺ cursed the women who visit the graves, then that only would be sufficient as a reason to beware of it and avoid it. This is because if Allâh decrees a command in His Book or upon the tongue of His Messenger ﷺ, then we have no choice or opinion in the matter.

Ash-Shaykh Ibn ‘Uthaimin

### Concerning visiting Graves and the People saying “His final abode”

**Q** In our land when a dead person is buried, his family leaves him for forty days without visiting him (i.e., his grave). After that they go to visit him, as they claim that it is not permissible to visit the deceased before forty days has elapsed. What is the extent of the correctness of this?

**A** Before answering this question we should first explain that visiting the graves is a Sunnah for the men. The Prophet ﷺ commanded it after he had prohibited it. The visitor is the one who visits the graves in order to implement the command of the Messenger of Allâh ﷺ and consider the condition of these dead people who were with him yesterday on the face of the earth. Now they are being held in pawn in their graves for their deeds (which will be presented on their behalf on the Day of Judgment). They do not have any friend or comrade.

Their only company is their deeds.

The grave is not the final abode. Rather, after it will come the Last Day, which is as Allâh described it, a Final Day, and there will be no day after it. In reference to the period of remaining in the graves, it is only a visiting period, as Allâh said:

﴿أَلْهَيْكُمْ التَّكَاثُرُ ﴿١﴾ حَتَّىٰ زُرْتُمُ الْمَقَابِرَ ﴿٢﴾﴾

*“The mutual rivalry (for piling up wealth) diverts (or distracts) you all, until you visit the graves.”<sup>[1]</sup>*

It has been mentioned that a bedouin Arab heard someone reciting this Verse, “until you visit the graves”, and he said, “The one who visits, is not a resident who stays.”

Since the time is appropriate, I would like to draw attention to a statement that some of the people say without thinking or contemplating. It is that when they speak about the deceased they say: “Then they placed him in his final abode.” If we wish to look closely at the meaning of this statement, it contains a denial of the Resurrection. This is because if the grave was the final abode, this means that the person will not be resurrected after it. This is a dangerous matter, because belief in Allâh and the Last Day is one of the conditions of Faith and Islam. However, what seems apparent to me is that the common people say this without thinking about its meaning and contemplating. Nevertheless, it is obligatory to be aware of this and to know that it is forbidden for the person to say such an expression. If the person actually believes what the expression implies, then it is disbelief. Because whoever believes that the grave is the final abode and there is nothing after it, then he has rejected the Last Day.

In reference to visiting the graves after forty days, this is baseless. Rather, it is allowed for the person to visit his relative (the deceased) from the day after his burial. However, if


[1] *At-Takathur* 102:1-2.


someone dies, the person should not let his heart be too attached to him and he should not make abundant trips back and forth to his grave, as this will renew his grief and cause him to forget the remembrance of Allâh. This will make his greatest concern his being at this grave, and he may be tested by evil whispers, wicked thoughts and superstitions.

Ash-Shaykh Ibn 'Uthaimin

## **Innovations of the Funerals**

### **The ruling on raising the Voice with the Recitation of the Noble Qur'an in the House where Condolences are being given and during the Funeral Procession**

 When a person dies, the people raise the volume of the recitation of the Qur'an by using microphones in the house where the condolences are being given. Also, when they carry the deceased in the hearse (in the funeral procession) they use a microphone so that one will know simply by hearing the Qur'an that someone has died, and thus, feel sorrow upon hearing the Qur'an. This is such that the recitation of the Qur'an is not played except when a person dies. What is the ruling regarding this and what advice can you give to the likes of these people?

 Verily, this practice is undoubtedly an innovation. For verily it did not exist in the time of the Prophet ﷺ or in the time of his Companions. The Qur'an only lightens the person's sorrows when he recites it to himself and not when he plays it out loud with a microphone. Likewise, the gathering of the family of the deceased to receive people coming to offer condolences is also from the matters that were not known (before). Some of the scholars have said that it is an innovation. For this reason, we do not think that the family of the deceased should gather to accept condolences. Rather, they should close

their doors and if anyone meets them in the market or if someone comes from their acquaintances, without them making the preparations for this gathering, then there is no harm in that.

In reference to receiving people (at a set function), then this was not known in the time of the Prophet ﷺ. This was to such an extent that the Companions used to consider the gathering of the deceased's family and their preparing food as a part of wailing. And wailing, as is well known, is from the major sins, because the Prophet ﷺ cursed the woman who wails and the woman who listens to it. He ﷺ said:

«النَّائِحَةُ إِذَا لَمْ تَتُبْ قَبْلَ مَوْتِهَا، تُقَامُ يَوْمَ الْقِيَامَةِ وَعَلَيْهَا سِرْبَالٌ مِّنْ قَطْرَانٍ، وَدِرْعٌ مِّنْ جَرَبٍ»

*"If the woman who wails does not repent before her death, she will be made to stand on the Day of Resurrection wearing a garment made of tar and a shirt made of mangy (scabby) material."*<sup>[1]</sup>

We ask Allâh for security from this. Thus, my advice to my brothers is that they abandon these innovated matters. That is better for them with Allâh and it is also better in reference to the deceased. Because the Prophet ﷺ informed that the deceased is tormented due to the crying of his family over him and their wailing over him. His being tormented means that he feels pain from this crying and this wailing, even though he will not be punished with the punishment of the one who does it. This is because Allâh says:

﴿وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ﴾

*"No person shall bear the burden of another."*<sup>[2]</sup>

This torment (which the deceased will experience) is not a punishment (for him), as the Prophet ﷺ said:

[1] Muslim no. 934.

[2] Al-An'am 6:164.

«السَّفَرُ قِطْعَةٌ مِّنَ الْعَذَابِ»

“Verily, travel is a piece of torment.”<sup>[1]</sup>

Rather, pain, suffering and whatever is similar to them is considered a torment. From the words that circulate among the people is their saying: “I tormented myself.”

So in conclusion, I advise my brothers to avoid the likes of these customs that do not increase anything except for distance from Allâh, and they only increase the deceased in their torment.

Ash-Shaykh Ibn ‘Uthaimin

### The ruling on raising the Voice with the Statement ‘*La ilâha illallâh*’ while going out with the Funeral Procession

**Q** What is the ruling on raising the voice with the statement ‘*La ilâha illallâh*’ (none has the right to be worshipped but Allâh) in group unison while going out with the funeral procession and walking with it to the grave?

**A** The guidance of the Messenger ﷺ when he would follow the funeral procession is that his voice would not be heard saying ‘*La ilâha illallâh*’ or reciting the Qur’an or anything similar to that. He did not order that the statement ‘*La ilâha illallâh*’ be said in group unison – as far as we know. Rather, it is reported from him that he prohibited that the deceased be followed with any sound (or voice) or fire. This was recorded by Abu Dawud.


Qays bin ‘Abbad, one of the major Successors of the Companions, and one of the friends of ‘Ali bin Abu Talib ؓ said: “They (the Companions) used to like lowering the voice during the funerals, while remembering Allâh and during battle.”


[1] Al-Bukhari no. 1804.

Shaykhul-Islam Ibn Taimiyyah said: "It is not recommended to raise the voice with the funeral procession, the recitation of the Qur'an, remembering Allâh or anything else. This is the view of the four Imams and it is reported from the *Salaf* among the Companions and the Successors of the Companions. I do not know of any difference of opinion concerning it." He also said: "The people of knowledge of *Hadith* and the reports have agreed that this practice did not exist in the time of the blessed generations." With this, it becomes clear to you that raising the voice while saying '*La ilâha illallâh*' in group unison with the funeral procession is a rejected innovation. The same applies to whatever resembles it of the people's saying: "Declare His Oneness", or "Remember Allâh", or reciting some lines of poetry like the one known as *Al-Burdah*.

The Permanent Committee

### **The ruling on standing silently as a form of reverence for the Martyrs, the Distinguished People and Others similar to them**

 It has been mentioned to us that when the United Nations was informed of the death of a country's president that is a member of the United Nations, they remained standing for an entire hour in grief over the murdered president. What is your opinion about this?

 What some people do of standing for a period of time in silence as a way of showing reverence for the martyrs or respected people, or as a form of honor and respect for their souls, is from the evils and innovations which did not exist in the time of the Prophet ﷺ, his Companions or *As-Salaf As-Salih*. It does not agree with the etiquettes of *At-Tawhid* or making magnification for Allâh alone. Rather, some of the Muslims who are ignorant of the religion (Islam) have followed those disbelievers who innovated this practice. They have blindly followed them in their despicable customs and their exaggera-

tions concerning their leaders and distinguished personalities, whether alive or dead. Verily, the Prophet ﷺ has prohibited imitating them (the disbelievers).

That which is known in Islam from the rights of its people is to supplicate for the deceased Muslims, give charity on their behalf, mention their virtuous qualities and refrain from speaking of their bad deeds. There are manners that Islam has explained and encouraged the Muslims to observe with their brothers, whether alive or dead. However, standing in mourning while being silent in order to show reverence to the martyrs or the respected people is not from these. Rather, this is from those matters that the fundamentals of Islam reject.

The Permanent Committee

### The ruling on placing a Copy of the Qur'an on the Stomach of the Deceased

**Q** What is the ruling on reciting the Qur'an over the deceased and placing a copy of the Qur'an on his stomach? Also, are there a limited number of days for the offering of condolences, as it is said that it is only for three days? I hope for a beneficial reply from the Eminent Shaykh, may Allâh reward him with good.

**A** There is no sound basis for reciting the Qur'an over the deceased or over the grave. Rather, that is something that is not legislated. Actually, it is from the innovations. Likewise, placing the Qur'an on his stomach is a baseless practice and it is not legislated. Some of the people of knowledge have mentioned placing a piece of iron or something heavy on the deceased's stomach after his death only so that he does not swell up. In reference to the condolences, there are no restricted days for it. And Allâh is the Giver of success.

Ash-Shaykh Ibn 'Uthaimin



## The ruling on entering the Deceased through the Door of Mercy in (the Prophet's *Masjid* in) Al-Madinah instead of other Doors

**Q** Many of the people in Al-Madinah Al-Munawwarah have taken it as a custom to enter the deceased through the Door of Mercy only instead of the other doors (of the Prophet's *Masjid*). This is because they believe that Allâh will have mercy on him and forgive him because of this. Is there anything authentic concerning this from our pure Islamic law?

**A** I do not know of any basis for this belief in our accommodating Islamic law. Rather, it is an evil and it is not permissible to believe it. There is no harm in entering the deceased through any of the doors (of the *Masjid*). It is better to enter the body through the door that will cause the least harm upon those who are praying.

Ash-Shaykh Ibn Baz

## The ruling on calling the *Athan* and the *Iqamah* in the Grave of the Deceased

**Q** What is the ruling on calling the *Athan* and the *Iqamah* in the grave of the deceased when placing him in it?

**A** There is no doubt that this is an innovation that Allâh has not revealed any authority for, because it has not been reported from the Messenger of Allâh ﷺ or his Companions ؓ. All good is in following them and traversing upon their path. This is as Allâh said:

﴿وَالسَّابِقُونَ السَّابِقُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ وَالَّذِينَ اتَّبَعُوهُمْ بِإِحْسَانٍ رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُمْ﴾

“And the foremost to embrace Islam of the Muhajirun (those who

migrated from Makkah to Al-Madinah) and the Ansar (the citizens of Al-Madinah who helped the Muhajirun) and also those who followed them exactly in goodness. Allāh is pleased with them and they are pleased with Him.”<sup>[1]</sup>

And the Prophet ﷺ said:

«مَنْ أَحَدَّثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ فِيهِ فَهُوَ رَدٌّ»

“Whoever introduces into this matter of ours that which is not of it, then it is rejected.”<sup>[2]</sup>

This *Hadith*'s authenticity is agreed upon. In another wording of it, he ﷺ said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

“Whoever does a deed that is not in accordance with our matter, then it is rejected.”<sup>[3]</sup>

Also, he ﷺ used to say in the *Khutbah* of *Jumu'ah*:

«أَمَّا بَعْدُ فَإِنَّ خَيْرَ الْحَدِيثِ كِتَابُ اللَّهِ، وَخَيْرَ الْهَدْيِ هَدْيُ مُحَمَّدٍ ﷺ، وَشَرَّ الْأُمُورِ مُحَدَّثَاتُهَا، (وَكُلُّ مُحَدَّثَةٍ بِدْعَةٌ) وَكُلُّ بِدْعَةٍ ضَلَالَةٌ»

“To proceed: Verily, the best of speech is the Book of Allāh and the best guidance is the guidance of Muhammad (ﷺ). The worst of affairs are the newly invented matters, and every newly invented matter is an innovation and every innovation is a misguidance.”<sup>[4]</sup>

Muslim recorded this in a *Hadith* of Jabir رضي الله عنه.

Ash-Shaykh Ibn Baz

[1] *At-Tawbah* 9:100

[2] *Al-Bukhari* no. 2697

[3] *Muslim* no. 1718.

[4] *Muslim* no. 867 and *An-Nasa'i* no. 1579.

## The ruling on encouraging the Deceased to say the Testimony of Faith after burial and reciting *Surat Ya-Sin* when the Person is about to die

**Q** A man says: “What is the ruling on encouraging the deceased to say the Testimony of Faith after burial by someone saying: ‘O servant of Allâh, son of His two servants, remember the covenant that you came out upon from this world to the world of the Hereafter. It is the testimony that none has the right to be worshipped but Allâh and Muhammad is the Messenger of Allâh.’ Then they say: ‘So, when the two angels that have been entrusted with you, come to you and ask you: Who is your Lord, what is your religion and who is your Prophet, tell them: My Lord is Allâh, Islam is my religion and Muhammad is my Prophet. The *Ka’bah* is my *Qiblah* (direction of prayer) and the Muslims are my brothers.’ Then they add a lot of other statements that are similar to this. All of this takes place after the burial of the deceased, except for the recitation of *Surat Ya-Sin*, which is done when he is in the throes of death. Has any authentic *Hadith* been reported concerning this, because those who say that it is permissible, argue based on *Hadiths* that have this meaning?”




The guidance of the Messenger ﷺ is that when he finished burying the deceased, he would stand over his grave with his Companions and ask (Allâh) for forgiveness and steadfastness for him. He also commanded his Companions to ask for this for the deceased. He would not sit and recite (the Qur’an) at the grave nor would he encourage the deceased to say the Testimony of Faith. Shaykhul-Islam Ibn Taimiyyah said: “Encouraging the deceased to say the Testimony of Faith is not obligatory according to the consensus of the scholars. It was also not from the well-known practices among the Muslims in the time of the Messenger of Allâh ﷺ and his caliphs. Rather, that has been reported from a group of the Companions, like


Abu Umamah and Wathilah bin Al-Asqa'. There are some among the Imams who accepted this, like Imam Ahmad. Indeed a group of his followers recommended this, as did the followers of Ash-Shafi'i. Also, among the scholars there are those who disliked it due to their belief that it was an innovation. Thus, the views concerning it are three: recommendation, dislike and allowance, and this (allowance) is the most balanced of the views. As for that which is recommended – that which the Prophet ﷺ ordered and encouraged – it is supplication for the deceased."

May prayers of blessing and peace be upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### An Evil Innovation

 It states in *At-Tarhib wat-Tarhib*: "When the person dies, take a handful of dirt from his grave and recite some Verses (of the Qur'an) over it – I do not remember the Verses – then sprinkle it over his shroud. Thus, he will never be tormented in his grave." What is the authenticity of this? May Allâh reward you all.

 This is something that is baseless (i.e., recitation of Qur'an at this time, and believing that this action will protect the person from punishment in the grave). Actually, it is an evil innovation that is not permissible to do. There is no benefit derived from it, because the Prophet ﷺ did not sanction that for his *Ummah*.<sup>[1]</sup> The only thing that is legislated is that the Muslim should be washed when he dies, shrouded and

[1] *Translator's Note*: It is reported that the Prophet ﷺ would sprinkle three handfuls of dirt into the grave of the deceased from the direction of the head. This was graded *Jayyid* by Al-Albani in *Mishkatul-Masabih* [1/539, No. 1720] and he declared it authentic (*Sahih*) in *Sahih Sunan Ibn Majah* [1/261, No. 1565 (1271)]. A.W.

prayed over. Then he is to be buried in the graveyards of the Muslims. It is legislated for whoever attends the burial to supplicate for forgiveness for him and firmness upon the truth after the completion of his burial. This is just as the Prophet ﷺ used to do and command others to do. And success is from Allâh.

Ash-Shaykh Ibn Baz

### The ruling on reciting *Surat Ya-Sin* at the Grave and the ruling on planting Trees over and cultivating it with Vegetation

**Q** After burying the deceased some people recite *Surat Ya-Sin* from a copy of the Qur'an at the grave and they plant a tree at the grave, like an Indian fig tree, and they will plant some barley or wheat in the ground over the grave. They do this claiming that the Messenger ﷺ did that to two graves of his Companions. What is the ruling on that?

**A** It is not legislated to recite *Surat Ya-Sin* or anything other than it from the Qur'an over the grave after the burial or during the burial. It is also not legislated to recite Qur'an in the graves, because the Prophet ﷺ did not do that, nor did his Rightly-Guided Caliphs. Likewise, it is not legislated to call the *Athan* or the *Iqamah* in the grave. All of that is innovation. It has been authenticated from the Messenger ﷺ that he said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

“Whoever does a deed that is not in accordance with our matter, then it is rejected.”<sup>[1]</sup>

This was recorded by Imam Muslim in his *Sahih*. Likewise, it is not legislated to plant trees over the graves or Indian fig trees or anything else. Also, barley and wheat and other things should not be planted over the graves. This is because the Messenger ﷺ

[1] Muslim no. 1718.

did not do that over the graves, nor did the Rightly-Guided Caliphs رضي الله عنهم. In reference to what the Prophet صلى الله عليه وسلم did with the two graves, which Allâh had informed him about their torment, of planting a palm branch in them, this is something specifically for him and those two graves. This is because he did not do that with anyone other than them. It is not for the Muslims to introduce new things from the acts of seeking nearness to Allâh that Allâh did not legislate. This is due to the *Hadith* that has been mentioned and the Statement of Allâh:

﴿أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِّنَ الدِّينِ مَا لَمْ يَأْذَنَ بِهِ اللَّهُ﴾ الآية

*“Or do they have partners who have legislated for them from the religion that which Allâh has not allowed?”*<sup>[1]</sup>

And success is from Allâh.

Ash-Shaykh Ibn Baz

## The ruling on reciting *Al-Fatihah* over the Deceased

**Q** Is it permissible to recite (*Surat*) *Al-Fatihah* over the deceased and does it reach them?

**A** Concerning the recitation of *Al-Fatihah* over the deceased, I do not know of any text from the Sunnah about it. Based upon this, it should not be recited, because the fundamental principle regarding the acts of worship is forbiddance and prohibition until there is evidence established to confirm it and that it is from the Legislation of Allâh. The proof for this is that Allâh rebuked whoever legislated in the religion of Allâh that which Allâh did not allow. He said:

﴿أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِّنَ الدِّينِ مَا لَمْ يَأْذَنَ بِهِ اللَّهُ﴾

*“Or do they have partners who have legislated for them from the religion that which Allâh has not allowed?”*<sup>[2]</sup>

[1] *Ash-Shura* 42:21.

[2] *Ash-Shura* 42:21.

It has been confirmed from the Prophet ﷺ that he said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

*“Whoever does a deed that is not in accordance with our matter, then it is rejected.”*<sup>[1]</sup>

If the deed is rejected, then it is false and futile. Allâh is far removed from being drawn near to by such a deed.

In reference to hiring a reciter to recite the Qur’an so that its blessing will be for the deceased, this is forbidden. It is not correct to take payment for the recitation of the Qur’an and whoever takes payment for the recitation of the Qur’an, then he is a sinner. He gets no reward, because the recitation of the Qur’an is an act of worship and it is not permissible for the act of worship to be a means to attain anything of the worldly benefits. Allâh said:

«مَنْ كَانَ يُرِيدُ الْحَيَاةَ الدُّنْيَا وَزِينَتَهَا نُوَفِّ إِلَيْهِمْ أَعْمَالَهُمْ فِيهَا وَهُمْ فِيهَا لَا يُبْخَسُونَ»

*“Whoever desires the life of this world and its glitter, We will pay them in full (the wages of) their deeds therein (in this life) and they will not have any diminution (i.e., they will not be shortchanged) therein.”*<sup>[2]</sup>

Ash-Shaykh Ibn ‘Uthaimin

### The ruling on reciting *Al-Fatihah* or something from the Qur’an for the Deceased at his Grave

**Q** Is it permissible to recite (*Surat*) *Al-Fatihah* or something from the Qur’an for the deceased when visiting his grave and does that benefit him?



It has been confirmed from the Prophet ﷺ that he used to visit the graves and supplicate for the deceased with

[1] Muslim no. 1718.

[2] *Hud* 11:15.

supplications that he taught his Companions and that they learned from him. From that is the saying:

«السَّلَامُ عَلَيْكُمْ أَهْلَ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ، وَإِنَّا إِن شَاءَ اللَّهُ،  
لَلْحَاقِقُونَ، أَسْأَلُ اللَّهَ لَنَا وَلَكُمْ الْعَافِيَةَ»

*“Peace be upon you, O people of the abodes of the believers and the Muslims. Verily we, if Allāh wills, will join you. We ask Allāh for well-being for us and you.”*<sup>[1]</sup>

It is not confirmed from him (that he recited any *Surah* or Verses from the Qur’an for the deceased, even with his numerous visits to their graves. If this was legislated, he would have done it and explained it to his Companions, due to his desire for reward and mercy for the *Ummah* and his fulfilling the obligation of conveying (aspects of the religion). For verily he ﷺ was as Allāh described him:

«لَقَدْ جَاءَكُمْ رَسُولٌ مِّنْ أَنفُسِكُمْ عَزِيزٌ عَلَيْهِ مَا عَنِتُّمْ حَرِيصٌ  
عَلَيْكُمْ بِالْمُؤْمِنِينَ رَءُوفٌ رَّحِيمٌ»

*“Verily, there has come to you all a Messenger (Muhammad ﷺ) from among yourselves. It grieves him that you should receive any injury or difficulty. He is concerned for you, and kind and merciful to the believers.”*<sup>[2]</sup>

So, since he did not do that, even though the reasons for him to do it were present, this proves that it is not legislated. The Companions ﷺ knew that, so they followed his path, sufficed themselves with the admonition (from reflecting upon the condition of the dead) and supplicating for the deceased when visiting their graves. It is not confirmed from them that they recited any Qur’an for the deceased. Hence, the recitation for them was considered a newly invented innovation. Indeed it has been confirmed from the Prophet ﷺ that he said:

[1] Muslim no. 975.

[2] *At-Tawbah* 9:128.




«مَنْ أَحَدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ فِيهِ فَهُوَ رَدٌّ»

*“Whoever introduces into this matter of ours that which is not of it, then it is rejected.”*<sup>[1]</sup>

The Permanent Committee

### The ruling on reciting the Qur’an over the Grave after the burial

**Q** What is the ruling on reciting the Qur’an over the grave after the burial of the deceased? What is the ruling on hiring those who recite Qur’an in the houses and us calling it (this recitation) mercy upon the deceased?

 The correct view from the statements of the people of knowledge is that the recitation over the grave after the burial is an innovation, because it did not exist in the time of the Messenger ﷺ, nor did he command it or did it. Rather, the most that has been reported concerning this is that he ﷺ used to stand after the burial and say:

«اسْتَغْفِرُوا لِأَخِيكُمْ وَاسْأَلُوا لَهُ بِالتَّشْيِيتِ فَإِنَّهُ الْآنَ يُسْأَلُ»

*“Seek forgiveness for your brother and ask for steadfastness for him, for verily he is being questioned now.”*<sup>[2]</sup>

If recitation at the grave was something good and legislated, the Prophet ﷺ would have ordered it to be done so that the *Ummah* would know that.

Also, the gathering of the people in the houses for recitation (of the Qur’an) over the spirit of the deceased is a baseless practice. *As-Salaf As-Salih* did not do it. What is legislated for the Muslim is that when he is stricken with a calamity, he must be patient and seek the reward from Allāh. He should say what the patient

[1] Al-Bukhari no. 2696.

[2] Abu Dawud no. 3221 and Al-Hakim 1:370.

people say: "Verily we belong to Allâh and unto Him we are returning. O Allâh, reward me in my calamity and give me what is better than it after it." In reference to gathering at the house of the deceased, reciting the Qur'an and preparing food (i.e., like a banquet or reception at the deceased's house), all of this is from the innovations.

Ash-Shaykh Ibn 'Uthaimin

### The ruling on establishing the practice known as "Al-Ma'tam"

**Q** What is the ruling on gathering after the burial of the deceased for a period of three days and reciting the Qur'an, which is called *Al-Ma'tam* (funeral ceremony)?

**A** Gathering in the house of the deceased to eat or drink or recite the Qur'an is an innovation. Likewise, their gathering where they offer prayer (*As-Salah*) for the deceased and supplicate for him (in a gathering) is also an innovation that has no support for it. The only thing that is done is that people come to the family of the deceased to offer condolences, supplicate for them, pray for mercy upon their deceased, console them and encourage them to be patient. In reference to them gathering to establish the ceremonies known as *Al-Ma'tam* and making specific supplications or prayers (*As-Salawat*) or reciting some Qur'an, then this is baseless. If it were good, our righteous *Salaf* ( would have beaten us to it. Thus, the Messenger ﷺ did not do it. When Ja'far bin Abu Talib, 'Abdullah bin Rawahah and Zaid bin Harithah ؓ were killed in the battle of Mu'tah and the revelation came to him, the Prophet ﷺ informed his Companions of their death, supplicated for them and prayed for Allâh to be pleased with them. He did not gather the people nor did he establish a banquet or hold a funeral reception. All of this he did not do. Here were the best and most virtuous of his Companions (and look at what happened with them)! As-Siddiq (Abu Bakr) (died, yet they (the Companions) did not arrange a

*Ma'tam* ceremony, even though he was the best of the Companions. 'Umar ؓ was killed, yet they did not arrange a *Ma'tam* ceremony, nor did they gather the people to announce his death and recite the Qur'an for him. 'Uthman and 'Ali ؓ were both killed after that, yet the people were not gathered for any specific days after their deaths to supplicate for them, pray for mercy on them or prepare food for them.

However, it is recommended for the relatives of the deceased or his neighbors to prepare some food for the family of the deceased and send it to them. This is like what the Prophet ﷺ did when the news of Ja'far's death came. He said to his family:

«اضْعُوا لآلِ جَعْفَرٍ طَعَامًا فَإِنَّهُ قَدْ أَتَاهُمْ أَمْرٌ يَشْغَلُهُمْ»

*"Prepare some food for the family of Ja'far, for verily there has come to them that which will preoccupy them."*<sup>[1]</sup>

Thus, the families of the deceased are preoccupied with their calamity, so if food is prepared for them and sent to them, this is legislated. In reference to burdening them with a trial on top of their trial, and holding them responsible for preparing food for the people, then this is opposed to the Sunnah. Actually, it is an innovation. Jarir bin 'Abdullah Al-Bajali ؓ said: "We used to consider gathering at the house of deceased's family and (them) preparing food after the burial a part of wailing." And wailing is forbidden. It is the raising of voice, and the deceased is tormented in his grave due to the wailing that is done over him. Therefore, it is obligatory to be careful of that. In reference to crying with tears coming from the eyes, there is no harm in that. And success is from Allâh.

Ash-Shaykh Ibn Baz

### The ruling on holding Parties



Some of the people have parties and slaughter animals when some of their relatives die. The expense of these

[1] Abu Dawud no. 3132.

parties is spent from the wealth of the deceased. What is the ruling on this? If the deceased wills that a party like these parties be held after his death, does the Islamic law obligate the heirs to carry out this will?



Leaving a bequest to hold parties after one's death is an innovation and from the practices of the pre-Islamic days of ignorance. Likewise, the family of the deceased holding these mentioned parties is an evil, even if it is not requested in a will. This is not permissible due to what is confirmed from Jarir bin 'Abdullah Al-Bajali رضي الله عنه that he said: "We used to consider gathering at the house of the deceased's family and (them) preparing food after the burial a part of wailing." Imam Ahmad recorded this narration with a good chain of narration. It is also not allowed because it is opposed to what Allāh legislated of giving assistance to the deceased's family by preparing food for them, as they are preoccupied with the calamity. This is based on what is confirmed from the Prophet ﷺ when the news reached him of Ja'far bin Abu Talib's martyrdom in the battle of Mu'tah that he said to his family:

«إِصْنَعُوا لَالِ جَعْفَرَ طَعَامًا فَإِنَّهُ قَدْ أَتَاهُمْ أَمْرٌ يَشْغَلُهُمْ»

*"Prepare some food for the family of Ja'far, for verily there has come to them that which will preoccupy them."*<sup>[1]</sup>

Ash-Shaykh Ibn Baz

### **The ruling on slaughtering an animal for the Deceased on the seventh day or fortieth day after his death**



A Muslim died who had many children and they (the children) have a lot of wealth. Is it permissible for them to slaughter sheep for the deceased or have a baker knead some bread for him on the seventh or fortieth day after his

[1] Abu Dawud no. 3132.

death as a gift for him, which the Muslims gather to eat it?



Giving charity on behalf of the deceased is legislated. Also, feeding the poor and needy, being generous to them, being charitable towards neighbors and honoring the Muslims are from the types of righteousness and goodness that the Islamic law encourages. However, sacrificing sheep or cows or camels or birds or anything similar to that for the deceased upon his death or on a specific day, like the seventh or fortieth day after his death, is an innovation. Likewise, kneading bread on a specific day, like the seventh or the fortieth or Thursday or Friday or its night, to give it in charity for the deceased at that specified time is from the innovations and novelties that did not exist in the time of our pious *Salaf* ﷺ. Therefore, it is obligatory to abandon these innovations due to the statement of the Messenger of Allāh ﷺ:

«مَنْ أَحَدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ فِيهِ فَهُوَ رَدٌّ»

*“Whoever introduces into this matter of ours that which is not from it, then it is rejected.”*<sup>[1]</sup>

And his statement:

«إِيَّاكُمْ وَمُحَدَّثَاتِ الْأُمُورِ، فَإِنَّ كُلَّ مُحَدَّثَةٍ بَدْعَةٌ، وَكُلُّ بَدْعَةٍ ضَلَالَةٌ»

*“Beware of newly invented matters. For verily every newly invented matter is an innovation, and every innovation is a misguidance.”*<sup>[2]</sup>

The Permanent Committee

## Giving charity on behalf of the Deceased forty days after his death



Is it permissible to give charity for the deceased forty days after his death?

[1] Al-Bukhari no. 2697.

[2] Abu Dawud 4607.



Giving charity on behalf of the deceased is legislated and there is no specific day on which it should be done. Whoever designates a specific day, then this designation is an innovation. A question has come to the Permanent Committee for Scientific Research and Religious Verdicts concerning holding parties for the deceased forty days after his death. This is the text of the answer:

“It is not confirmed from the Prophet ﷺ or his Companions or *As-Salaf As-Salih* that they held parties for the deceased at all – not upon his death, nor seven days, forty days or a year after his death. Rather, this is an innovation and a despicable custom. This came from the ancient Egyptians and others besides them from the disbelievers. Therefore, it is obligatory to advise the Muslims who hold these parties and to rebuke them concerning it. Perhaps they will repent to Allâh and avoid these parties due to what they contain of innovation in the religion and imitation of the disbelievers. It has been confirmed from the Prophet ﷺ that he said:

«بُعِثْتُ بَيْنَ يَدَيِ السَّاعَةِ بِالسَّيْفِ حَتَّى يُعْبَدَ اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ وَجُعِلَ رِزْقِي تَحْتَ ظِلِّ رُمْحِي وَجُعِلَ الذُّلَّةُ وَالصَّغَارُ عَلَيَّ مَنْ خَالَفَ أَمْرِي وَمَنْ تَشَبَّهَ بِقَوْمٍ فَهُوَ مِنْهُمْ»

*“I was sent with the sword before the Hour so that Allâh may be worshipped alone without any partner. My sustenance was placed under the shadow of my spear, and humiliation and disgrace have been placed on whoever opposes my matter. And whoever imitates a people then he is from them.”*<sup>[1]</sup>

This *Hadith* was recorded by Ahmad in his *Musnad* from Ibn ‘Umar رضي الله عنه.


Al-Hakim recorded from Ibn ‘Abbas رضي الله عنه that the Prophet ﷺ said:

«لَتَرْكِبَنَّ سُنَنَ مَنْ كَانَ قَبْلَكُمْ شِبْرًا بِشِيرٍ وَذِرَاعًا بِذِرَاعٍ حَتَّىٰ لَوْ أَنَّ أَحَدَهُمْ

[1] Ahmad 2:50.

دَخَلَ جُحْرَ ضَبٍّ لَدَخَلْتُمْ وَحَتَّى لَوْ أَنَّ أَحَدَهُمْ جَامَعَ امْرَأَتَهُ بِالطَّرِيقِ  
لَفَعَلْتُمُوهُ»

“Verily, you all will traverse upon the ways of those who were before you, hand span by hand span, arm span by arm span. Even if one of them entered the hole of a lizard, indeed you all would enter it. And even if one of them had sex with his wife in the street, you all would do it as well.”<sup>[1]</sup>

The basis of this *Hadith* is in the Two *Sahihs* on the authority of Abu Sa‘id .

The Permanent Committee

### The ruling on *Ath-Thikra Al-Arba‘iniyyah* and commemorating the Deceased

**Q** What is the origin of *At-Thikra Al-Arba‘iniyyah* (gathering to remember the deceased on the fortieth day after his death) and is there any evidence that proves the sanctioning of commemorating the deceased (i.e., eulogies)?

**A** Firstly, as about its origin, it is a Pharaonic custom that used to be practiced by the people of the Pharaohs (i.e., ancient Egyptians) before Islam. Then it spread from them and was passed on to others. It is an evil innovation that has no basis in Islam. It is rejected by what is confirmed from the Prophet’s statement:

«مَنْ أَحَدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ فِيهِ فَهُوَ رَدٌّ»

“Whoever introduces into this matter of ours that which is not of it, then it is rejected.”<sup>[2]</sup>

Secondly, eulogizing the deceased and lamenting over him in a funeral elegy in the way that it is done today, with the people

[1] Al-Bukhari no. 3456 and Al-Hakim 4:455.

[2] Al-Bukhari no. 2697.

gathering for it and exaggerating in praising him, is not permissible. This is due to what was recorded by Ahmad and Ibn Majah, and it was graded authentic by Al-Hakim, from ‘Abdullah bin Abu Awfa who said: “The Messenger of Allâh ﷺ prohibited funeral orations (i.e., eulogies).” This is due to what mentioning the characteristics of the deceased usually contains of boasting and pride, reviving people’s anguish and stirring up grief and sadness. In reference to simply speaking good of him when he is mentioned or when his body is passing by (i.e., being carried to the cemetery) or for making it known who he was by mentioning his magnificent deeds and things similar to this that resemble the Companions commemorating those killed at Uhud and others, then that is allowed. This is due to what is confirmed from Anas bin Malik ؓ, who said: “They passed by a body and they spoke well of the person. So, the Prophet ﷺ said:

«وَجَبَتْ»

*‘It is obligatory.’*

Then they passed by another body and they spoke ill of the person. So, the Prophet ﷺ said:

«وَجَبَتْ»

*‘It is obligatory.’*

Then ‘Umar ؓ said: ‘What is obligatory?’ The Prophet ﷺ replied:

«هَذَا أَنْتُمْ عَلَيْهِ خَيْرًا، فَوَجَبَتْ لَهُ الْجَنَّةُ، وَهَذَا أَنْتُمْ عَلَيْهِ شَرًّا فَوَجَبَتْ لَهُ النَّارُ، أَنْتُمْ شُهَدَاءُ اللَّهِ فِي الْأَرْضِ»

*‘This person whom you all mentioned with good, Paradise is obligatory for him; and this person whom you all mentioned with evil, the Fire is obligatory for him. You all are the witnesses of Allâh in the earth.’*<sup>[1]</sup>

The Permanent Committee

[1] Al-Bukhari no. 13677. Muslim no. 949.



## The ruling on going out to the Graveyards on the Night of the 'Eid and visiting them

**Q** We have a custom in the village that during the night of 'Eidul-Fitr or the blessed night of 'Eidul-Adhha, when the people know that the next day will be the 'Eid, they go out to the graves at night. They light candles on the graves of their deceased and they invite the Shaykhs to come and recite Qur'an over the graves. Is this deed correct?

**A** This is a false and forbidden deed, and it is a cause for the curse of Allâh. For verily, the Prophet ﷺ cursed the women who visit the graves, those people who establish *Masjids* over them and those who put lights at them. Going out to the graveyards on the night before the 'Eid, even to visit them, is an innovation. For verily, it is not reported from the Prophet ﷺ that he would specify the night before the 'Eid or the day of the 'Eid for visiting the graveyard. Indeed it is confirmed from him that he ﷺ said:

«إِيَّاكُمْ وَمُحَدَّثَاتِ الْأُمُورِ، فَإِنَّ كُلَّ مُحَدَّثَةٍ بِدْعَةٌ، وَكُلُّ بِدْعَةٍ ضَلَالَةٌ  
(وَكُلُّ ضَلَالَةٍ فِي النَّارِ)

*"Beware of the newly invented matters. For verily every newly invented matter is an innovation, and every innovation is a misguidance and every misguidance is in the Fire."*<sup>[1]</sup>

Thus, it is obligatory upon the person to seek in his acts of worship – and in everything he does in seeking to draw nearer to Allâh – the *Shari'ah* (law) of Allâh, the Blessed and Most High. Because the fundamental principle in the acts of worship is prohibition and forbiddance (i.e., acts of worship are forbidden), except for that which has an evidence that proves its sanctioning. What the questioner mentioned of lighting up the graves on the night before the 'Eid, an evidence proves its prohibition and

[1] Abu Dawud no. 4607 and An-Nasa'i no. 1579.

that it is from the major sins, just as I pointed out previously. This is due to the fact that the Prophet ﷺ cursed the women who visit the graves, those people who establish *Masjids* over them and those who light them up.

Ash-Shaykh Ibn 'Uthaimin

## Miscellaneous Rulings

### It is not permissible to describe the Deceased as being forgiven or the recipient of mercy

All praise is due to Allâh and may blessings and peace be upon His servant and Messenger, our Prophet Muhammad, and upon his family and Companions. To proceed:

The announcements in the newspapers have become numerous concerning the deaths of some of the people and so has the publishing of condolences of the relatives of those who have passed. In these writings, the people describe the deceased as being 'forgiven' or 'the recipient of mercy' or phrases similar to that which suggest the person being from the people of Paradise. It is not unknown to every person who is familiar with the matters of Islam and its creed of beliefs that this is from the matters that no one knows but Allâh. It is also known that the creed of *Ahlu-Sunnah wal-Jama'ah* is that it is not permissible to testify that anyone will definitely be in Paradise or the Fire. The only exception to this is whoever has been given this confirmation in the Noble Qur'an, like Abu Lahab, or whoever the Messenger ﷺ testified for, like the Ten among the Companions who were given the tidings of Paradise and others like them. The likes of such phrases carry the meaning of a testimony for the person that he is forgiven or is the recipient of mercy. For this reason, what should be said instead of these phrases is 'May Allâh forgive him' or 'May Allâh have mercy on him' or similar statements from the words of supplications for the deceased.

I ask Allâh, Who is far exalted above any shortcomings, to guide

us all to the right path. May Allâh send blessings upon our Prophet Muhammad, his family and his Companions.

Ash-Shaykh ‘Abdul-‘Aziz bin ‘Abdullah bin Baz

### Reciting *Surat Ya-Sin* for one who is about to die

**Q** Is it legislated to recite *Surat Ya-Sin* for one who is about to die?

**A** The scholars of *Fiqh* recommended the recitation of this *Surah* in the presence of one who is about to die. Some of the people of knowledge have mentioned that it is from that which eases the coming out of the soul. The recommendation to recite it in the presence of one who is about to die is based upon the statement of the Prophet ﷺ:

«افْرءُوا "يس" عَلَى مَوْتَاكُمْ»

“Recite *Ya-Sin* over your dying.”<sup>[1]</sup>


This *Hadith* has been graded weak by some of the people of knowledge and some of them have used it as a proof. Therefore, if it is recited, I hope that there is no harm in that. If it is not recited and the people limit themselves to encouraging the dying person to say ‘*La ilâha illallâh*’ (None has the right to be worshipped but Allâh), so that it will be his last words in this world, then that is good.

Ash-Shaykh Ibn ‘Uthaimin

### Announcing Deaths in the Newspapers is permissible...under conditions


**Q** What is the ruling of Islam regarding the death announcement that is written in the newspapers and in some instances we find a picture of the deceased along with this commemoration?


[1] Abu Dawud no. 3121.

 There is no problem with spreading the news about the death of some of the famous people who are known for goodness and righteousness so that prayers for mercy and supplications may be made for them by the Muslims. However, it is not permissible to praise them for what they did not possess, as that is clearly lying. It is also not permissible to make a definite declaration for anyone that he is certainly from the people of Paradise. For verily, *Ahlu-Sunnah* do not make definite affirmations for anyone that he is in Paradise or the Fire. However, we hope for the gooddoers and we fear for the sinners. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

### The ruling on wailing over the Deceased after his Death

 Is it permissible to cry over the deceased if the crying contains wailing, slapping the cheeks and tearing the clothes? Does crying have an effect on the deceased?

 It is not permissible to lament, wail, tear the clothes and strike the cheeks or anything similar to that. This is due to what is confirmed in the Two *Sahih*s from Ibn Mas'ud that the Prophet ﷺ said:

«لَيْسَ مِنَّا مَنْ لَطَمَ الْخُدُودَ وَشَقَّ الْجُيُوبَ، وَدَعَا بِدَعْوَى الْجَاهِلِيَّةِ»

*“Whoever strikes the cheeks, tears the garments and calls out with the call of pre-Islamic ignorance is not of us.”*<sup>[1]</sup>

It is confirmed from the Messenger of Allâh ﷺ that he cursed the woman who wails and the woman who listens to it. It is also authenticated from him that he said:

«الْمَيِّتُ يُعَذَّبُ فِي قَبْرِهِ بِمَا نِيحَ عَلَيْهِ»

[1] Al-Bukhari no. 1294.

“Verily, the deceased is tormented in his grave due to the wailing that is done over him.”<sup>[1]</sup>

In another wording he said:

«إِنَّ الْمَيِّتَ لَيُعَذَّبُ بِبُكَاءِ أَهْلِهِ عَلَيْهِ»

“Verily, the deceased is tormented in his grave due to the crying of his family over him.”<sup>[2]</sup>

The Permanent Committee

### The Deceased is tormented due to the crying of his Family over him

**Q** Is the deceased tormented due to the crying of his family over him?

**A** Yes, the deceased is tormented due to the crying of his family over him, because that is confirmed from the Messenger of Allāh ﷺ. However, the scholars have differed over the interpretation of this *Hadith*. Some of them have said that it means the disbeliever and some of them said that the intent behind it is the person who requests his family to cry over him after his death. Others said that it is concerning the man who knows that among his family there are those who cry over their deceased and he does not prohibit them from that before his death. This is because his acceptance and his silence are a proof of his being pleased with the evil act, and the person who is pleased with an evil is like the one who does the evil.

These are three interpretations of this *Hadith*. However, they are all contradictory to the obvious meaning of the *Hadith*, because it does not contain any of these understandings (in the wording). The apparent meaning of the *Hadith* is that the deceased will be tormented due to the crying of his family over

[1] Al-Bukhari no. 1292.

[2] Al-Bukhari no. 1286 and Muslim no. 927.

him, and torment is not the same as punishment. This is because he has not committed a sin that he should be punished for, but it is a torment in that he feels pain and discomfort from this crying. Feeling pain and discomfort does not necessarily mean that it is a punishment. Do you not see the Prophet's statement concerning travel where he said that it is a piece of the torment? Yet, travel is not a punishment or a torment. However, it is a worry, a preparation and a personal agitation. For this reason, the torment of the deceased in his grave from this type (of torment) means that he happens to feel some pain, agitation and discomfort, even though that is not a punishment for a sin.

Ash-Shaykh Ibn 'Uthaimin

### The ruling on leaving the Face of the Deceased uncovered a number of days without any necessity

**Q** What is the ruling on leaving the deceased's face uncovered for a period of a day or two or three or more without any necessity and without burial so that people from far and near may see him? What is the ruling on looking at this deceased person daily, whether it is a man or a woman, and is there any contradiction to the teachings of Islam in the person's face remaining uncovered?

**A** Firstly, from the Sunnah is that when the person dies, his entire body is covered, including his face and everything else. This is due to what is confirmed from 'A'ishah رضي الله عنها that when the Messenger of Allâh ﷺ died, he was wrapped in a striped garment. Ahmad, Al-Bukhari and Muslim all recorded this. Wrapping here means complete covering. This is a matter that was well known among the Companions رضي الله عنهم and it is an extension of what was being practiced in the time of the Prophet ﷺ. An-Nawawi said in the explanation of *Sahih Muslim*: "Verily, the wrapping of the deceased is something agreed upon and the wisdom behind that is to protect the deceased from becoming

exposed, and to conceal his changing form from the eyes (sights). The wrapping is (done) after the removal of his garments in which he died. This is so that his body does not change because of it.” From this it becomes clear that what was mentioned in the question of leaving the deceased’s face uncovered for a day or a number of days so that people may view it and look at it is opposed to the Sunnah of Islam and the consensus of the Muslims. However, if the family would like to uncover the face and see the deceased without delaying his funeral preparations and burial, there is no harm in that. This is due to what is confirmed from Jabir bin ‘Abdullah ؓ that he said: “When my father was killed, I removed the garment from his face and began crying. Yet, the Prophet ﷺ did not forbid me.” ‘A’ishah ؓ said: “I saw the Messenger of Allâh ﷺ kiss ‘Uthman bin Maz’un when he died, until I saw the (Prophet’s) tears flowing.” She also said: “Abu Bakr came and performed dry ablution upon the Prophet ﷺ (when he had passed away). He (the Prophet ﷺ) was wrapped in a striped garment, so he (Abu Bakr) uncovered his face, fell down over him and kissed him. Then he cried and said: ‘O Prophet of Allâh, may my father be a ransom for you. Allâh will not cause you to suffer two deaths.’”

Secondly, it is also from the Sunnah to make haste in preparing the deceased for burial once it is confirmed that he is dead. This is because it is better to keep him from changing and the souls becoming averse to him. Abu Dawud recorded that the Prophet ﷺ said:

«إِنِّي لَا أَرَى طَلْحَةَ إِلَّا قَدْ حَدَثَ فِيهِ الْمَوْتُ، فَأَذُنُونِي بِهِ وَعَجِّلُوا، فَإِنَّهُ لَا يَتَّبِعُنِي لِجِيفَةِ مُسْلِمٍ أَنْ تُحْبَسَ بَيْنَ ظَهْرَانِي أَهْلِهِ»

*“Verily, I see that Talhah bin Al-Bara’ has died, so let me know about him (i.e., when he has been prepared for funeral proceedings) and hurry up. For verily, it is not befitting for the corpse of a Muslim to be kept among his family.”*<sup>[1]</sup>

[1] Abu Dawud no. 3159.

At-Tabarani recorded with a good chain of narration from Ibn ‘Umar رضي الله عنهما that the Messenger of Allāh ﷺ said:

«إِذَا مَاتَ أَحَدُكُمْ فَلَا تَحْسِبُوهُ وَأَسْرِعُوا بِهِ إِلَى قَبْرِهِ»

*“When one of you dies, do not keep him (unburied) and make haste in taking him to his grave.”*<sup>[1]</sup>

It has been confirmed from Abu Hurairah رضي الله عنه that the Prophet ﷺ said:

«أَسْرِعُوا بِالْجَنَازَةِ، فَإِنْ تَكَ صَالِحَةً، فَخَيْرٌ تَقَدَّمُونَهَا إِلَيْهِ، وَإِنْ تَكَ سِوَى ذَلِكَ، فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ»

*“Make haste with the body of the deceased. For if he was righteous, then it is good that you are taking him to, and if he was other than that, then it is an evil that you are removing from your necks.”*<sup>[2]</sup>

This was recorded by Ahmad, Al-Bukhari, Muslim and the *Sunan* compilers. This also contains an exhortation to make haste in preparing the deceased in order to hurry him on to the good or to be relieved of him. It is permissible to wait with him until people can gather to pray the funeral prayer over him, carry him to his grave and supplicate for forgiveness and mercy for him, as long as this does not take long. From this it is known that what was mentioned in the question of delaying the deceased a day or a number of days without necessity is opposed to the Sunnah of the Messenger of Allāh ﷺ. Therefore, these people who are delaying the funeral preparations and burial of the deceased, and uncovering his face so that people may view him and see him, must be advised and directed to the Prophet’s guidance concerning deceased Muslims. Perhaps Allāh will guide them to the correct path.

The Permanent Committee

[1] At-Tabrani Al-Kabir 12:444-13613.

[2] Al-Bukhari no. 1315. and Muslim no. 944.



## The ruling on opening the Corpse of the Muslim for a medical reason

All praise is due to Allâh alone, and may Allâh send blessings and peace upon he whom there is no Prophet after him – Muhammad – and upon his family and Companions. To proceed:

In the ninth session of the Council of the Senior Scholars Board, which was held in the city of At-Ta'if, during the month of Sha'ban, in the year 1396 AH, a letter from His Eminence, the Minister of Justice was reviewed. It was letter number 3231/2/*Kha*, which was based upon the letter of the Deputy Minister of Foreign Affairs, bearing number 34/1/2/13446/3 dated Sha'ban 6, 1395 AH. The letter was accompanied by a copy of a memorandum from the Malaysian Embassy in Jeddah. The memo contained the embassy's request concerning the view and position of the Kingdom of Saudi Arabia regarding surgical operations (autopsies) performed on a deceased Muslim if they are performed for reasons and benefits of medical services.

There was an examination of the presented research concerning that from the Permanent Committee for Scientific Research and Religious Verdicts, and it was apparent that the matter is divided into three categories:

**The first:** Opening the body for the purpose of investigating and verifying an allegation of a crime.

**The second:** Opening the body for the purpose of investigating some contagious diseases in order to take protective measures in defense against them.

**The third:** Opening the body for an educational purpose of teaching and learning.

After an exchange of views, debate and study of the presented research from the aforementioned committee, the council decided the following:

In reference to the first two categories, the council thinks that in their performance is a realization of many benefits in the areas of safety, justice and protection of the society from contagious diseases. The evil of dishonoring the opened corpse is outweighed by the numerous public benefits that are realized in this. For this reason, the council unanimously agreed to the permissibility of autopsies for these two reasons, regardless of whether the opened corpse is considered a sacred corpse (i.e., the Muslim, the non-Muslim living under the Muslims' protection, etc.) or not.

In reference to the third category, which is autopsies for educational purposes, different things were looked at. It was kept in mind that the Islamic law came to bring about benefits and increase them, and repel evils and decrease them. The Islamic law came with the concept of taking the least of two harms in order to avoid the greater of the two. If the benefits are in opposition to each other, the best of them is taken. It was also considered that autopsies on creatures other than humans from the animals do not suffice in the place of autopsies on humans, and in the autopsies are many benefits that have become obvious for the advancement of various fields of medical education. Therefore, the council holds the view that autopsies on the corpses of human beings in general are permissible. However, there is a point to be considered that the Islamic law preserves the honor of the deceased Muslim just as it preserves his honor while alive. This is due to what Ahmad, Abu Dawud and Ibn Majah recorded from 'A'ishah, may Allâh be pleased with her, who said that the Prophet ﷺ said:

«كَسْرُ عَظْمِ الْمَيِّتِ كَكَسْرِهِ حَيًّا»

*"Breaking the bone of the deceased is like breaking it while he is alive."*<sup>[1]</sup>


It was also taken into consideration that opening the body of


[1] Abu Dawud no. 3207.

the deceased contains disrespect for the person's honor. Since the necessity of this is removed by the ease of acquiring bodies of dead people that are considered non-sacred, the council thinks that it is sufficient to perform autopsies on these types of corpses. Thus, the corpses of the deceased who were considered sacred (i.e., protected by the Islamic society) should not be used for this purpose. And Allāh is the Giver of success. May Allāh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Senior Scholars Board

### The ruling on opening the Corpse of the Deceased for learning

 I have noticed that in the Faculty of Medicine in Cairo, in the place for opening the bodies of human beings, there is a group of corpses comprised of men, women and children for the purpose of opening the bodies and cutting of their body parts (i.e., dissection). This is done for the sake of practical knowledge. Is the likes of this religiously permissible due to necessity, and particularly the man opening the body parts of the woman, and vice versa? And is it permissible to cut off parts and limbs of the human being?

 If the deceased was sacred and protected in his life, regardless of whether he was a Muslim or a disbeliever, and regardless of whether it was a man or woman, it is not permissible to open their body. This is due to what this contains of mistreatment to the deceased and disrespect of his honor. It has been confirmed from the Messenger of Allāh ﷺ that he said:

«كَسْرُ عَظْمِ الْمَيِّتِ كَكَسْرِهِ حَيًّا»

*“Breaking the bone of the deceased is like breaking it while he is alive.”<sup>[1]</sup>*

[1] Abu Dawud no. 3207.

However, if the person was not sacred and protected, like an apostate (from Islam) and one who fights against the Muslims, then I do not know of any harm in opening his body for medical benefits. And Allâh, Who is free of imperfections and Most High, knows best.

Ash-Shaykh Ibn Baz

### The Deceased does not give benefit nor does he receive benefit by what he hears

**Q** Does the deceased hear the greetings of peace and speech, and does he feel what is done in his presence?

**A** This is a question that the people of knowledge have differed over. The Sunnah has clarified some things regarding it. Indeed it has been authenticated from the Prophet ﷺ that he said,

«إِنَّ الْعَبْدَ إِذَا وُضِعَ فِي قَبْرِهِ، وَتَوَلَّى عَنْهُ أَصْحَابُهُ، إِنَّهُ لَيَسْمَعُ قَرَعَ نَعَالِهِمْ»

*“When the man is buried in his grave and the people go away from him, he hears the striking of their sandals (against the ground).”*<sup>[1]</sup>

The Messenger ﷺ informed that there was not any Muslim who passed by the grave of a Muslim and gave him the greetings of peace, and he knew him in this world, except that Allâh returns his soul to him and he returns the greetings of peace to him. This *Hadith* was graded authentic (*Sahih*) by Ibn ‘Abdul-Barr and Ibn Al-Qayyim mentioned it in *Kitabur-Ruh* (The Book of the Soul) without making any comment about it. This is probably supported by the fact that whenever the Messenger ﷺ would go out to the graveyards he would say:

«السَّلَامُ عَلَيْكُمْ دَارَ قَوْمٍ مُؤْمِنِينَ»

[1] Al-Bukhari no. 1338.

“Peace be upon you, O abode of the believing people.”<sup>[1]</sup>

At any rate, even though we say that the deceased can hear, the deceased does not benefit others even if he hears them. This means that it is not possible for the deceased person to benefit you if you supplicate to Allâh at his grave, just as he cannot benefit you if you supplicate to him himself. Your supplicating to Allâh at his (the deceased’s) grave, while believing this (that the deceased can benefit you) is a horrendous evil and an innovation from the innovations. Your supplicating the deceased himself is a major act of *Shirk* that expels one from the religion (of Islam).

Ash-Shaykh Ibn ‘Uthaimin

### Is the Person who commits Suicide washed?

**Q** Is the person who commits suicide washed and prayed over?

**A** The person who commits suicide is washed, prayed over and buried with the Muslims, because he is considered a disobedient sinner and not a disbeliever. This is because suicide is an act of disobedience (i.e., sin) and it is not disbelief (*Kufr*). So if the person kills himself – and Allâh’s refuge is sought from this – he is washed, prayed over and shrouded. However, the major *Imam* and whoever has some importance among the people should not pray over him as a way of showing rejection to his deed and so that it is not thought that he is pleased with the person’s action. If the major *Imam* or the ruler or the judges or the president of the country or its leader abandon praying over him in rejection of this thing (suicide) and announcing that it is incorrect, then this is good. However, some of the people should pray over the person.

Ash-Shaykh Ibn Baz

[1] Muslim no. 974.

## A Superstition that must be rejected

I was informed of what the newspaper *'Ukaz* published in issue number 5977 that came out on Monday, the 24th of Thul-Hijjah, 1402 AH, on page 20. The article was taken from the paper *As-Siyasat Al-Kuwaitiyyah* (The Kuwaiti Politics), from a man called Muhammad Al-Misri, who claims that he passed out unconscious on a Wednesday. He was presumed to be dead, so he was buried on Wednesday. He was brought out of his grave on Friday and he mentioned what he saw of amazing and strange things. Due to the fact that this story is circulating among some of the people and it is believed to be true, I thought that people should be made aware of its falsehood and that it is a superstition that should not be spread by an intelligent person. Rather, it is an absolute lie that was fabricated by someone who calls himself Muhammad Al-Misri or someone else, for some despicable reasons that have caused him to do so. It is well known that whoever hears the speech of his family, the doctor and the people accompanying his funeral procession, will be recognizably alive. This will be clear to the doctor and anyone other than him from those who look at him and examine him. Then, how can he have passed out unconscious and at the same time he perceived and remembered everything that went on around him? It is also known that the Sunnah of Allâh with His servants is that whoever is placed in a sealed off, tight place, will not live for this length of time. It is also well known religiously that the two angels of the grave do not come to the living person if he is placed in the grave. They only come to the deceased. Allâh knows the living and the deceased and He is the One Who sends the two angels to the deceased to question him. Then, this lying man described the two angels in a way that implies that they are two men and not two angels. Also, the angels do not inform the deceased about his good deeds and bad deeds. They only ask him about his Lord, his religion and his Prophet. If he responds with the correct answer, he will be rewarded with pleasure, and if he answers with doubt, he will be tormented.

Then, what he mentioned after that of strange sights is only intended to help spread his falsehood. He intended by it to incite the people into thinking that he is from those who are successful so that they would be kind to him and help him with whatever he requests of them or they will be affectionate towards him without any request. He intended to gain popularity among the people so that he would be requested to come to every place and be questioned about what he saw and so that he could get whatever he wanted. From his ignorance is his statement: "And coincidence willed that my family should come to visit my grave." Statements like this are not permissible. What is correct for one to say is, "And Allâh willed", because coincidence does not have any will. In conclusion, this story is a fabricated lie that is baseless in regard to its authenticity. This is clear from the context of the story and what occurred in it. It is not befitting for our papers or any newspaper that have any self-respect to publish the likes of these superstitions. We ask Allâh to cleanse our newspapers and the newspapers of the Muslims from every falsehood, and that He suppress the deceivers and schemers, and disgrace them. May He keep the Muslims safe from the evil of these people and grant all the Muslims success in understanding His religion and being firm upon it. Verily, Glorified is He and the Best One to beseech. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

Ash-Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz

General President


For the Administrations of Scientific Researches, Religious Verdicts, Preaching and Guidance

### **Is it obligatory for the Graveyards of the Muslims to be separated from others?**




Is it obligatory for the graveyards of the Muslims to be separated from the graves of the Christians or the graves


of people belonging to other religions, or is it permissible for them to be in one place without any distinguishing separation from the other graves?

 It is absolutely obligatory for the graveyards of the Muslims to be separated from the graveyards of the disbelievers. It makes no difference if they are Jews, Christians, idolaters, atheists or any other disbelievers. This is the way that has been followed by the Muslims since the time of the Prophet ﷺ. This is also due to the sacredness of the graveyards of the Muslims, which causes them to be different from the graveyards of the disbelievers. Also, the Muslims (who are deceased) are bothered by the torment that is received by those around them of the disbelievers. Also, the Muslims are given the greetings of peace by whoever visits them and supplicates for them, which is not so for the disbelievers.

The Permanent Committee

### **Cutting Trees of the Graveyard in order to protect the Graves and close off openings**

 There is a graveyard in my village that has some log trees in it. Under these trees are rat holes. When it rains, the rainwater enters the graves by way of these holes. Then, the foxes come and make the holes even larger and they take out some of the bones of the deceased people. Therefore, is it permissible to cut these trees in order to close off the openings of the graves?

 If the matter is as the questioner mentioned in his question, from the picture given of the situation regarding these trees and what is under them of rats' homes and foxes overcoming them with mischief, then there appears to be no harm in cutting the trees and sealing the openings of the rats' homes. This may be done as means of protecting the graves from the rains, and the mischief of the foxes and others with the



bones of the deceased. And success is with Allâh. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

### **The People of the Graves have more right to the Land than you all**

**Q** I inherited a house from my mother and that house was demolished and its structure rebuilt. Beside the house there are many graves. While we were digging its foundation, we stumbled across some decayed bones that appeared to be from the neighboring graves. So, I took these bones and buried them in another place far away from the house. Then, the construction of the house was completed with our houses all being next to the graves. We inherited these houses from our ancestors and we do not own any houses other than them or any land to build houses on away from the graves. Therefore, do we have the right to live in this house and may we move these bones from their place to a new place without there being any sin on us for doing so?

**A** If these graves were graves of Muslims, then the people in them have more right to the land than you all. This is because when they were buried in them, they owned them, and it is not permissible for you to build your houses over the graves of the Muslims. It is obligatory on you, if you are certain that this place has graves in it, to stop building and leave the graves without any structure over them. The fact that you all do not have houses (other than these) does not mean that you can take the homes of others among the Muslims. For verily, the graves are the homes of the deceased. It is not allowed for you all to live there as long as you know that there are deceased people there.

Ash-Shaykh Ibn 'Uthaimin

## The ruling of *Ahlul-Fatrah* (the People who lived during a time in which no Prophet came) is applied to the Children of the Disbelievers

**Q** All of us know the destination of the polytheists in the Hereafter, but what will be the destination of their small children if they died without ever reaching maturity?

**A** If the children of the disbelievers die without having reached the age of discernment, and their parents were disbelievers, then their ruling is the ruling of the disbelievers in this life. This means that they are not washed or shrouded or prayed over or buried with the Muslims. This is because they are considered disbelievers due to their parents. This is in reference to this life. However, in reference to the Hereafter, Allâh knows best what they were doing, i.e., what they would have done had they reached adulthood. The most correct statement regarding them is that Allâh, Glorified is Him and the Most High will test them on the Day of Judgement with what He wills of some task. If they carry it out, Allâh will admit them into Paradise, and if they refuse, He will admit them into the Fire. This is what we say concerning the people of *Al-Fatrah* (those to whom no Prophet came in the times before Muhammad ﷺ) and those whom Allâh's Divine Messages did not reach. Thus, Allâh knows best about what they used to do and they will be tested and burdened with a task according to what Allâh wills and what His Wisdom dictates. If they obey, they will enter Paradise; and if they disobey, they will enter the Fire.

Ash-Shaykh Ibn 'Uthaimin

## The ruling on whomever died from the Children of the Polytheists

**Q** The child who was born of two disbelieving parents and died before reaching the age of puberty, is he considered by Allâh to be a Muslim or not? This is while knowing that

the Messenger of Allâh ﷺ said:

«كُلُّ مَوْلُودٍ يُوَلَّدُ عَلَى الْفِطْرَةِ»

“Every child that is born, is born upon Al-Fitrah (i.e., Islam).”<sup>[1]</sup>

And if he is a Muslim, is it obligatory upon the Muslims to wash his body and pray over him? Please benefit us with an answer, and may Allâh reward you.



If someone who has not reached the age of puberty and who has two disbelieving parents dies, then his ruling is the same as that of his parents concerning the rulings of this life. Thus, he is not to be washed or prayed over or buried in the graveyards of the Muslims. However, in the Hereafter, his matter is left to Allâh. Indeed it has been authenticated from the Messenger of Allâh ﷺ that when he was asked about the children of the polytheists, he said:

«اللَّهُ أَعْلَمُ بِمَا كَانُوا عَامِلِينَ»

“Allâh knows best what they were doing.”<sup>[2]</sup>

Some of the people of knowledge held the view that Allâh’s Knowledge concerning them will be manifest on the Day of Resurrection and that they will be tested just as the people who lived during a time that no Prophet was sent, and others similar to them, will be tested. If they respond positively to what is requested of them, they will enter Paradise; and if they disobey, they will enter the Fire. *Hadiths* have been authenticated from the Prophet ﷺ regarding the testing of the people of *Al-Fatrah* on the Day of Resurrection. They are those whom the propagation of the Messengers did not reach, and whoever has their ruling, like the children of the polytheists. This is due to the Statement of Allâh:

[1] Al-Bukhari no. 1385.

[2] Al-Bukhari no. 6597 - 6598 and Muslim no. 2659-2660.

﴿وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا﴾

“And We would not punish until We have sent a Messenger (to give warning).”<sup>[1]</sup>

This statement is the most correct of the statements concerning the people of *Al-Fatrah* and those similar to them, whom the Divine message did not reach. This is also the view chosen by Shaykhul-Islam Ibn Taimiyyah and his student, the great scholar Ibn Al-Qayyim, as well as a group of the *Salaf* and the *Khalaf* (those who came later). May Allâh have mercy upon all of them. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

[1] *Al-Isra* 17:15.

## The Book of Az-Zakah

### A Word Concerning the Obligation of Az-Zakah and its Importance

By His Eminence

Ash-Shaykh ‘Abdul-‘Aziz bin ‘Abdullah bin Baz

All praise is due to Allâh alone, and may blessings and peace be upon him whom there is no Prophet after him (Prophet Muhammad ﷺ), and upon his family and Companions. To proceed:

Verily that which has lead to the writing of this statement is advising and reminding of the obligation of *Az-Zakah*, which many of the Muslims have taken lightly. Therefore, they do not give it in the way that it is legislated to be given, even with its great status and it being one of the five pillars of Islam, without which Islam’s structure cannot be established properly. This is due to the Prophet’s statement:

«بُنِيَ الْإِسْلَامُ عَلَى خَمْسٍ: شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَإِقَامِ الصَّلَاةِ، وَإِيتَاءِ الزَّكَاةِ، وَصَوْمِ رَمَضَانَ، وَحَجِّ الْبَيْتِ»

*“Islam is built upon five (pillars): The testimony that none has the right to be worshipped but Allâh and Muhammad is the Messenger of Allâh, establishment of the prayer (As-Salah), giving obligatory charity (Az-Zakah), fasting Ramadhan and pilgrimage (Hajj) to the House (Al-Ka’bah).”*<sup>[1]</sup>

This *Hadith*’s authenticity is agreed upon.

[1] Al-Bukhari no. 8 and Muslim no. 16.

The obligation of *Az-Zakah* upon the Muslims is from the most obvious of Islam's virtues and from its concern with the affairs of those who embrace it. This is due to its numerous benefits and the poor Muslims' urgent need of it.

From its benefits is strengthening the ties of love between the wealthy and the poor. This is because the souls are naturally inclined to love whoever does good to them.

From its benefits is the cleansing and purification of the soul and keeping it away from the characteristics of greed and stinginess. This is the same meaning that the Noble Qur'an alludes to in Allâh's Statement:

﴿حَذِّ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا﴾

*"Take Sadaqah (charity) from their wealth in order to cleanse them and purify them with it."*<sup>[1]</sup>

From its benefits is accustoming the Muslim to the characteristics of benevolence, generosity and sympathy for those in need.

From its benefits is the acquisition of blessing, increase and replacement of what was spent. This is as Allâh said:

﴿وَمَا أَنْفَقْتُمْ مِنْ شَيْءٍ فَهُوَ يُخْلِفُهُ وَهُوَ خَيْرُ الرَّزَاقِينَ﴾

*"And whatever you spend of anything, He (Allâh) will replace it, and He is the Best of the providers."*<sup>[2]</sup>

Also, the Prophet ﷺ said in an authentic *Hadith*:

«قَالَ اللَّهُ عَزَّ وَجَلَّ: يَا ابْنَ آدَمَ! أَنْفِقْ عَلَيَّ»

*"Allâh the Mighty and Majestic says: 'O son of Adam. Spend and We will spend on you.'"*<sup>[3]</sup>

[1] *At-Tawbah* 9:103.

[2] *Saba'* 34:39.

[3] *Al-Bukhari* no. 4684, *Muslim* no. 993 and *Ahmad* 2:242.

And there are many other benefits of Az-Zakah besides these.

A serious threat has come concerning whoever is stingy with Az-Zakah or falls short in giving it. Allâh, the Most High says:

﴿وَالَّذِينَ يَكْتُمُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يُفْقِدُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ ﴿٣٤﴾ يَوْمَ يُحْمَى عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتُكْوَى بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وَظُهُورُهُمْ هَذَا مَا كَنْتُمْ لَكُمْ أَنْفُسَكُمْ فذُوقُوا مَا كَنْتُمْ تَكْتُمُونَ ﴿٣٥﴾﴾

“And those who hoard gold and silver and do not spend them in the way of Allâh, give them tidings of a painful torment. On the Day when it (their wealth) will be heated in the fire of Hell and their foreheads, sides and backs will be branded with it. (It will be said:) “This is that treasure which you hoarded for yourselves, so taste what you used to hoard.””<sup>[1]</sup>

So, every form of wealth that Zakah is due on it and has not been paid, then it is hoarded treasure (Kanz). Its owner will be tormented with it on the Day of Resurrection. This is just as is proven in the authentic *Hadith* of the Prophet ﷺ when he said:

«مَا مِنْ صَاحِبِ ذَهَبٍ وَلَا فِضَّةٍ، لَا يُؤَدِّي مِنْهَا حَقَّهَا، إِلَّا إِذَا كَانَ يَوْمَ الْقِيَامَةِ، صُفِّحَتْ لَهُ صَفَائِحُ مِنْ نَارٍ، فَأُحْمِيَ عَلَيْهَا فِي نَارِ جَهَنَّمَ، فَيُكْوَى بِهَا جَنْبُهُ وَجَبِينُهُ وَظَهْرُهُ، كُلَّمَا بَرَدَتْ أُعِيدَتْ لَهُ، فِي يَوْمٍ كَانَ مِقْدَارُهُ خَمْسِينَ أَلْفَ سَنَةٍ، حَتَّى يُقْضَى بَيْنَ الْعِبَادِ، فَيَرَى سَبِيلَهُ، إِمَّا إِلَى الْجَنَّةِ، وَإِمَّا إِلَى النَّارِ»

“There is no owner of gold or silver who does not pay its due except that plates of fire would be made for him on the Day of Resurrection, and they would be heated in the fire of Hell. Then his sides, forehead and back would be burned with them. Every time they cool down, the process is repeated for him during a Day that its measure will be fifty thousand years. This will continue until the judgment is pronounced among the servants, and then he

[1] At-Tawbah 9:34, 35.

will see whether his path leads to Paradise or the Fire.”<sup>[1]</sup>

Then the Prophet ﷺ mentioned the owner of camels, cows and sheep, who did not pay their *Zakah*, and he informed that he will be tormented by them on the Day of Resurrection.

It has been authenticated from the Messenger of Allāh ﷺ that he said:

«مَنْ آتَاهُ اللَّهُ مَالًا فَلَمْ يُؤَدِّ زَكَاتَهُ مُثِّلَ لَهُ يَوْمَ الْقِيَامَةِ شُجَاعًا أَفْرَعًا لَهُ زَبَبَاتَانِ، يُطَوِّفُهُ يَوْمَ الْقِيَامَةِ، ثُمَّ يَأْخُذُ بِلَهْرِمَتَيْهِ - يَعْنِي شِدْقَيْهِ - ثُمَّ يَقُولُ: أَنَا مَالُكَ، أَنَا كَنْزُكَ»

“Whoever Allāh gives wealth and he does not pay its *Zakah*, on the Day of Resurrection his wealth will be made like a bald-headed poisonous male snake with two black spots over its eyes that will encircle his neck. Then it will take hold of his jaws and say, ‘I am your wealth, I am your hoarded treasure.’”<sup>[2]</sup>

Then, the Prophet ﷺ recited this Verse:

﴿وَلَا يَحْسَبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا آتَاهُمُ اللَّهُ مِنْ فَضْلِهِ هُوَ خَيْرًا لَّهُمْ بَلْ هُوَ سَرٌّ لَّهُمْ سَيُطَوَّقُونَ مَا بَخُلُوا بِهِ يَوْمَ الْقِيَامَةِ﴾

“And let not those who are stingy with what Allāh has given them from His Bounty (wealth) think that it is good for them. Rather, it is evil for them. The things which they stingily withheld will be tied around their necks like a collar on the Day of Resurrection.”<sup>[3]</sup>

*Az-Zakah* is obligatory on four categories of items:

That which comes out of the ground of grains and fruit, grazing livestock animals, gold and silver, and products that are sold as merchandise.

[1] Muslim no. 987.

[2] Al-Bukhari no. 1403.

[3] Al 'Imran 3:180.



Each of these four categories of items has a fixed minimum amount and *Az-Zakah* is not obligatory on whatever is less than that amount.

The minimum amount for grains and fruit is five *Awsuq*, and one *Wasq* is equivalent to sixty *Sa'* in the measurement of the Prophet ﷺ. Hence, the minimum amount for dried dates, raisins, wheat, rice, barley and similar items, according to the *Sa'* measurement of the Prophet ﷺ, is three hundred *Sa'*. The *Sa'* measurement of the Prophet ﷺ is the amount that fills the two hands of a normal size man four times when they are cupped together.

In reference to the minimum amount for grazing livestock animals, such as camels, cows and sheep, this is explained in detail in the authentic *Hadiths* of the Messenger of Allâh ﷺ. Whoever has a desire to know, may ask the people of knowledge about it. Were it not for the fact that this is intended to be a brief discussion, we would have mentioned it here for a more complete benefit.

Concerning the minimum amount for silver, it is 140 *Mithqal* (a weight equal to about 640 g), and its value in Saudi Arabian currency is 56 riyals worth. The minimum amount for gold is 20 *Mithqal*, and its value in Saudi currency is  $11\frac{3}{7}$  Saudi *Junayhs* worth.

The amount that is obligatory to be paid from them (gold and silver) is one fortieth, i.e., 2.5% for whoever owns the minimum amount of them or of any one of them. Also, they must be possessed for a year (before *Az-Zakah* is due). Any profit that comes from them is calculated in with the original amount and it does not require a new (i.e., another) year's time (before *Az-Zakah* is due on the profit). Similarly, the newborn of the livestock animals are included with the original number (when calculating *Az-Zakah*) and it does not require another year's time (before *Az-Zakah* is due on them), as long as the original number was the minimum amount.

Paper money that people deal with today also has the same ruling as gold and silver. Regardless of whether it is called dirhams, dinars, dollars or any name other than these. If its value reaches the minimum amount due for silver or gold, and the person possesses it for a year, then *Az-Zakah* is due on it.

Jewelry of women that is particularly made of gold and silver is included along with the ruling of money. If it reaches the minimum amount and it is possessed for a year, *Az-Zakah* is due on it. It makes no difference whether it is considered for personal use or it is borrowed according to the most correct view of the two views held by the scholars. This is due to the generality of the Prophet's statement:

«مَا مِنْ صَاحِبِ ذَهَبٍ وَلَا فِضَّةٍ، لَا يُؤَدِّي مِنْهَا حَقَّهَا، إِلَّا إِذَا كَانَ يَوْمَ الْقِيَامَةِ، صُفِّحَتْ لَهُ صَفَائِحُ مِنْ نَارٍ...»

*"There is no owner of gold or silver who does not pay its Zakah except that plates of fire would be made for him on the Day of Resurrection..."*<sup>[1]</sup>

To the end of the *Hadith*, which has already preceded. This is also due to what has been confirmed from the Prophet ﷺ that he saw two bracelets of gold on the hand of a woman, so he said:

«أَتُعْطِينَ زَكَاةَ هَذَا؟ قَالَتْ: لَا، قَالَ: أَيْسْرُكَ أَنْ يُسَوِّرَكَ اللهُ بِهِمَا يَوْمَ الْقِيَامَةِ سِوَارَيْنِ مِنْ نَارٍ؟ فَأَلْقَتْهُمَا، وَقَالَتْ: هُمَا لِلَّهِ وَلِرَسُولِهِ»

*"Do you give the Zakah of this?" The woman said: "No." So, he said: "Does it please you that Allāh will make them into two bracelets of fire for you on the Day of Judgement?" So, she cast them off and said: "They are for Allāh and His Messenger..."*<sup>[2]</sup>

This was recorded by Abu Dawud and An-Nasa'i with a good chain of narration. It has been confirmed from Umm Salamah, may Allāh be pleased with her, that she was wearing bangles

[1] Muslim no. 987.

[2] Abu Dawud no. 1563.

made of gold, so she said: "O Messenger of Allâh, is this hoarded wealth (*Kanz*)?" He ﷺ replied:

«مَا بَلَغَ أَنْ تُؤَدَّى زَكَاتُهُ فَرَكِّي فَلَيْسَ بِكَانِزٍ»

*"Whatever reaches the amount that Az-Zakah should be paid on it and its Zakah is paid, then it is not hoarded wealth (Kanz)."*<sup>[1]</sup>

There are other *Hadiths* as well, which have this same meaning.

In reference to merchandise, they are items that are considered for sale. Their value is calculated at the end of the year and 2.5% of it is given as *Az-Zakah*. It makes no difference whether their value is similar to their price, more than it or less than it. This is due to the *Hadith* of Samurah, who said that the Messenger of Allâh ﷺ used to order us to give charity from whatever we considered for sale (merchandise). This was recorded by Abu Dawud. This also includes pieces of land that are intended for sale, buildings, cars, machines for extracting water from the ground and other things from the kinds of merchandise used for selling.

As for the buildings that are rented out but are not for sale, then *Az-Zakah* is due upon the rents from it – if it is possessed for one year. As the buildings themselves, there is no *Zakah* due on them since they have not been put up for sale.

Likewise, privately owned cars and rental cars are not subject to *Az-Zakah* payment, as they are not for sale. The owner of these cars only bought them in order to use them. If the owner of the rental car or some other similar person collects an amount of money that reaches the minimum amount, then he must pay *Az-Zakah* on the money if a year passes while it in his possession. It makes no difference whether the owner keeps the money for spending, marriage, purchasing property, paying off a debt or any other purpose. This is due to the generality of the legislative

[1] Abu Dawud no. 1564.

evidences that prove the obligation of *Az-Zakah* for things like this.

The correct view from the opinions of the scholars is that debt does not prevent the obligation of *Az-Zakah* due to what has been previously mentioned.

Likewise, *Az-Zakah* is obligatory upon the wealth of the orphans and those who are insane according to the majority of the scholars, if the wealth reaches the minimum amount required and it is possessed for a year. It is obligatory upon the guardians of such people to pay it with the intentions of it being on their (the orphan's or insane person's) behalf once a year is completed on it. This is due to the generality of the evidences. For example, there is the statement of the Prophet ﷺ in the *Hadith* of Mu'ath when he sent him to the people of Yemen:

«إِنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ وَتُرَدُّ عَلَى فُقَرَائِهِمْ»

*“Verily, Allâh has made obligatory upon them the payment of charity from their wealth. It is to be taken from their wealthy and distributed among their poor.”* [1]

*Az-Zakah* is the right of Allâh. Therefore, it is not permissible to give preferential treatment regarding it to someone who does not deserve it. It should not be used by someone to gain some personal benefit for himself or repel some harm from himself. It should not be used by anyone to protect his own wealth or defend himself from some blame. Rather, it is obligatory upon the Muslim to distribute his *Zakah* to those who have a right to it, because they are those who are most deserving of it. It should not be given for any other purpose. It should be given with a good and kind spirit and with the intentions being solely for Allâh in doing so. This is so that the person will be freed of his responsibility (regarding its payment) and deserving of tremen-

[1] Al-Bukhari no. 1395 and Muslim no. 19.

dous reward and replacement of what he gave.

Indeed Allâh clarified in His Noble Book the categories of people who are eligible for receiving *Az-Zakah*. Allâh said:

﴿ إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمَوْلَانِ فَلَوْ مِنْهُمْ وَفِي الرِّقَابِ  
وَالْعَدَمِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ  
حَكِيمٌ ﴾

*“Verily, As-Sadaqat (Az-Zakah) are only for the Fuqara’ (poor), the Masakin (needy), those employed to collect it (the funds), to attract the hearts of those who are inclined (towards Islam), in freeing the captives, helping those in debt, in the way of Allâh (i.e., waging Jihad), and the traveller. It is a duty imposed by Allâh, and Allâh is All-Knowing, Most Wise.”*<sup>[1]</sup>

In ending this noble Verse with these two Mighty Names (‘Aleem and Hakeem), there is an admonition from Allâh to His servants that He is the All-Knowing concerning the conditions of His servants. He is the All-Knowing concerning who deserves charity among them and who does not. He is the Most Wise regarding His Law and His Decree. He only places things in their proper places that are befitting of them. Even if some people are unaware of some of the secrets of His Wisdom, the servants must be accepting of His Law and submit to His Verdict.

Allâh is the One Who is asked to help us and the Muslims to have understanding of His religion, truthfulness in dealing with Him, haste in doing what pleases Him, and safety from those things that necessitate His Anger. Verily, He is All-Hearing, Most Near. May Allâh send blessings and peace upon His servant and Messenger, Muhammad, and upon his family and Companions.

[1] *At-Tawbah* 9:60.

## **Az-Zakah is Obligatory upon Whom?**

### ***Az-Zakah* is obligatory upon the Wealth of the Child and the Adult**

**Q** I am a young man who is seventeen years old. I live with my family and my father spends on me. I have some money saved in an Islamic bank and it has been there for a year. Is there any *Zakah* due upon me regarding it? Is there any *Zakah* due on business profits? Does (the responsibility of) *Az-Zakah* begin from the age of puberty?

**A** *Az-Zakah* is obligatory upon the wealth that is liable for *Az-Zakah*, which is livestock animals, the two currencies (i.e., gold and silver), that which is produced from the earth (grain and fruit) and merchandise for sale. It makes no difference if the owner of these things is a minor (i.e., child) or an adult. Thus, *Az-Zakah* is obligatory upon the orphan just as it is obligatory upon the adult. The guardian pays it on the child's behalf. *Az-Zakah* is obligatory upon business profits, even if the profit is less than the minimum amount required, if the original amount (before the profit) had reached the minimum requirement. And Allâh knows best.

Ash-Shaykh Ibn Jibreel

### ***Az-Zakah* is obligatory on the Wealth of the Orphan and the Insane**

**Q** Is *Az-Zakah* obligatory on the wealth of the orphan and the insane?

**A** *Az-Zakah* is obligatory on the wealth of each of them, if the person is a free Muslim who has complete ownership of his wealth. This is due to what Ad-Daraqutni narrated that was reported as a statement of the Prophet ﷺ:

«مَنْ وُلِّيَ الْيَتِيمَ فَلْيَتَّجِرْ بِهِ، وَلَا يَتْرُكْهُ حَتَّى تَأْكُلَهُ الصَّدَقَةُ»


“Whoever is made the guardian over the wealth of an orphan, let him do business with it and he should not leave it to be devoured by charity (i.e., Az-Zakah).”<sup>[1]</sup>


This is also due to what Malik narrated in *Al-Muwatta'* from 'Abdur-Rahman bin Al-Qasim from his father, that he said: "A'ishah used to keep me and my brother as two orphans in her apartment, and she used to pay *Az-Zakah* from our wealth." The view that *Az-Zakah* is obligatory upon the wealth of each of them (the orphan and insane person) was held by 'Ali, Ibn 'Umar, Jabir, 'A'ishah and Al-Hasan bin 'Ali. Ibn Al-Munthir related this from them.

The Permanent Committee

### ***Az-Zakah* of Wealth**

#### ***Az-Zakah* on the monthly Salary**

 I am an employee of a private company and I receive a monthly salary of four thousand Saudi riyals. This includes an allowance for housing rent, which is one thousand Saudi riyals. Am I obligated to pay any *Zakah* from this salary of mine? What is the amount of this *Zakah*? This is also in consideration of the fact that I do not have any other source of income that I spend from.

 Whenever you have some savings from your monthly salary that is more than what you need for your personal expenditures, then *Az-Zakah* is due on it. This is after the savings reach the minimum amount required for *Az-Zakah*, which is approximately four hundred Saudi riyals from the present currency. Also, this minimum amount must be possessed for a complete year. So, if you save some money every month from your salary, it is safer and easier that you make a designated

[1] Ad-Daraqutni 2:109 no. 1951.

month every year during which you pay *Az-Zakah* of what you saved that year and whatever you had from before it. The obligatory portion to be paid is one fortieth, i.e., 2.5%. And Allâh is the Giver of success.

Ash-Shaykh Ibn Jibreen

### ***Az-Zakah* on Wealth that is kept for Marriage**

**Q** A man saved some money for his son over a number of years so that the son can get married. Is he obligated to pay any *Zakah* on this wealth of his? This is in consideration of the fact that he does not intend anything with this money other than getting his son married.

**A** He must pay *Az-Zakah* on all of the money that he saved if it was in his possession for a year, even if he intended to use this money to get his son married. This is because as long as the money was with him it was considered his possession, and he must pay its *Zakah* every year until it is used for the marriage. This is due to the generality of the evidences from the Book and the Sunnah that prove this.

Ash-Shaykh Ibn Baz

**Q** I am currently an employee in one of the governmental departments and I receive approximately four thousand riyals per month. In approximately one year, I collected seventeen thousand riyals. This money is currently in the bank and it does not increase (i.e., from interest or investment). I am ready to spend it in the month of Shawwal – if Allâh wills – as I am getting married. I am going to take a loan that is many times more than this amount to cover the expenses of the wedding. My question is: Am I obligated to pay any *Zakah* on this seventeen thousand? This is while considering that it has been in my possession for about a year. If there is *Az-Zakah* due on it, how much is it?





*Az-Zakah* is due on the mentioned sum of money if it was possessed for a year, even if it was being kept for marriage. The amount of *Zakah* that is due is one fortieth, i.e., 2.5%. And Allāh knows best.

Ash-Shaykh Ibn Baz

### ***Az-Zakah* is obligatory on the initial Sum and the Interest gained**



As is well known regarding *Az-Zakah* on wealth, it is that which a man pays from his wealth that he has possessed for a year, like wealth from business, harvests, gold and silver. However, we would like to know what is *Az-Zakah* on the wealth that is placed in an Islamic bank if it reaches the minimum amount. Is it the percentage gained (on the account) itself? Also, it should be known that the percentage of interest from this bank is very small.



The money that is placed in the Islamic bank has the same ruling as any other type of wealth. *Az-Zakah* is due on it if it is possessed for a year along with its profit gained. The *Zakah* is 2.5% on the original sum and the profit gained.

Ash-Shaykh Ibn Baz

### ***Az-Zakah* is due on whatever Wealth is owned a year and reaches the minimum amount**



A person saved a sum of money from his own earnings. Most of it he possessed for a year, but he spent it on some things that would bring benefit to himself. Therefore, he asks whether it is obligatory for him to pay *Az-Zakah* on it.



Whatever wealth he saved and owned for a year while it had reached the minimum required amount, then *Az-Zakah* is due on it. This is the case even if he spent some of it after that on marriage or anything similar. If he did not pay the

*Zakah* of his wealth which was due upon, then it still is due from him and he is responsible for it. It is incumbent upon him to pay it. However, what he did not possess for a year of his wealth due to his spending from it before a year's time, then there is no *Zakah* due on it.

The Permanent Committee

### ***Az-Zakah* on Wealth that is being saved**

**Q** Is *Az-Zakah* due on money that is saved from the monthly salary that has been possessed for a year, even though it is not for investment? This is in consideration of the fact that I save it to cover the living expenses of my family and myself. In this situation is *Az-Zakah* due?

**A** Yes, *Az-Zakah* is obligatory on this wealth if it is possessed for a year, because that which *Az-Zakah* is due upon, does not have a condition that it must be for business. For this reason *Az-Zakah* is obligatory on fruits and grains, even though a person may not use them for business. Even if a man had date palm trees in his house, for example, and their harvest reached the minimum amount, and he planned to use it for his personal spending, he must pay *Az-Zakah* on the fruit of these trees. We say the same thing regarding the crops and other things from that which *Az-Zakah* is obligatory upon. Likewise, regarding the livestock animals that graze in the fields. *Az-Zakah* is obligatory on them even if the person (the owner) does not intend to use them for business. The case is the same concerning the money on which *Az-Zakah* is due, even if the person does not intend to use it for business. The salary that a person keeps for spending, *Az-Zakah* is due on it if it is possessed for a year and it reaches the minimum required amount.

However, there is an issue here that causes problems for many of the people, and it is concerning the money that comes from the monthly salary or from utilizing a house or a shop from which one receives monthly rent or whatever is similar to that. Then

the person takes this money and keeps it with him in his box or some other means of saving. Then you find that he takes (some money) from it and adds to it, so then he becomes confused as to what amount he has had for a year, and what amount he has not had for a year. We say that in this situation, if during the entire year the balance has not decreased to less than the minimum amount, it is better to consider the year from the first time the savings reached the minimum amount. Then the person should pay *Az-Zakah* on what he has once a year is completed. In this way, on whatever amount a year has completed he will have paid its *Zakah* for its year, and on whatever amount of it a year had not completed, its *Zakah* will be paid in advance, and there is no harm in paying *Az-Zakah* early. This method is easier for him than him considering each month precisely, because that may be difficult for him.

Ash-Shaykh Ibn 'Uthaimin

### **The Minimum Amount required for *Az-Zakah* on Wealth**

#### **The minimum amount required for *Az-Zakah***

**Q** Verily, the minimum amount required for *Az-Zakah* from silver is 200 dirhams, which is equal to 57 riyals (silver coins). The minimum amount required for *Az-Zakah* on gold is 20 dinars, and this is from the time of the Messenger ﷺ. However, this is not considered the same now, as 20 dinars (gold coins) is not equal to 57 riyals (silver coins). Actually it is more than this. Therefore, what should be done?





The minimum amount required for *Az-Zakah* on silver is 200 dirhams, which is 56 Saudi Arabian riyals (silver coins) of silver or whatever is equal to its value of cash currency.

The minimum amount required for gold is 20 *Mithqal*, which is equal in value to  $11\frac{3}{7}$  Saudi *Junayhs*, or whatever is equivalent to its value of cash currency that has the same ruling as gold.

The Permanent Committee

### The minimum amount required for Az-Zakah on circulated cash Currencies


 I present to you noble scholars the fact that people differ concerning the matter of the minimum amount required for *Az-Zakah* on circulated cash currencies. Among them there are those who say it is 200 riyals making an analogy with 200 dirhams. Among them there are those who say it is 56 riyals. Some of them say it is the value of 200 dirhams of silver in riyals. If we calculate the value of 200 dirhams of silver at the current market price its value is approximately 800 Saudi riyals. Verily, I am concerned with this matter. Please give me a ruling, and may Allâh reward you.

 The minimum amount of silver which requires *Az-Zakah* to be paid is 200 dirhams, which is equal to 140 *Mithqal*. Its estimated value in Saudi riyals is 56 Saudi riyals (silver coins) or whatever is equivalent to it in paper cash currency (that is used). And success is from Allâh. May Allâh send blessings and peace upon His servant and Messenger, Muhammad, and also upon his family and Companions.

The Permanent Committee

### How to pay Az-Zakah on Wealth

#### How to pay Az-Zakah

 1- An employee saves various amounts of money from his monthly salary. One month the savings may be less and another month the savings may be more. Some of it he

may have had for a year and some he has not had for a year. He does not know the amount of what he has saved each month, so how does he give its *Zakah*?

**Q** 2- Another employee receives a monthly salary and keeps in a storage place (i.e., a safe or cash box) with him all that he receives. He spends from these savings on a daily basis during times that are fairly close together, like expenditures for his house, his personal needs and other things in various amounts depending on the need. How is the year calculated for what is being saved in the storage (i.e., the safe) and how is *Az-Zakah* to be paid in this situation? This is while knowing that his cash savings, as we have mentioned, are not entirely in his possession for a year.



1 & 2. Since both the questions are the same in meaning and they have similar aspects, the Committee decided to answer with a comprehensive answer that is inclusive (of both situations) for the sake of benefit. The answer is as follows. Whoever owns the minimum amount of cash (for *Az-Zakah*), then he gets more cash on top of it at various times that is not produced from the first sum of money nor did it originate from it; rather, it is independent of it. This is like what the employee saves monthly from his salary, inheritance, a gift, or rental payment received from real-estate property, for example. If the person intends to have a thorough examination of his right, and he is concerned with only paying the people who deserve charity that which is obligatory for them of *Az-Zakah* from his wealth, then he must make a chart to calculate his earnings. This chart must specify every amount from the likes of these amounts mentioned on a yearly system that begins from the day he took possession of it. Then he must pay *Az-Zakah* on every amount separately. This is done every time a year passes on any wealth in his possession from the date that he took possession of it.

If he wants ease and to traverse upon the path of generosity, and his soul feels good about giving preference to the poor people and

others who are recipients of *Az-Zakah* over himself, then he should pay *Az-Zakah* on all the cash he possesses. He pays this whenever a year passes on the first sum that reached the minimum amount that he possesses. This is greater in reward, more elevating for his status, better for his ease, and more mindful regarding the rights of the poor and the needy and other recipients of *Az-Zakah*. Whatever is more than what is obligatory upon him regarding what he gave of *Az-Zakah*, and he intends generosity and kindness with it, being thankful to Allâh for His favors and abundant gifts, and hoping that He will increase His Bounty on him, then that is better. This is as Allâh said:

﴿لَئِنْ شَكَرْتُمْ لَأَزِيدَنَّكُمْ﴾

“If you are grateful, then verily I will give you more.”<sup>[1]</sup>

And Allâh is the Giver of success.

The Permanent Committee

### Paying *Az-Zakah* in advance is permissible

**Q** I am an employee who receives a salary, and every month I save a portion of it. There is not a specific percentage for the savings, so how do I pay the *Zakah* of this wealth?

**A** What is obligatory upon you is to pay the *Zakah* of every amount that you save if you have possessed it for a year. If you pay the *Zakah* of all of the money when a year has passed on the first amount that was saved, then that is sufficient. In this way, the *Zakah* of the latter sums is considered as being paid in advance before the completion of their year. And paying *Az-Zakah* in advance before it is possessed for a complete year is permissible, especially if there is a need for it or a religious benefit in that.

Ash-Shaykh Ibn Baz

[1] Ibrahim 14:7.

## **Az-Zakah on Land, Real-Estate Properties, Places used for Business and Merchandise for Sale**

**Land that is kept for building does not require  
payment of *Az-Zakah***


**Q** I have a piece of land that I bought with the intent of building on it. Then after a period of time, I needed to sell it, so I sold it. Is there any *Zakah* due on me for the period of time that I was not trying to sell it?

**A** If the matter is as you mentioned in the question, there is no *Zakah* due on you for whatever time passed before the sale. This is because the reason that necessitates the payment of *Az-Zakah* is not present, which is the intent to sell, and you were not intending to sell it.

Ash-Shaykh Ibn Baz


**There is no *Zakah* on Land that is kept for building,  
regardless if the building is for a personal residence  
or for renting**


**Q** I am a young Egyptian man who works in Saudi Arabia. In Egypt, I live in a house that I rent. This means that I do not own a private house in Egypt that I live in. Then, Allâh, Glorified is He and the Most High, provided me with some wealth and I bought a piece of land in my country. Its value is 8,500 Egyptian *Junayhs* (pounds). I also have 17,500 Egyptian *Junayhs* in an Islamic bank in Egypt that is specifically for the purpose of building a place on this land just like the house that I live in with my family. My question is, is there any *Zakah* due on this piece of land? If there is, how much is it? Is there any *Zakah* due on this sum of money that is specifically for building on this land? If so, how much is it?

 There is no *Zakah* due on the land that is intended to be used for building, regardless of whether the building is for living in or renting. Verily, *Az-Zakah* is on that which is intended to be used for business and selling, as opposed to that which is kept for the purpose of private usage or a residence, like this land mentioned. In reference to the money that is kept in the bank, then *Az-Zakah* has to be paid on it as long as it is cash, even if it is intended for a specific purpose, like building a home, marriage or buying specific needs. The amount of *Az-Zakah* on the money is 2.5%, which is only 25 *Junayhs* for every 1000 *Junayhs*.

Ash-Shaykh Ibn Jibreen


### ***Az-Zakah* on Land**

 I own a piece of land that I do not benefit from. I am leaving it for a time when I may need it. Is it obligatory upon me to pay any *Zakah* on this land? If I pay *Az-Zakah* on it, do I have to estimate its valued price each time?

 There is no *Zakah* due upon you for this land, because *Az-Zakah* is only due on the value of sale products if they are kept for the purpose of business (i.e., selling). Land, real-estate property, cars, furniture and other similar things are items on which no *Zakah* is due by themselves. If wealth is intended by them – I mean money – by being kept with the intent of buying, selling and trading, then *Az-Zakah* is obligatory on their value. If it is not kept for sale, like you mentioned in your question, then there is no *Zakah* due on that.

Ash-Shaykh Ibn ‘Uthaimin

### ***Az-Zakah* on Lands that are kept with the intent of selling**

 What is the ruling of *Az-Zakah* on lands that are kept with the intent of buying and selling?





*Az-Zakah* is obligatory on lands that are kept with the intent of buying and selling, because they are considered products of sale. Therefore, they are included in the generality of the evidences concerning the obligation of *Az-Zakah* in the Book and the Sunnah, as is Allâh's Statement:

﴿حُذِّ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا﴾

*"Take Sadaqah (charity) from their wealth in order to cleanse them and purify them with it."*<sup>[1]</sup>

There is also that which Abu Dawud recorded with a good chain of narration from Samurah bin Jundub رضي الله عنه that he said, "The Messenger of Allâh ﷺ commanded us to give charity for whatever we kept for sale." The majority of the people of knowledge have ruled according to this and it is the truth. May Allâh send blessings and peace upon our Prophet Muhammad.

The Permanent Committee

### ***Az-Zakah* is obligatory on Land that is kept with the intent of sale**



The local authorities granted me some land from the lands that are allotted for those who have limited income. This occurred three years ago and I intend with myself that I will sell this land if it brings a suitable price, as its location is not suitable for me. The question is, is there any *Zakah* due on this land? If there is any *Zakah* due on it, should I pay the *Zakah* for the three years or for one year? Please give me a ruling, and may Allâh bless you.




If you intended to sell it, then you are obligated to pay the *Zakah* of its value when a year passes from the time you decided to sell it. This is due to what Abu Dawud recorded from Samurah bin Jundub رضي الله عنه that he said: "The Messenger of Allâh ﷺ commanded us to give charity for whatever we kept for sale."


[1] *At-Tawbah* 9:103.

This narration has supporting evidences that allude to its meaning. And success is from Allāh.

Ash-Shaykh Ibn Baz

### **Az-Zakah on Buildings, Places and Lands**


 I have a brother who possesses a lot of wealth. He placed his wealth in buildings, places of business and lands, and all of them bring income. I advised him to pay the *Zakah* on the original capital (i.e., properties) of his business, but he told me that he is only obligated to pay *Zakah* on the rent that he collects if he keeps it for a year, and there is no *Zakah* on his original property. He said that if every time he got the rent he put it into a building, he is not obligated to pay *Az-Zakah* on it (the rent money) or its origin (i.e., the property), except if he kept the rent money for a year before putting it into a building. This brother of mine has partners who do the same as he does. Does Islam permit this action? Is the one who does it not committing any sin? What is the real estate which *Az-Zakah* is not obligatory on its origin (the building or property) or its operation until a year passes? Is there any limit where this is stopped or is it all the same, whether small in amount or a lot?


 The wealth that a person possesses is of different types. Whatever is considered money, then *Az-Zakah* is obligatory on it if it reaches the minimum amount required for *Az-Zakah* and it is possessed for a year. Whatever land is used for planting crops, then *Az-Zakah* is obligatory on its grains and fruits on the day of its harvest. *Az-Zakah* is not due on the land itself. Whatever land is rented or a building that is rented, *Az-Zakah* is obligatory on the rental money if the owner possesses that money for a year and it reaches the minimum amount required for *Az-Zakah*. There is no *Zakah* due on the land or the building itself. Whatever land, buildings or other items are kept for the purpose of selling, then *Az-Zakah* is obligatory on them if

these are possessed for a year. Whatever profit comes from it during that year, it is considered with the year of the original property, if the original property was the minimum amount required for *Az-Zakah*. Whatever livestock animals a person owns, he is obligated to pay *Az-Zakah* on them if they reach the minimum number required and he has possessed them for a year.

The Permanent Committee


### ***Az-Zakah* on Rent collected from a Residence and places of Business**

 There is a man who has many residences that he rents out and he saves a lot of money from them during an entire year. Does he have to pay *Az-Zakah* on this wealth? When is it due? What is the amount that he has to pay?


 If a year passes on the rent of a residence or a shop or any other type of money, *Az-Zakah* is due on it if it is the minimum amount required for *Az-Zakah*. Whatever the lessor (i.e., the one who rents out the property) spends of it on his needs before possessing it for a year, there is no *Zakah* due on that. The amount that is due on this money is 2.5% according to the consensus of the Muslims. The minimum amount required before *Az-Zakah* is due is 20 *Mithqal* of gold. Its amount in Saudi and European *Junayhs* (pounds) is  $11\frac{3}{7}$  *Junayhs*. The minimum amount required for silver is 140 *Mithqal*. Its amount in Saudi riyals is 56 silver riyals.

Ash-Shaykh Ibn Baz

### ***Az-Zakah* on rental Property**


 I have some property that brings returns, but not on a yearly basis. Instead, teachers rent it for nine months. I have another property that is rented on a yearly basis. When the rent is paid, I like to give whatever is due upon me of the


obligatory *Zakah*. Does *Az-Zakah* have to be paid on the rent of the monthly rental property?

 *Az-Zakah* is obligatory on the rent of rental property if the conditions are present which necessitate the payment of *Az-Zakah*. From these conditions is that the sum must reach the minimum amount that requires *Az-Zakah* and the money must be possessed for an entire year. *Az-Zakah* is not obligatory on the value of property that is rented unless its owner purchases and sells it in order to avoid paying *Az-Zakah* on its price. This is in dealing with him in opposition to his intent (i.e., his intent to escape from paying the *Az-Zakah*).

The Permanent Committee

### *Az-Zakah* on Houses and Cars

 There is a man who has vehicles and houses and he spends what he earns from them on his family. This is such that he does not save any money during an entire year. Does he have to pay *Az-Zakah* on this wealth? When is *Az-Zakah* due on cars and houses and what is the amount to be paid?

 If the houses and vehicles are for possession (i.e., not for sale) or to benefit from renting them, there is no *Zakah* on them. However, if they are for sale or some of them are for sale, then it is obligatory upon you to pay the *Zakah* of their value every time a year passes and they are in your possession. If you use them for the personal needs of your house or ways of righteousness or for other needs before a year passes, then you do not have to pay any *Zakah* on them. This is due to the generality of the evidences reported in this regard from the Qur'anic Verses and *Hadiths*. It is also due to what Abu Dawud recorded with a good chain of narration from the Prophet ﷺ that he commanded charity to be given on whatever was kept for sale.

Ash-Shaykh Ibn Baz

### **Az-Zakah on Cars that are kept for rental**

**Q** How is *Az-Zakah* to be paid on transport vehicles and rental cars? Is it based on their value or their earnings?

**A** As long as these vehicles are used for rental, *Az-Zakah* is obligatory on their rental fee if they have been rented for a year. There is no *Zakah* on their value.

The Permanent Committee

### **There is no *Zakah* on Cars that are kept for transporting things**

**Q** Is there any *Zakah* on business vehicles that travel and bring grains and other things?




**A** There is no *Zakah* on vehicles and camels that are kept for transporting grains, supplies and other things from one land to another. This is because they are not kept for selling. They are only kept for transport and use. However, if the vehicles are kept for sale and other things as well, such as camels, donkeys, cows and other animals that are permissible to sell, then it is obligatory to pay *Az-Zakah* on them. This is due to what Abu Dawud and others recorded from Samurah bin Jundub رضي الله عنه that he said: "The Messenger of Allâh ﷺ commanded us to give charity for whatever we kept for sale." This is the position held by the majority of the people of knowledge and this has been mentioned by *Imam* Abu Bakr bin Al-Munthir.

The Permanent Committee

### **How does the Owner of a printing Company pay *Az-Zakah*?**


**Q** The owner of a printing company asked about its *Zakah*, as there are those who say that *Az-Zakah* is due on



whatever the printing company produces. There are also those who say *Az-Zakah* is due on the equipment and machines of the printing company as well as its products. What is correct concerning this?

 *Az-Zakah* is only obligatory on owners of printing companies, factories and their likes, for the things that they keep for sale. In reference to the things that they keep for use, there is no *Zakah* on them. The case is the same for cars, furniture and tools that are kept for use. There is no *Zakah* on these things. This is due to what Abu Dawud recorded in his *Sunan* with a good chain of narration from Samurah bin Jundub  that he said: "The Messenger of Allâh  commanded us to give charity for whatever we kept for sale." In reference to the money, such as gold, silver and cash currencies, *Az-Zakah* is obligatory on all of it, even if it is kept for spending, if it reaches the minimum amount required for *Az-Zakah* and it has been kept for a year. And success is from Allâh.

Ash-Shaykh Ibn Baz

### How to pay *Az-Zakah* on Commodities such as Fabrics and similar things

 There is a man who has places of business that contain many types of merchandise, like fabrics, shoes and perfumes. So, how does he pay their *Zakah*?

 Everyone who has merchandise for sale, regardless of whether it is fabrics or anything else, he must pay the *Zakah* of its value if he has possessed it for a year, along with cash that he has. This is due to what Abu Dawud recorded with a good chain of narration from Samurah bin Jundub that he said: "The Messenger of Allâh  commanded us to give charity for whatever we kept for sale." This is also due to other evidences that the people of knowledge have mentioned in the chapters concerning *Az-Zakah* on products for sale.

Ash-Shaykh Ibn Baz

## How to pay *Az-Zakah* on Chickens

**Q** Is it permissible for me to pay *Az-Zakah* of a chicken farm based upon its value in money?

**A** All of what the Muslim keeps of wealth that is for sale, regardless of whether it is animals or other than animals, then he pays *Az-Zakah* on its value when a complete year passes. This is due to what Abu Dawud recorded from Samurah bin Jundub رضي الله عنه that he said: "The Messenger of Allâh ﷺ commanded us to give charity for whatever we kept for sale." This is also due to other evidences concerning this. The value of the sale (i.e., the sale price) is not what is considered. Rather, what is considered is the value of the merchandise that is kept for selling, after it has been possessed for an entire year. It makes no difference whether its value at the completion of one year is less than its price or more. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

## **Az-Zakah on Shares**

### *Az-Zakah* on Shares that are in real-estate Properties

**Q** Certainly you all know that people are dealing with shares in real-estate properties and among them there are those who freeze sums of money in them that increase and decrease. Sometimes this money will remain for a long period of time, maybe even four or five years, more or less. Then, if the owner wants to sell on the market, he allows the property to be auctioned. The value of the property may be the same as when he bought it or it may be less. Thus, he continues in this manner for a number of years. Likewise, he also may have some wealth invested in lands that he seeks the market price to go up on so that he can sell them, and so

forth. The question is: Does the person have to pay yearly *Zakah* on shares that are invested in properties that remain unsold until now, and that have remained for a long time with the same value or lower value on the market? Is there a yearly *Zakah* on lands that the owner purchased in order to earn some profit, like the *Zakah* on merchandise for sale? Or do the lands remain until he sells them and then he pays the *Zakah* on them as some of the scholars see it? Because it may be that many years pass and the land has remained at the same value without any increase. If it is said that *Zakah* must be paid on it, should its *Zakah* be paid every year or just once? If the owner sells the property, does he pay its *Zakah* for the previous years or only one year? This is while keeping in mind that the individual may have much wealth in the properties and shares, and when he wants to give *Zakah* he borrows money or sells some of it (to pay the *Zakah* on it). This means that the money does not stop with him. Rather, something is simply kept with him that he uses to buy, but it does not remain with him in his possession.



The shares that are mentioned in the question are sales items and *Az-Zakah* must be paid on them. This is to be done every year according to the value of the property and not in consideration of the sales price. If he has some money, the owner can pay the *Zakah* from that. If not, he can pay its *Zakah* for all the previous years – based on the value at the time the *Zakah* was due each year – after he sells it and receives its price. This is also the situation with the properties that are kept for business (buying and selling) and are not in shares.

The Permanent Committee



## **Az-Zakah on Jewelry**

### **The correct view concerning *Az-Zakah* on Jewelry and how it is to be paid**

**Q** The views of the four Imams are in opposition concerning paying *Az-Zakah* on jewelry that is kept for women's beautification. Among them there is one who says that it is obligatory according to conditions. Among them there is one who says that it is not obligatory. Among them there is one who says it is obligatory unconditionally. So, which view do you all think is appropriate? May Allâh reward you with good. Also, if *Az-Zakah* is obligatory on jewelry, how it is to be paid? Is it paid according to the current market price, knowing that if the woman wants to sell it, she will not get the price that she paid for it? Or is it paid according to the old purchase price even though it is certain that the prices fluctuate?

**A** There is no doubt that there is a strong difference of opinion, both past and present, regarding the ruling of *Az-Zakah* on jewelry that is being used. However, the view which I prefer is that its *Zakah* should be paid every year, even if it is worn. This is due to the strength of the evidences and reasons that support this view. Based upon this, an estimate is made on it according to its current market value and the original price is not considered. Thus, *Az-Zakah* is paid on the value of the jewelry according to its current value. It makes no difference whether that value is more than what you bought it for or less. Then, *Az-Zakah* is given according to this value at the rate of 2.5%. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

### ***Az-Zakah* on Jewelry made of Silver**

**Q** I have some silver that is in the form of jewelry to be worn on the neck, the hands, the head and on a belt. I

requested from my husband many times to sell it and pay its *Zakah*, but he says that it has not reached the minimum amount required for *Az-Zakah*. I have had it for approximately 23 years now and I have not paid any *Zakah* on it. What is obligatory on me now?



If it has not reached the minimum amount, there is no *Zakah* due on it, knowing that the minimum amount for silver is 140 *Mithqal*, which is equal to 56 silver riyals. If the silver jewelry reaches this amount, *Az-Zakah* becomes obligatory on it according to the most correct view of the scholars. This is due every time a year passes on it. The amount that must be paid is 2.5%, which is 2½ riyals for every 100 riyals and 25 riyals for every 1000 riyals. In reference to gold, its minimum amount is 20 *Mithqal*, which is 11½ Saudi *Junayhs* or 92 grams of gold. If a year passes on gold jewelry that reaches this amount or more, then *Az-Zakah* must be paid on it according to the most correct view of the scholars. The amount to be paid is 2.5%, which is 2½ *Junayhs* for every 100 *Junayhs* or its value in monetary currency or silver. Any more than this is calculated according to this system. This is due to the Prophet's statement:

«مَا مِنْ صَاحِبِ ذَهَبٍ وَلَا فِضَّةٍ، لَا يُؤَدِّي مِنْهَا حَقَّهَا، إِلَّا إِذَا كَانَ يَوْمَ الْقِيَامَةِ، صُفِّحَتْ لَهُ صَفَائِحُ مِنْ نَارٍ، فَأُحْمِيَ عَلَيْهَا فِي نَارِ جَهَنَّمَ فَيَكْوَى بِهَا جَنْبُهُ وَجَبِينُهُ وَظَهْرُهُ، كُلَّمَا بَرَدَتْ أُعِيدَتْ لَهُ، فِي يَوْمٍ كَانَ مِقْدَارُهُ خَمْسِينَ أَلْفَ سَنَةٍ، حَتَّى يُقْضَى بَيْنَ الْعِبَادِ، فَيَرَى سَبِيلَهُ، إِمَّا إِلَى الْحَنَّةِ، وَإِمَّا إِلَى النَّارِ»

*“There is no owner of gold or silver who does not pay its Zakah except that plates of fire would be made for him on the Day of Resurrection. Then his sides, forehead and back would be burned with them during a Day that its measure will be fifty thousand years. This will continue until the judgment is pronounced among the servants, and then he will see whether his path leads to Paradise or the Fire.”*<sup>[1]</sup>

[1] Abu Dawud no. 1562.

This was recorded by Muslim in his *Sahih*.

It has been confirmed from him ﷺ in a *Hadith* narrated by 'Abdullah bin 'Amr bin Al-'Aas ؓ that he ﷺ said to a woman who entered upon him with her daughter who was wearing two gold bangles:

«أَتُعْطِينَ زَكَاةَ هَذَا؟ قَالَتْ: لَا، قَالَ: أَيَسْرُكَ أَنْ يُسَوِّرَكَ اللَّهُ بِهِمَا يَوْمَ الْقِيَامَةِ سَوَارِينَ مِنْ نَارٍ؟ فَأَلْقَتْهُمَا، وَقَالَتْ: هُمَا لِلَّهِ وَلِرَسُولِهِ»

*"Do you give the Zakah of this?" She said: "No." He ( said to her: "Does it please you that Allâh will make them into two bracelets of fire for you on the Day of Judgement?" Then she threw them down and said: "They are for Allâh and His Messenger." [1]*

This was recorded by Abu Dawud and An-Nasa'i with an authentic chain of narration. The *Hadiths* with this meaning are numerous. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### The ruling of *Az-Zakah* on Jewelry, Diamonds and precious Stones

**Q** I am a married woman and I am almost 30 years old. For approximately 24 years I have had pieces of gold that are not kept for business. They are only for beautification and some times I sell them. Then I add some money to their price and I buy better jewelry. Now I have some jewelry and I have heard that it is obligatory to pay *Az-Zakah* on gold that is kept for beautification. Thus, I would like a clarification of this matter for myself. If *Az-Zakah* was obligatory on me, what is the ruling of the past period of time during which I did not pay *Az-Zakah* on the jewelry? This is while keeping in mind that I am not able to estimate the amount of gold that I had during all of these long years.

[1] Abu Dawud no. 1563.

**A** *Az-Zakah* is obligatory on you from the time you knew that it was obligatory on you to pay *Az-Zakah* on jewelry. Whatever occurred before that in the previous years before your knowledge of this, then you do not have to pay *Az-Zakah* for it. This is because the Islamic laws only become obligatory after they are known. The amount that must be paid is 2.5% if the jewelry reaches the minimum amount required for *Az-Zakah*, which is 20 *Mithqal* (of gold). This is equivalent to 11½ Saudi *Junayhs*. If gold jewelry reaches this amount or more, then *Az-Zakah* must be paid on it. For every 1000 *Junayhs*, 25 *Junayhs* is due. In reference to silver, its minimum amount before *Az-Zakah* is due is 140 *Mithqal*, which is equivalent to 56 silver riyals or whatever is equivalent to it of monetary currency. The amount that must be paid is 2.5% just like with gold.


In reference to diamonds and other stones, no *Zakah* is due on them if they are for wearing. However, if they are for sale, then *Az-Zakah* is obligatory on them according to their value in gold and silver if they reach the minimum amount required for *Az-Zakah*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### **She has Jewelry but she has not paid *Az-Zakah* on it because She did not know the ruling**


**Q** There is a woman who has some gold that reaches the minimum amount required for *Az-Zakah*. However, she did not know that it is obligatory to pay *Az-Zakah* on it until after she owned it for five years. Therefore, when she came to know about this, she wanted to pay its *Zakah*, but she does not have anything other than this gold. So, what should she do to pay its *Zakah* for the five past years? Should she sell a portion of it, or what should she do? How should she handle the forth-coming years? This is while keeping in mind that if she wanted to pay the *Zakah* at one time she would not be able except by selling some of it each year, as she has no


income, whether small or great.

 She must pay *Az-Zakah* in the future on her jewelry every year if it reaches the minimum amount required, which is 20 *Mithqal* (of gold) or  $11\frac{3}{7}$  Saudi *Junayhs*. In grams, this is equivalent to 92 grams. She must pay the *Zakah* even if it is by selling some of the gold or something else that she owns. If her husband or her father or someone else pays it on her behalf with her permission, there is no harm in that. If not, then the *Zakah* remains a debt that she is responsible for until she pays it. In reference to the previous years before she knew that *Az-Zakah* was obligatory on jewelry, nothing is due on her concerning it due to her ignorance and uncertainty concerning that. This is because some of the people of knowledge do not think that it is obligatory to pay *Zakah* on jewelry that is worn or kept for wearing. However, the most correct view is that it is obligatory to pay *Zakah* on it if it reaches the minimum amount and it has been possessed for a year. This is due to the establishment of evidence from the Book and the Sunnah concerning that. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### ***Az-Zakah* on Jewelry is obligatory on its Owner**

 My wife has gold that she wears that reaches the minimum amount required for *Az-Zakah*. Is there any *Zakah* due on it? Is paying its *Zakah* obligatory on me or on my wife? Is *Az-Zakah* given from the jewelry itself or is its value determined and then *Az-Zakah* paid according to the value?

 *Az-Zakah* is obligatory on jewelry that is made of gold and silver if its weight reaches the minimum amount required for *Az-Zakah*, which is 20 *Mithqal* of gold and 140 *Mithqal* of silver. The minimum amount of gold in the current currency is equal to  $11\frac{3}{7}$  Saudi *Junayhs*. If the gold jewelry reaches this amount or more, *Az-Zakah* must be paid on it, even if it is only

for wearing according to the most correct view of the scholars.

The minimum amount of silver required for *Az-Zakah* is 56 Saudi riyals (of silver). If the silver jewelry reaches this amount or more, *Az-Zakah* must be paid on it. The amount of *Az-Zakah* to be paid is 2.5% of gold, silver and sales merchandise. This is 2 1/2 out of 100 or 25 out of 1000. Any amount more than this is calculated in this way.

*Az-Zakah* is due upon the woman who owns the jewelry. If her husband or other than him pays it on her behalf with her permission, there is nothing wrong with that. It is not obligatory to give the *Zakah* from the jewelry itself. Rather, it suffices to pay its value every time a year passes on it. This is according to the value of gold and silver in the market at the completion of the year's time. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### Is there any *Zakah* on Diamonds?

**Q** Is there any *Zakah* on diamonds that are used for beautification and wearing?

**A** There is no *Zakah* on diamonds that are for beautification and wearing. However, if the diamonds are for business (i.e., buying and selling), *Az-Zakah* must be paid on them. The same applies to pearls. In reference to gold and silver, *Az-Zakah* must be paid on them if they reach the minimum amount required, even if they are only for wearing according to the most correct opinion of the scholars.

Ash-Shaykh Ibn Baz

### How to pay *Az-Zakah* on Jewelry studded with Gems and precious Stones

**Q** How is the payment of *Az-Zakah* to be carried out on jewelry that is not purely gold? Rather, it is studded

with numerous types of gems and precious stones. Is the weight of these gems and stones calculated along with the gold, as it is difficult to separate the gold from them?



The gold is that which *Az-Zakah* is obligatory on, even if it is worn. Concerning the precious stones, such as pearls, diamonds and things similar to them, there is no *Zakah* on them. So, if necklaces and other things contain both of these (gold and stones), then the woman or her husband or her guardians look closely and estimate the gold or they take it to those who know. Then, whatever seems to probably be correct (as an estimate) is sufficient for this. If it reaches the minimum amount required, *Az-Zakah* is paid on it. The minimum amount is 20 *Mithqal*, which is equivalent to 11½ Saudi and European *Junayhs*. In grams this is 92 grams (of gold). *Az-Zakah* is paid on it every year at a rate of 2.5%, which is 25 for every 1000. This is the correct view from the views of the people of knowledge. However, if the jewelry is for business, then *Az-Zakah* is paid on all of it, including what it contains of pearls or diamonds, according to their value, just like other merchandise for business. This is the view of the majority of the people of knowledge.

Ash-Shaykh Ibn Baz


### ***Az-Zakah* on Wealth given as a Religious Donation and Similar Things**

**There is no *Zakah* on Wealth that is given as  
a religious Donation!**




At the University of King Saud, we have a savings account for the students that serves as means of collecting money. The University carries out this process by deducting a small portion from the stipends of the students. Then, from what is collected in this savings account, assistance is given to those students who are in need. Is *Az-*


*Zakah* due on the sums of money in this savings account?

 There is no *Zakah* due on the money in this mentioned account or anything similar to it. This is because this wealth has no owner. Rather, it is kept for different means of goodness like other wealth that is donated for good deeds (charity).

Ash-Shaykh Ibn Baz


### **There is no *Zakah* on the Wealth of a religious Donation!**


 I have a sum of money from some philanthropists for the purpose of building a *Masjid*. It has remained with me for more than a year. Do I have to pay any *Zakah* on it or not?

 There is absolutely no *Zakah* on this money, because its donors spent it in the way of Allâh. You must make haste in carrying out their request (to build the *Masjid*).

Ash-Shaykh Ibn Baz

### **There is no *Zakah* on Wealth that is collected from a number of Individuals for a need**

 If there is a group and each person among them pays a portion of wealth, and they save it with the intent of benefiting from it in case some accidents happen to any of them – may Allâh forbid – and they need it for their general affairs, and they have had this sum for a year, is there any *Zakah* on it?

 This wealth, and anything similar to it that is donated by their owners for the public benefit and assisting in good between the people, has no *Zakah* due on it. This is because it has been given by its owners in seeking the Face of Allâh. Also, its benefits are shared by their wealthy and their poor in helping



to resolve the accidents that befall them. Therefore, due to this it is considered a donation from its owners having the ruling of collected charities to be spent on that which it was donated for.

Ash-Shaykh Ibn Baz

### ***Az-Zakah* on the Wealth of religious Donations**

**Q** Is *Az-Zakah* due on the wealth that is donated for *Masjids*?

**A** There is no *Zakah* on wealth of donations for *Masjids* and similar things. It is all the same, as there is a lack of personal ownership involved in these things.

The Permanent Committee

### **There is no *Zakah* on the religious Donation**

**Q** There is a group of date trees that happen to be in Al-Mughtarrah. It has six trees and they are irrigated with water. The farmer who cares for them gets  $\frac{3}{4}$ th of the fruit and the one who donated them in a will gets  $\frac{1}{4}$ th. Is *Az-Zakah* obligatory on the  $\frac{1}{4}$ th of the fruit that is designated for the donor or not? This is while keeping in mind that the share of the donor is not sufficient for the person to whom it was willed. Therefore, the trees that the deceased person donated in his will are not harvested except every two years.

**A** If the matter is as you have mentioned, then *Az-Zakah* is not obligatory on the portion of the donor, because it is a *Waqf* (religious donation). It is given entirely in righteousness and as a good deed.

The Permanent Committee

## **Az-Zakah on Loaned Wealth**

### *Az-Zakah on Debt*

**Q** I have a debt that one of the brothers owes me, so am I obligated to pay its *Zakah*?

**A** If the debt that you are owed is with wealthy people who can pay you your right when you request it, then you must pay its *Zakah* whenever a year passes on it as if you had it (the money) and they have it like a trust. However, if the person who owes the debt is having difficulties and he cannot pay it to you or he is not having difficulties, but he keeps putting you off and you are not able to take it from him, then the correct view from the opinions of the scholars is that you are not obliged to pay *Zakah* for it until you receive it from this delayer or person in straitened circumstances. Then, when you receive it and you have it for a year thereafter, you pay the *Zakah* on it. If you pay *Az-Zakah* for one year from the previous years that the money was with the person with difficulties or the delayer, then there is no harm in that. Some of the people of knowledge have said this. However, you are only obligated to pay *Az-Zakah* for the future time that comes after you received the money from the person in hardships or the delayer, and you wait until you have possessed it for a year. Then after a year has passed on it you are obligated to pay *Az-Zakah*. This is what is preferred.

Ash-Shaykh Ibn Baz

### *Az-Zakah on loaned Wealth*


**Q** I loaned a sum of money to a person and a year passed without him repaying the loan. Should I pay *Az-Zakah* on it or should I wait until he repays it, then pay *Az-Zakah* for the year when I receive it?


**A** When the debt or loan is with a wealthy person who is able to pay it and you are able to get it from him whenever

you wish, then you must pay *Az-Zakah* on it every year, because it is like a trust. It makes no difference whether you left it with him to make things easy on him or because you do not need it. However, if the debt or loan is with one who is in straitened circumstances or who delays payment or who is unable to repay, then the preferred and correct view is that there is no *Zakah* on this until you receive it. Then, when you receive it, you pay one year's worth of *Zakah* on it, even if it remained with the debtor for many years. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

### It is not permissible to drop a Debt and consider it as *Az-Zakah*


 We have a relative who is poor and needy, so we give him from the *Zakah* of our wealth every year. Some time ago we gave him a sum of money outside of the time of *Zakah*, however he has not been able to return it to us until now. Since a number of years have passed since then, our question is this: is it permissible for us to pardon him from paying that sum of money and count it as part of the *Zakah* that we will pay this year, if Allâh wills?


 The correct view is that it is not permissible to drop a debt that a debtor owes if one loses hope that he will repay it or he will be late in repaying it, with the intention of considering it part of *Az-Zakah*. This is because *Az-Zakah* is wealth that is paid to the poor due to their poverty and needs. However, if the person is given from the *Zakah* and he returns it to its owners in repaying what he is responsible for, then that is permissible for you, as long as there is no shady intent or favoritism.

Ash-Shaykh Ibn Jibreen

## Transferring Az-Zakah to Another Place

### The ruling on transferring *Az-Zakah* to another place


 Is it permissible to give *Az-Zakah* and send it to some people who deserve it in another land? I mean by this my land, because I am a stranger in the Kingdom of Saudi Arabia. Please benefit us with an answer, and may Allâh bless you.


 According to the correct view, it is permissible to transfer *Az-Zakah* to a land other than the land of the wealth for a preferred benefit, like extreme poverty and need, Muslim relatives who are in need and similar situations. However, it is not permissible to do so simply due to favoritism while there is someone present who deserves it and it is known that he deserves it, then you prevent him from it. If there is doubt as to whether the people of a land are deserving of it, while it is certain that the relatives in a far away land need it, and their affection and anticipation is in what you send to them, then they are more worthy of it. Also, giving charity to them is (the reward of) charity and keeping the family ties.

Ash-Shaykh Ibn Jibreel

## The People of *Az-Zakah*

### Paying *Az-Zakah* to the poor Brother

 I have a brother who is married and poor, and he owes a debt. I also have a sister who is married to a poor man who owes a debt. Is it permissible for me to pay the *Zakah* of my wealth completely to both of them if the *Zakah* covers their debts, or should they only get a portion of the *Zakah* of wealth?

 There is no problem in paying *Az-Zakah* to both of them if they are both Muslims and they both owe debts and your *Zakah* will cover their debts that they cannot repay. This is

because they both are included in Allâh's Statement:

﴿إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ﴾

“Verily *As-Sadaqat* (*Az-Zakah*) is only for the *Fuqara*’ (poor) and the *Masakin* (needy)...”<sup>[1]</sup>

And success is from Allâh.

Ash-Shaykh Ibn Baz

### The ruling on paying *Az-Zakah* to one’s Mother

**Q** Is it permissible for a person to give *Az-Zakah* to his mother?

**A** It is not allowed for the Muslim to give his *Zakah* to his parents or his children. Rather he should spend on them from his wealth if they need that and he is able to spend on them. And success is from Allâh.

Ash-Shaykh Ibn Baz

### The *Miskin* (needy) and the *Faqir* (poor)

**Q** Who is the *Miskin* (needy) who is a recipient of *Az-Zakah*, and what is the difference between him and the *Faqir* (poor)?

**A** The *Miskin* is the *Faqir* (poor person) who cannot find what completely suffices his needs, and the *Faqir* is in more severe need than he (the *Miskin*) is. Both of them are from the categories of people who are eligible to receive *Az-Zakah* and who are mentioned in Allâh, the Most High’s Statement:

﴿إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا﴾

“Verily *As-Sadaqat* (*Az-Zakah*) is only for the *Fuqara*’ (poor), the *Masakin* (needy) and those who are employed to collect it (the funds)...”<sup>[2]</sup>

[1] *At-Tawbah* 9:60.

[2] *At-Tawbah* 9:60.

Whoever has an income that suffices him for food, drink, clothing and housing, whether that is from a donation, earnings, a job or anything similar to that, then he is not called *Faqir* (poor) or *Miskin* (needy). Therefore, it is not permissible to distribute *Az-Zakah* to him.

Ash-Shaykh Ibn Baz

### The ruling on distributing *Az-Zakah* to the Brother and the Uncle

**Q** Is it permissible for a brother to give *Az-Zakah* to his needy brother who is a family provider and he works, but his income does not suffice him? Likewise, is it permissible to give *Az-Zakah* to the poor uncle? Likewise, can the woman pay the *Zakah* of her wealth to her brother, aunt or sister?

**A** There is no harm in the man or woman paying their *Zakah* to their poor brother, poor sister, poor uncle, poor aunt and the rest of their poor relatives, due to the generality of the evidences. Actually, giving *Az-Zakah* to them is a charity and keeping good family relations. This is due to the Prophet's statement:

«الصَّدَقَةُ عَلَى الْمِسْكِينِ صَدَقَةٌ، وَهِيَ عَلَى ذِي الرَّحِمِ ثِنْتَانِ، صَدَقَةٌ وَصِلَةٌ»

“Giving charity to the *Miskin* (needy person) is (counted as) charity and giving it to the relative is (counted as) charity and keeping good family relations.”

This applies to all except the parents and their parents, and the children – males or females – and their children. For verily *Az-Zakah* is not paid to them even if they are poor. Rather, it is obligatory upon the person to spend on them from his wealth if he is able to do so and there is no one to spend on them other than him.

Ash-Shaykh Ibn Baz

### Paying *Az-Zakah* to the Sister

**Q** I have a sister who is married and she is a good woman. Is it permissible for me to pay a portion from the *Zakah* of my wealth to her to raise the level of her living and help her in rearing her children? This is particularly due to the fact that her husband does not care about anyone but himself, and we are tired of trying to rectify his situation.

**A** If she is poor, and her husband does not spend on her, and she is unable to rectify his situation, and there is no one to make him do that, then it is permissible to give her from *Az-Zakah* according to her need.

Ash-Shaykh Ibn Baz

### *Az-Zakah* for a Person who wants to get married

**Q** There is an upright (i.e., religious) young man who wants to get married, and there is no doubt that he needs assistance to complete the matter of marriage. Is it permissible for me to give him from *Az-Zakah* to help him in the matter of his marriage?

**A** It is permissible to pay *Az-Zakah* to this young man as a means of helping him get married if he cannot afford it. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### The ruling on paying *Az-Zakah* to the poor Husband

**Q** Is it permissible for the woman to give the *Zakah* of her wealth to her husband if he is poor?

**A** It is permissible for the woman to give the *Zakah* of her wealth to her husband if he is poor due to the generality of Allâh's Statement:

﴿إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ﴾

“Verily, *As-Sadaqat (Az-Zakah)* is only for the *Fuqara’ (poor)* and the *Masakin (needy)*...”<sup>[1]</sup>

This is in order to eliminate his poverty.

The Permanent Committee

### The ruling on the *Masjid* Carpets and repairing them with *Az-Zakah*

**Q** Is it permissible to spend on the *Masjid* to repair it and its carpets and similar things from *Az-Zakah*. This is due to the fact that the *Masjid* does not have any revenue to maintain it and its people are poor.

**A** It is known that the affairs of the *Masjids* are related to the Ministry of Hajj and Endowments. Therefore it is responsible for repairing the *Masjids* and their carpets and taking care of whatever they need. If the Ministry is unable to carry out all of the requests of the *Masjids* and it begins with giving attention to the most important things first, and therefore, the Ministry is late in repairing the *Masjid*, and its people do not want to wait, then they have to repair with their own money. In reference to *Az-Zakah*, it is specifically for eight categories (of people) that Allâh specified in His Statement:

﴿إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبِهِمْ وَفِي الرِّقَابِ وَالْغَدْرِمِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ﴾

“*As-Sadaqaat (Az-Zakah)* is only for the *Fuqura’ (poor)*, the *Masakin (needy)*, those employed to collect it (the funds), to attract the hearts of those who are inclined (towards Islam), to free the captives, for those in debt, in the way of Allâh (i.e. for those who fight Jihad), and for the traveller.”<sup>[2]</sup>

[1] *At-Tawbah* 9:60.


[2] *At-Tawbah* 9:60.




From this it becomes clear that the *Masjids* are not from the eight categories mentioned in the Verse, and therefore it is restricted from having *Az-Zakah* spent on it. And success is with Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### Paying *Az-Zakah* to people who have committed crimes and those who are in Debt

 Is it permissible to pay *Az-Zakah* to those who have committed crimes and must pay blood money and those who are in debt when one of them asks for assistance or not?

 Allâh, Blessed is He the Most High, explains who are those who are eligible to receive *Az-Zakah* in His Statement:

﴿إِنَّمَا أَصَدَقْتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبِهِمْ وَفِي الرِّقَابِ وَالْغَدَمِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ﴾

*“As-Sadaqat (Az-Zakah) is only for the Fuqara’ (poor), the Masakin (needy), those employed to collect it (the funds), to attract the hearts of those who are inclined (towards Islam), to free the captives, for those in debt, in the way of Allâh (i.e. for those who fight Jihad), and for the traveller.”*<sup>[1]</sup>

Allâh mentioned among them those who are in debt and they are of two types. One of them is the one who goes into debt for the sake of rectifying matters between people. This is the person who arbitrates for a treaty in a situation where there occurs some dispute between a large group of people, like two tribes or the people of two villages, concerning blood (i.e., murder) and wealth, and it results in hatred and enmity. Therefore, this person takes under his responsibility the payment of some wealth as a compensation for whatever is between them to

[1] *At-Tawbah* 9:60.

extinguish the uprising. Hence, he is paid from *Az-Zakah* that which will fulfill the burden he has undertaken, even if he is wealthy, as long as he does not pay it from his own wealth. If he pays this debt from his own wealth, it is not permissible to pay *Az-Zakah* to him. The second person is the person who goes into debt to purchase himself (i.e., his freedom) from the disbelievers or purchase some permissible item or purchase some forbidden item if he has repented afterwards. If he is poor he should be given from *Az-Zakah* to repay his debt.

The Permanent Committee

### The ruling of giving *Az-Zakah* to a single Family

**Q** If a man pays the *Zakah* of his wealth and it is only a little bit, like 200 riyals for example, is it better for it to be given to one needy family or should it be divided among a number of needy families? Please benefit me with an answer, and may Allâh reward you with good.

**A** If the *Zakah* is a small amount, then giving it to a single needy family is better and more preferred. This is because distributing it among numerous families, with its small amount, will decrease its benefit.

Ash-Shaykh Ibn Baz

### The Mother is not given from *Az-Zakah* and the Person who abandons the Prayer does not deserve *Az-Zakah*

**Q** Is it permissible for me to give my mother a sum of money and consider it from *Az-Zakah*? This is while knowing that my father spends on her and he is well off, and all praise is due to Allâh. Likewise, I have a brother who is able to work and he has not gotten married yet. However – may Allâh guide him – he is not praying (*As-Salah*) much. Is it permissible for me to give him anything of *Az-Zakah*?

Please benefit me with an answer, and may Allâh protect you.



It is not permissible for you to give your mother anything from *Az-Zakah*, because *Az-Zakah* is not to be given to the parents. This is also because she does not need it due to your father spending on her.

In reference to your brother, it is not permissible to give *Az-Zakah* to him as long as he is abandoning the prayer. This is because the prayer is the greatest pillar of Islam after the two Testimonies of Faith and because abandoning it intentionally is a form of major disbelief. Also, because he is strong and able to earn, he should not be given *Az-Zakah*. Whenever there is a need to spend on him, his father should do that, because he is responsible for him in matters of spending, as long as he is able to do so. May Allâh guide him (the brother), direct him to the truth and give him refuge from the evil of his self, his devil (that is with him) and evil companions.

Ash-Shaykh Ibn Baz

## **Debt and *Az-Zakah***

### **Does Debt prevent *Az-Zakah***



1. A man works at a business and he deals with foreign companies by buying on credit. Then a year passes on this credit and he is responsible for paying large sums of money. Therefore he asks that if he wishes, can he pay what he owes of these debts to these companies before they are due, and some days before a year expires on the debts, so that he can avoid the *Zakah* on these sums that he owes? The time to pay the debts will come some days after the completion of the year which requires *Az-Zakah* to be paid. Is he committing a sin with this intention?




2. How does he pay the *Zakah* of his wealth if the situation is as follows, for example:

1. The value of the existing merchandise in storage at the end of the year is 200,000 riyals.
2. The value of the debts that he owes is 300,000 riyals.
3. The value of the debts that he is owed is 200,000 riyals.
4. The cash and balance in his bank account is 100,000 riyals.

If the time for paying some of these sums comes and he delays in paying until a year passes, then he takes this money out of his account to pay it to its owner after calculating it, and he removes it from his collected wealth while subtracting it from the debts he owes, does this exempt him from paying its *Zakah*?



If he who owes debts pays his debts before the completion of the year, there is no *Zakah* due on him, and there is no sin in that. 'Uthman bin 'Affan , the Rightly-Guided Caliph, used to command whoever owed a debt to pay his debt before the time of *Az-Zakah*. There is no harm if the person who is owed the debt remits some of the debt so that the remainder may be paid before the time expires according to the most correct opinion of the two views held by the scholars. This is due to what that contains of collective benefit for the people who are owed debts and those who owe the debts, along with it being far removed from *Ar-Riba* (usury, interest).

In reference to the value of the merchandise that is in the storage facilities, you must pay its *Zakah* when a year is completed. The same is the case with the balance that you have in the bank. Its *Zakah* must be paid upon the completion of a year. In reference to the debts that are owed to you by the people, it contains some classifying elaboration. Whatever of these debts is owed by wealthy people who can pay, then its *Zakah* must be paid upon the completion of a year, because it is like the balance that is in the bank and similar things. Concerning that which is owed by people in straitened circumstances, there is no *Zakah* on it according to the correct view from the views held by the scholars.

Some of the people of knowledge went with the view that its


*Zakah* should be paid after it is collected, and only one year of *Zakah* should be paid on it. This is a good position and it a safe view. However, that is not obligatory according to what is most correct. This is because *Az-Zakah* is charity and it is not obligatory on wealth that one does not know whether it will be acquired or not, as it is with those who are having difficult times, those who delay paying and similar people. This is just like wealth that has been lost, lost animals and similar things.


In reference to the debt that you owe, it does not prevent *Az-Zakah* according to the most correct view from the views of the people of knowledge. Concerning that of your wealth which is due to be paid to people to whom you owe debts, and you have had it for a year before you repay it to the people to whom it is owed, its *Zakah* does not become nullified. Rather, you still must pay its *Zakah* as a year has passed on it and it is in your possession. And success is from Allâh.

Ash-Shaykh Ibn Baz

### Miscellaneous Fatawa


#### There must be intentions to give *Az-Zakah*

 Can I give some money in charity to someone who is needy while believing that it is from *Az-Zakah* or not?


 If you give anything of your wealth and place it in the hand of a poor person while intending that it is from *Zakah* on your wealth when you give it to him, then that fulfills the obligation of *Az-Zakah*.

The Permanent Committee

#### The ruling on giving *Az-Zakah* of Wealth in the form of Food, Clothing or other things


 Is it permissible to give the *Zakah* on wealth in another form, like food, clothing or other things that you buy


and give to the people who are recipients of *Az-Zakah*? Is it permissible to give a portion of it to relatives, and what is the level of relationship (that qualifies)?

 It is good to give the *Zakah* of wealth from the kind of thing it is taken from, except for the business merchandise. The value of the items that are for sale and trade should be determined and *Az-Zakah* should be given from their value in cash. However, if the person giving *Az-Zakah* decides to purchase some necessary items for the poor with it, such as clothes, needed gifts and items that they are in need of, then it seems most likely that this is permissible. Then, verily *Az-Zakah* is paid to its people whom Allâh mentioned, even if they are relatives. Rather, it is preferred to give it to the relative if his need is more severe, as long as there is no favoritism involved and special treatment for him instead of someone who has more right to receive it than him who is not a relative. It is not permissible to pay *Az-Zakah* to someone whom the giver of the *Zakah* may inherit from after death, nor to parents, grandparents, children and grandchildren.

Ash-Shaykh Ibn Jibreen

### His hobby is collecting different types of Money, so does he pay *Zakah* on it?

 There is a man who has a hobby of collecting Arabic and foreign money. It is only a hobby. From this money there is that which is valuable and that which is not. Therefore, does he have to pay *Az-Zakah* on these if he has them for a year? Please benefit us with an answer, and may Allâh reward you with good.

 He must pay its *Zakah* if he has it for a year and it reaches the minimum amount required for *Az-Zakah*. This is due to the generality of the evidences from the Book and the Sunnah, as it has the same ruling as money. It takes the place of

cash currency just like paper money. And Allâh knows best.

Ash-Shaykh Ibn Baz

### How to pay *Az-Zakah* on what was in the past

**Q** How do I pay *Az-Zakah* if I do not know the amount of *Az-Zakah* due from what was in the past?

**A** It is known that *Az-Zakah* is a pillar from the pillars of Islam and it is obligatory upon whomever it is due to pay it. If he knows for sure its amount, then he pays it. If he is not sure about it, then he gives an amount from his wealth that he intends to be *Az-Zakah* until he thinks that what he has paid fulfills the obligatory *Zakah* that he is responsible for. Basing things upon probability is a fundamental principle from the principles of the Islamic law.

The Permanent Committee

### The ruling on *Az-Zakah* that is paid to the Office of *Az-Zakah* and Income

**Q** I am the owner of a firm and I pay an amount of 2.5% from my principle wealth to the Office of *Az-Zakah* and Income based on the claim that this amount is considered *Zakah* on business. If I stop paying it, I will not receive many benefits, like bringing people (from outside the country) and seeking any justice in dealing with my legal records. For this reason, I am obligated to pay this sum. However, I read in some books that this sum is not a form of *Zakah* and I am only obligated to pay a *Zakah* that is different from what I pay to the Office of *Zakah* and Income. I would like some assistance in this matter because this is the condition of all of the companies and firms in the Kingdom. May Allâh give all of you success in doing that which is good.



As long as it is requested from you in the name of *Az-Zakah* and you pay it with the intention of giving *Az-Zakah*, then it is a form of *Zakah*. This is because the ruling authority has the right to request *Az-Zakah* from the wealthy in order to give it to those who deserve to receive it. You are not required to pay any other *Zakah* on the wealth that you have paid its *Zakah* to the government. However, if you have some other wealth or profits that you do not give its *Zakah* to the government, then you must pay its *Zakah* to whoever deserves it from the poor and other recipients of *Az-Zakah*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### How does the Person who lives outside of his Country pay *Az-Zakah*?



There is a man who lives outside of his country, so how does he pay the *Zakah* of his wealth? Does he send it to his country, does he pay it in the country where he lives or does he give his family the responsibility of paying it on his behalf?



He should look at whatever is the most beneficial for the people who are recipients of *Az-Zakah*. Is it more beneficial for him to pay it to the people in his country or does he send it to another country where there are poor people? If the two situations are equal, then he gives it in the land that he is in.

Ash-Shaykh Ibn 'Uthaimin

### There is no *Zakah* due on Vegetables



Is *Az-Zakah* obligatory on vegetables, like tomatoes, potatoes, onions and similar things?



*Az-Zakah* is obligatory on grains and all fruit that is weighed and stored. In reference to the vegetables, there is



absolutely no *Zakah* obligatory on them. This is due to the Prophet's statement in a *Hadith* reported by 'Ali ؓ and recorded by Ad-Daraqutni with his chain of narration:

«لَيْسَ فِي الْخَضِرَاتِ صَدَقَةٌ»

“There is no *Sadaqah* (i.e., *Zakah*) due on vegetables.”<sup>[1]</sup>



similar narration was also reported from 'A'ishah ؓ. This is also due to what was reported from Al-Athram that the employee of 'Umar ؓ wrote to him concerning some grape vineyards that contained vegetation and pomegranates that were more abundant in growth than the grapes. 'Umar ؓ in return wrote to him saying: “There is no *Zakah* of harvest on it, as it is from the shrubs.”

The Permanent Committee

### Appointing someone to pay *Az-Zakah* on your behalf



I own a number of heads of cattle in Egypt. Do I pay *Az-Zakah* for them while I am here in Iraq or do I wait until I return to my country?



It is obligatory on you to pay their *Zakah* every time a year passes on them. Thus, you should appoint someone there in Egypt to pay it. Appointing someone to pay *Az-Zakah* is permissible. This is because the Prophet ﷺ used to send people around who were employed to collect *Az-Zakah* and they would take it from its people and bring it to the Messenger of Allâh ﷺ. It is also confirmed from him that he appointed 'Ali bin Abi Talib ؓ to slaughter what remained of his sacrificial animals during the Farewell *Hajj*.

Therefore, you should appoint someone whom you trust in Egypt to pay the *Zakah* of these cattle and it is not allowed for you to delay it until you return, because in this is delaying which keeps its people from getting it in its time (i.e., when it is due).

[1] Ad-Daraqutni no. 1890.

Also, you do not know, it could be that death will overcome you before you return to Egypt and your inheritors may not pay it (*Az-Zakah*) for you. If this happens, the *Zakah* will remain under your responsibility. So, make haste my brother – may Allâh bless you – to give *Az-Zakah* and do not delay it.

Ash-Shaykh Ibn 'Uthaimin

### *Az-Zakah* on stored Grains

**Q** I took an amount of grains from some of the farmers and I stored it to be used as food for my children, both now and in the future, by the leave of Allâh. So, do I have to pay any *Zakah*?

**A** There is no *Zakah* on these grains and their likes from wealth that is stored for man's needs. *Az-Zakah* is only on that which is kept for selling or whatever is from the two currencies, gold and silver, or whatever takes their place of paper money. This is from the Bounty of Allâh, His Kindness and His Gentleness with His servants. So, unto Him is due all praise and thanks for that.

Ash-Shaykh Ibn Baz

### There is no *Zakah* on four She-Camels

**Q** If a person has four she-camels and one day before he owned them for a complete year, one of them gave birth. Therefore, is the minimum amount completed for that year?

**A** If a person has less than the minimum amount for *Az-Zakah*, like 30 sheep, then their number increases due to births before a year completes on the original number, the beginning of its year is considered from the day that the minimum amount is fulfilled. This is the position of the majority and it is acted upon. Imam Malik opposed this and said: "If during the year their number reaches 40 sheep due to the increase of their births and that (number) remains so until

the end of the year, one sheep is due as *Zakah*. This is because the year of the new births is pursuant to the year of the original number. Therefore, *Az-Zakah* is obligatory." This was also mentioned in a report from Ahmad. Based upon this, due to the popular view and that which is acted upon, there is no *Zakah* on four she-camels and the year begins from the time the number of she-camels reaches five.

The Permanent Committee

### The ruling on dropping a Debt with the intention of *Az-Zakah*

**Q** If I gave a loan to some people, and it becomes difficult for them to repay it, and I pardoned them from repaying it with the intention that it is from *Az-Zakah*, is that permissible and does it suffice or not?

**A** If some right is due to you from a person, it is not permissible for you to drop it and intend it to be from *Az-Zakah*, because that contains a protection of your wealth (from *Az-Zakah*). Verily, you have taken the dropping of this money – that you have not gotten back – to be *Zakah* on your wealth; and you have kept the *Zakah* – that is due on you to pay – as your own possession. And success is from Allâh.

The Permanent Committee

### Is *Az-Zakah* paid on a Gold Pen

**Q** A gift came to me that was in the form of gold pens. So, what is the ruling on using them? Is there any *Zakah* on these pens or not? Please benefit me with an answer, and may Allâh benefit you.

**A** The most correct view is that it is forbidden to use them for males due to the generality of the Prophet's statement:

«أَجَلَّ الذَّهَبَ وَالْحَرِيرَ لِأَنَّا نِ أُمَّتِي، وَحَرَّمَ عَلَيَّ ذُكُورَهَا»

“Gold and silk have been made lawful for the females of my Ummah and forbidden for their males.”<sup>[1]</sup>

There is also his statement concerning gold and silk:

«هَذَانِ جِلٌّ لِإِنَاثِ أُمَّتِي حَرَامٌ عَلَى ذُكُورِهِمْ»

“These two are lawful for the females of my Ummah and forbidden for their males.”<sup>[2]</sup>

In reference to what is related to *Az-Zakah*, if these pens reach the minimum amount required by themselves or along with other gold that the owner possesses that causes the minimum amount to be attained, *Az-Zakah* is due on them if they are possessed for a year. The same applies if he has silver or sales merchandise by which the minimum amount is reached, *Az-Zakah* becomes obligatory according to the most correct of the two views of the scholars. This is because gold and silver are like one thing.

Ash-Shaykh Ibn Baz

## **Zakatul-Fitr**

### **The ruling on *Zakatul-Fitr* and its amount**

**Q** Is *Zakatul-Fitr* obligatory or recommended? Who is it obligatory upon?

**A** *Zakatul-Fitr* is obligatory upon the Muslims, because the Prophet ﷺ made it obligatory upon the male, the female, the child and the adult. Its amount is a *Sa'* of food or (i.e., which means) dried dates or barley or raisins or cottage cheese. He ﷺ commanded for it to be given before the people come out to pray the 'Eid prayer. Thus, it is an obligation imposed by the Prophet ﷺ. It is legislated to be given at the end of Ramadhan as purification for the fasting person from useless and foul speech,


[1] An-Nasa'i no. 5151.


[2] An-Nasa'i no. 5147-5150 and Ibn Majah no. 3595-3597.

and to feed the poor people so they do not have to go around begging on the day of the 'Eid. And Allâh is the Giver of success.

Ash-Shaykh Ibn Jibreen


### The Food of Az-Zakah


 What is the food that is permissible to give for *Zakatul-Fitr*?

 It is reported in the *Hadith* that it is to be given from five things. They are wheat, barley, dried dates, raisins and cottage cheese. However, some of the research scholars have mentioned that specifying these five things was done because they were being used at that time. Therefore, they permit giving it from whatever is the common food of the land, like rice for example, and corn in the land where it is used as food and so forth.

Ash-Shaykh Ibn Jibreen

### He forgot to give *Zakatul-Fitr* before the 'Eid prayer

 I prepared *Zakatul-Fitr* before the 'Eid to be given to a poor person whom I know. However, I forgot to give it. I did not remember it until the 'Eid prayer, so I gave it after the prayer. What is the ruling on this?

 There is no doubt that the Sunnah is to give the *Zakatul-Fitr* before the 'Eid prayer as the noble Prophet ﷺ ordered this. However, there is no sin on you for what you did. Giving it after the prayer suffices, and all praise is due to Allâh, even though it is mentioned in a *Hadith* that it is a charity from the charities (i.e., *Sadaqah*). However, that does not prevent it from being acceptable and falling in its appropriate place. We hope that it is accepted and that it will be considered a complete *Zakah*, as you did not delay it intentionally. You only delayed it due to forgetfulness. Verily, Allâh said in His Noble Book:

﴿رَبَّنَا لَا تُؤَاخِذْنَا إِن نَّسِينَا أَوْ أَخْطَأْنَا﴾

“Our Lord, do not punish us if we forget or fall into error.” [1]

It is confirmed from the Prophet ﷺ that he said:

«يَقُولُ اللَّهُ عَزَّ وَجَلَّ قَدْ فَعَلْتُ»

“Allâh, the Mighty and Majestic, says, ‘Verily I have done so (i.e., accepted your prayer).’” [2]

Thus, He answered the supplication of His believing servants in not punishing them for forgetfulness.

Ash-Shaykh Ibn Baz

### The ruling on delaying the *Zakah* of Wealth and *Zakatul-Fitr*

**Q** Is it permissible for a person to keep the *Zakah* of his wealth or *Zakatul-Fitr* in order to give it to one of the poor people who he is not able to get in touch with yet?

**A** If the amount of time is short and not long, there is no harm in him keeping it until he can give it to some of the poor people among his relatives or someone who is poorer or in more dire need. However, it should not be a long period of time. It should only be a number of days that are not numerous. This is in reference to the *Zakah* of wealth. Concerning *Zakatul-Fitr*, it should not be delayed for later. Rather, it is obligatory to pay it before the ‘*Eid*’ prayer, as the Prophet ﷺ ordered. It may be given before the ‘*Eid*’ by a day or two or three. There is no harm in that. However, it should not be delayed until after the prayer.

Ash-Shaykh Ibn Baz

[1] *Al-Baqarah* 2:286.

[2] Muslim no. 126.

## The ruling on giving Money for *Zakatul-Fitr*

**Q** What is the ruling on giving money for *Zakatul-Fitr*, because there is someone who says that it is permissible?

**A** It is not unknown to any Muslim that the most important pillar of the upright religion of Islam is the testimony that none has the right to be worshipped but Allâh and Muhammad is the Messenger of Allâh. The testimony that none has the right to be worshipped but Allâh necessitates that none should be worshipped but Allâh alone. The testimony that Muhammad is the Messenger of Allâh ﷺ necessitates that Allâh not be worshipped except with what the Messenger of Allâh ﷺ sanctioned. *Zakatul-Fitr* is an act of worship according to the consensus of the Muslims, and the fundamental principle regarding acts of worship is that they are *Tawqeef* (i.e., limited to whatever there is a text for). Therefore, it is not permissible for anyone to seek to worship Allâh with any act of worship except with what is taken from the wise person who was the source of Islamic legislation (i.e., Prophet Muhammad ﷺ). He is the one for whom His Lord, Blessed is He the Most High, said:

﴿وَمَا يَنْطِقُ عَنِ الْهَوَىٰ ۗ إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ﴾

“And he (Muhammad ﷺ) does not speak from (his own) desire. It is only a revelation that is revealed (to him).”<sup>[1]</sup>

And he ﷺ said concerning that:

﴿مَنْ أَحَدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ فِيهِ فَهُوَ رَدٌّ﴾

“Whoever introduces into this matter of ours that which is not of it, then it is rejected.”<sup>[2]</sup>

And he said:

[1] *An-Najm* 53:3, 4.

[2] *Al-Bukhari* no. 2697.

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

*“Whoever does a deed that is not from our matter, then it is rejected.”*<sup>[1]</sup>

He ﷺ legislated *Zakatul-Fitr* by that which is confirmed from him in the authentic *Hadiths* as a *Sa'* of food or (i.e., meaning) a *Sa'* of dried dates or a *Sa'* of barley or a *Sa'* of raisins or a *Sa'* of cottage cheese. Indeed Al-Bukhari and Muslim recorded from ‘Abdullah bin ‘Umar ؓ that he said:

*“The Messenger of Allāh ﷺ obligated Zakatul-Fitr as a Sa' of dried dates or a Sa' of barley upon the slave and the free man, the male and the female, and the child and the adult among the Muslims. He commanded that it be given before the people come out to the prayer.”*

They (Al-Bukhari and Muslim) also both recorded from Abu Sa'id ؓ that he said:

*“We used to give it (Zakatul-Fitr) in the time of the Prophet ﷺ as a Sa' of food or (i.e., meaning) a Sa' of dried dates or a Sa' of barley or a Sa' of raisins.”*

In another narration he said: “and a *Sa'* of cottage cheese.”

Hence, this is the Sunnah of Muhammad ﷺ regarding *Zakatul-Fitr*. It is known that during the time of the legislating – and this giving – of *Zakatul-Fitr*, dinars and dirhams (i.e., gold and silver coins) existed – especially in Al-Madinah – among the Muslims. These were the two leading forms of currency at that time and yet he (the Prophet ﷺ) did not mention them in regards to *Zakatul-Fitr*. If either of them were acceptable for *Zakatul-Fitr*, he would have clarified that, as it is not permissible to delay explanation past the time of need. If this explanation had occurred, the Companions ؓ would have acted upon it (i.e., by giving money).

[1] Muslim no. 1718.



What has been related concerning the *Zakah* of the livestock animal, of the known permission to give another animal in place of what is to be given, this is conditional upon that which is obligatory to give not being available. This allowance is specifically for that which it has been narrated concerning. As was mentioned earlier, the fundamental principle regarding acts of worship is *At-Tawqef*. We do not know of anyone of the Prophet's Companions giving money for *Zakatul-Fitr*, and they were the most knowledgeable people of his Sunnah and the most devout people in following it. If anything like this had occurred among them, it would have been reported just as other things were reported from their statements and deeds that were related to the matters of Islamic legislation. Indeed Allâh, glory is unto Him the Most High, said:

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

*“Verily there is an excellent example for you all in the Messenger of Allâh (Muhammad ﷺ).”* [1]

And He, the Mighty and Majestic, said:

﴿وَالسَّابِقُونَ السَّابِقُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ وَالَّذِينَ اتَّبَعُوهُمْ بِإِحْسَانٍ رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ وَأَعَدَّ لَهُمْ جَنَّاتٍ تَجْرِي تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا أَبَدًا ذَلِكَ الْفَوْزُ الْعَظِيمُ﴾

*“And the first and foremost (to believe) from the Muhajirun (immigrants to Al-Madinah) and the Ansar (the citizens of Al-Madinah who helped the Muhajirun) and those who followed them in goodness, Allâh is pleased with them and they are pleased with Him. And He has prepared for them Gardens with rivers flowing beneath them. They will abide therein forever. That is the supreme success.”* [2]

From what we have mentioned, it becomes clear to the person


[1] *Al-Ahzab* 33:21.


[2] *At-Tawbah* 9:100.

who follows the truth that giving money for *Zakatul-Fitr* is not permissible and it does not suffice for whoever gives it because he is opposing what has been mentioned of the legislative evidences. I ask Allâh to help us and the rest of the Muslims to understand His religion, be firm upon it and beware of everything that opposes His Law. Verily, He is Most Generous, Most Noble. May Allâh send blessings upon our Prophet Muhammad, his family and his Companions.

Ash-Shaykh Ibn Baz


### The Sunnah is to distribute the *Zakatul-Fitr* among the poor People of the Land

 In reference to the food for *Zakatul-Fitr*, is it to be distributed among the poor people of our land or other than them? If we travel three days before the 'Eid, what do we do regarding *Zakatul-Fitr*?

 The Sunnah is to distribute *Zakatul-Fitr* among the poor people of the land on the morning of the 'Eid day before the prayer. It is permissible to distribute it a day or two before that, starting from the 28th (of Ramadhan). If someone who must pay *Zakatul-Fitr*, travels two days or more before the 'Eid, he should give it in the Islamic land that he is travelling to. If he is travelling to lands that are not Islamic, he should find some poor Muslims and give it to them. If his travel was after the permitted time to give it, then its intent is to show beneficence and kindness to them (the poor) and prevent them from begging from the people during the days of the 'Eid.

Ash-Shaykh Ibn Baz

### The ruling on giving *Zakatul-Fitr* to the *Faqih* Scholar of the Land

 Verily we collect *Az-Zakah* (i.e., *Zakatul-Fitr*) and we give it to the *Faqih* (i.e., *Fiqh* scholar of the land).

Whoever fasts, he must give the *Zakatul-Fitr* to the *Faqih*. Are we right in doing so?



If this *Faqih* is trustworthy and he will give it to the poor people, there is no harm in the people giving him their *Zakah*. However, it is to be given a day or two before the 'Eid and the *Faqih* should give it out on the day of the 'Eid.

Ash-Shaykh Ibn 'Uthaimin

### ***Zakatul-Fitr* is only given to the poor People**



Concerning *Zakatul-Fitr*, if a person is in a desert area far from the city and his neighbors are middle class nearly equal in regards to wealth – they are not rich nor are they poor – may some of them be given from it (*Zakatul-Fitr*) or not?



From the wisdoms behind the legislation of *Zakatul-Fitr* is fulfilling the need of the poor on that day. So, whoever is not poor, then he should not be given *Zakatul-Fitr*. A person who is able should prepare the *Zakatul-Fitr* and distribute it among the poor in the closest land to him, and if he is able he may appoint someone to represent him in a land that has poor people. This representative is to distribute it to the poor in the time that is designated for giving it.

The Permanent Committee

## The Book of Fasting

### The Virtue of Fasting and Standing for Prayer at Night During Ramadhan

All praise is due to Allâh and may blessings and peace be upon the Messenger of Allâh, his family, his Companions and whoever follows his guidance. To proceed:

This is a brief word of advice related to the virtue of fasting and standing at night for prayer during Ramadhan, and the virtue of competing to do righteous deeds during it. Along with this is an explanation of some important rules that some people are not aware of.

It is confirmed from the Messenger of Allâh ﷺ that he used to give his Companions the good news of the coming of the month of Ramadhan. He ﷺ informed them that it is a month in which the Gates of Mercy and the Gates of Paradise are opened and the Gates of Hell are closed. During it the devils are chained. He ﷺ said:

«إِذَا كَانَتْ أَوَّلُ لَيْلَةٍ مِّنْ رَّمَضَانَ صَفَّدَتِ الشَّيَاطِينُ وَمَرَدَّةُ الْجِنَّ، وَغَلَّقَتْ أَبْوَابَ النَّارِ، فَلَمْ يَفْتَحْ مِنْهَا بَابٌ وَفُتِحَتْ أَبْوَابُ الْجَنَّةِ فَلَمْ يُغْلَقْ مِنْهَا بَابٌ وَنَادَى مُنَادٍ: يَا بَاغِيَ الْخَيْرِ أَقْبِلْ وَيَا بَاغِيَ الشَّرِّ أَقْصِرْ، وَلِلَّهِ عِتْقَاءُ مِنَ النَّارِ، وَذَلِكَ كُلُّ لَيْلَةٍ»

*“When it is the first night of Ramadhan the Gates of Paradise are opened and not a single one of them is closed, and the Gates of Hell are closed and not a single one of them is opened. The devils are fettered and a caller calls out saying, ‘O seeker of good, come forth (with your good), and O seeker of evil, restrain yourself.’ Allâh has people that He frees from the Fire and that is every night (of Ramadhan).”*<sup>[1]</sup>

[1] Al-Tirmithi no. 682 and Ibn Majah no. 1642.

He ﷺ also said:

«أَتَاكُمْ رَمَضَانُ شَهْرُ بَرَكَهٍ وَيُغْنِيكُمْ اللَّهُ فِيهِ فَيُنزِلُ الرَّحْمَةَ وَيَحُطُّ الْخَطَايَا، وَيَسْتَجِيبُ فِيهِ الدُّعَاءَ، يَنْظُرُ اللَّهُ إِلَى تَنَافُسِكُمْ وَيُبَاهِي بِكُمْ مَلَائِكَتَهُ، فَأَرَوْا اللَّهَ مِنْ أَنْفُسِكُمْ خَيْرًا فَإِنَّ الشَّقِيَّ مَنْ حُرِمَ فِيهِ رَحْمَةُ اللَّهِ»

*“The month of Ramadhan has come to you all. It is a month of blessing. Allāh covers you all during it. He sends down the Mercy, removes the sins and answers the supplication. Allāh looks at your competing for good works during it and He tells proudly to the angels about you all. Therefore, show Allāh goodness from yourselves. For verily the wretched person is the one who is deprived of Allāh’s Mercy during it (Ramadhan).”*<sup>[1]</sup>

He ﷺ also said:

«مَنْ صَامَ رَمَضَانَ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ، وَمَنْ قَامَ رَمَضَانَ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ، وَمَنْ قَامَ لَيْلَةَ الْقَدْرِ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ»

*“Whoever fasts Ramadhan with faith and hoping for reward, he will be forgiven for all of his previous sins. Whoever stands (for prayer at night) during Ramadhan with faith and hoping for reward, he will be forgiven for all of his previous sins. Whoever stands (for prayer at night) during Laylatul-Qadr (the Night of Decree) with faith and hoping for reward, he will be forgiven for all of his previous sins.”*<sup>[2]</sup>

He ﷺ also stated that Allāh said:

«كُلُّ عَمَلٍ ابْنِ آدَمَ لَهُ إِلَّا الصِّيَامَ، فَإِنَّهُ لِي وَأَنَا أَجْزِي بِهِ، يَتْرُكُ شَهْوَتَهُ وَطَعَامَهُ وَشَرَابَهُ مِنْ أَجْلِي لِلصَّائِمِ فَرَحَتَانِ فَرَحَةٌ عِنْدَ فِطْرِهِ وَفَرَحَةٌ عِنْدَ لِقَاءِ رَبِّهِ، وَلَخُلُوفٌ فِيمِ الصَّائِمِ أَطْيَبُ عِنْدَ اللَّهِ مِنْ رِيحِ الْمِسْكِ»

[1] Majma‘uz-Zawa‘id 3:142.

[2] Al-Bukhari no. 2014 and Muslim no. 759-760.

“Every (good) deed of the son of Adam will have ten rewards like it up to seven hundred times in increase, except for fasting. For verily it is for Me and I will give the reward for it. He (the fasting person) leaves off his desire, his food and his drink for My sake.”  
 (The Prophet ﷺ continued:) “The fasting person has two times of delight. He is delighted when he breaks his fast and delighted when He meets his Lord. And verily the foul odor from the mouth of the fasting person is better to Allâh than the fragrance of musk perfume.”<sup>[1]</sup>

The *Hadiths* regarding the virtue of fasting and standing for prayer during Ramadhan and the virtue of fasting itself (as a type of worship) are many.

Therefore, the Muslim should take advantage of this opportunity, which is Allâh's blessing upon him by allowing him to catch the month of Ramadhan. Thus, he should make haste in performing acts of obedience (to Allâh) and he should avoid the evil deeds. He should strive hard to perform all that Allâh made obligatory upon him, especially the five prayers, for they are the pillars of Islam. The prayer is the greatest of the obligations after the two Testimonies of Faith. Therefore, it is obligatory upon every Muslim man and woman to guard the prayers and offer them in their times with humbleness and tranquility.

From the most important obligations related to men is offering the prayers in congregation in the Houses of Allâh (i.e., *Masjids*), which Allâh ordered to be raised, and in which His Name is mentioned (or remembered). This is as Allâh said:

﴿وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاكِعِينَ﴾

“And establish the prayer (As-Salah) and give Az-Zakah and bow down along with those who bow down.”<sup>[2]</sup>

And He, the Most High said:

[1] Al-Bukhari no. 1904 and Muslim no. 161/1151.

[2] Al-Baqarah 2:43.

﴿حَفِظُوا عَلَى الصَّلَوَاتِ وَالصَّلَاةِ الْوُسْطَىٰ وَقُومُوا لِلَّهِ قَانِتِينَ﴾

“Guard strictly the prayers and (particularly) the middle prayer (i.e., *Salatul-‘Asr*), and stand devoutly (in prayer) for Allâh.”<sup>[1]</sup>

And He, the Mighty and Majestic said:

﴿قَدْ أَفْلَحَ الْمُؤْمِنُونَ الَّذِينَ هُمْ فِي صَلَاتِهِمْ خَاشِعُونَ﴾

“Verily, the believers are successful. They are those who are humble and submissive in their prayer (*As-Salah*).”<sup>[2]</sup>

Then Allâh continues (in this same Surah) until He says:

﴿وَالَّذِينَ هُمْ عَلَىٰ صَلَوَاتِهِمْ يُحَافِظُونَ ﴿٩﴾ أُولَٰئِكَ هُمُ الْوَارِثُونَ ﴿١٥﴾ الَّذِينَ يَرِثُونَ الْفِرْدَوْسَ هُمْ فِيهَا خَالِدُونَ ﴿١١﴾﴾

“And they (the believers) are those who guard strictly their prayers. It is these who are the inheritors. Those who inherit *Al-Firdaws* (the loftiest place in Paradise) and they will abide therein forever.”<sup>[3]</sup>

The Prophet ﷺ said:

«الْعَهْدُ الَّذِي بَيْنَنَا وَبَيْنَهُمُ الصَّلَاةُ فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ»

“The covenant that separates between us and them is the prayer (*As-Salah*). So, whoever abandons it, he has disbelieved.”<sup>[4]</sup>

The most important of the obligations after the prayer is paying *Az-Zakah*. This is as Allâh, the Mighty and Majestic said:

﴿وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا اللَّهَ مُخْلِصِينَ لَهُ الدِّينَ خُنَفَاءَ وَيُقِيمُوا الصَّلَاةَ وَيُؤْتُوا الزَّكَاةَ وَذَٰلِكَ دِينُ الْقَيِّمَةِ﴾

[1] *Al-Baqarah* 2:238.

[2] *Al-Mu‘minun* 23:1,2.

[3] *Al-Mu‘minun* 23:9-11.

[4] *At-Tirmithi* no. 2621.

*“And they were not commanded other than to worship Allâh making the religion solely for him, being upright monotheists (Hunafa’), and to establish the prayer (As-Salah) and give Az-Zakah, and that is the right religion.”*<sup>[1]</sup>

Indeed the Noble Book of Allâh and the Sunnah of His noble Messenger ﷺ prove that whoever does not give the *Zakah* due on his wealth, will be punished by it on the Day of Resurrection.

The most important of matters after the prayer and *Az-Zakah* is fasting Ramadhan. It is one of the five pillars of Islam that are mentioned in the Prophet’s statement:

«بُنِيَ الْإِسْلَامُ عَلَى خَمْسٍ: شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَإِقَامَ الصَّلَاةِ، وَإِيتَاءِ الزَّكَاةِ، وَصَوْمِ رَمَضَانَ، وَحَجِّ الْبَيْتِ»

*“Islam is built upon five (pillars): the testimony that none has the right to be worshipped but Allâh and Muhammad is the Messenger of Allâh, the establishment of the prayer, paying Az-Zakah, fasting Ramadhan and performing Hajj (pilgrimage) to the House (the Ka’bah).”*<sup>[2]</sup>

It is obligatory upon the Muslim to protect his fasting and his standing for prayer (at night) from that which Allâh has made forbidden for him of statements and deeds. This is because the intent of the fast is obedience to Allâh, honoring the things He has made sacred, forcing the soul to oppose its desires for the sake of obeying its Master and accustoming it to being patient in avoiding what Allâh has forbidden. The purpose of the fast is not merely leaving off food, drink and other things that break the fast. For this reason it has been authenticated from the Messenger of Allâh ﷺ that he said:

«الصِّيَامُ جُنَّةٌ، وَإِذَا كَانَ يَوْمٌ صَوْمٍ أَحَدِكُمْ فَلَا يَرْفُثْ وَلَا يَصْحَبْ، فَإِنْ سَابَهُ أَحَدٌ أَوْ قَاتَلَهُ فَلْيَقُلْ: إِنِّي أَمْرٌ صَائِمٌ»

[1] *Al-Baiyyinah* 98:5.

[2] *Al-Bukhari* no. 8 and *Muslim* no. 16.



*“Fasting is a shield. So, if it is a day that one of you is fasting, he should not say obscene things nor should he raise his voice in anger. If someone verbally abuses him or fights him, he should say, ‘Verily I am fasting.’”*<sup>[1]</sup>

It has also been authenticated from him that he ﷺ said:

«مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ وَالْعَمَلَ بِهِ، وَالْجَهْلَ، فَلَيْسَ لِلَّهِ حَاجَةٌ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ»

*“He who does not abandon false speech, acting according to it and ignorant behavior, then Allāh has no need of him abandoning his food and his drink.”*<sup>[2]</sup>

From these texts and other than them it is known that it is obligatory upon the fasting person to beware of all that Allāh has made forbidden for him and to take care in guarding all of what Allāh has obligated him with. In this way it is hoped that he will gain forgiveness, freedom from the Fire and the acceptance of his fasting and standing at night for prayer.

**There are some matters that some people are unaware of:**

From them is that it is obligatory upon the Muslim to fast with faith and hoping for reward and not to be seen or heard of the people or follow the customs of the people or follow his family or the people of his country. Rather, it is obligatory upon him that that which has caused him to fast be his belief that Allāh has made it a duty upon him. He should fast hoping for the reward with his Lord in that. Likewise for standing in prayer at night, it is obligatory that the Muslim does it with faith and hoping for reward, and not for any other reason. This is why the Prophet ﷺ said:

«مَنْ صَامَ رَمَضَانَ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ، وَمَنْ قَامَ رَمَضَانَ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ، وَمَنْ قَامَ لَيْلَةَ الْقَدْرِ

[1] Al-Bukhari no. 1904 and Ahmad 6:244.

[2] Al-Bukhari no. 1903.

إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ»

*“Whoever fasts Ramadhan with faith and hoping for reward, he will be forgiven for all of his previous sins. And whoever stands for prayer (at night) during Ramadhan with faith and hoping for reward, he will be forgiven for all of his previous sins. And whoever stands for prayer (at night) during Laylatul-Qadr (the Night of Decree) with faith and hoping for reward, he will be forgiven for all of his previous sins.”*<sup>[1]</sup>

From the matters which some of the people are unaware of, their ruling is when the fasting person happens to have wounds or a nosebleed or vomiting or the passing of water or gasoline fumes to his throat unintentionally. All of these things do not break the fast. However, whoever intentionally vomits, he breaks his fast. This is due to the statement of the Prophet ﷺ:

«مَنْ ذَرَعَهُ الْقَيْءُ فَلَا قَضَاءَ عَلَيْهِ، وَمَنْ اسْتَقَاءَ، فَعَلَيْهِ الْقَضَاءُ»

*“Whoever is overcome by vomiting, he does not have to make up for the day, and whoever causes himself to vomit, he must make up for the day.”*<sup>[2]</sup>

From this is that which happens to the fasting person of delaying the bathing for sexual impurity until the *Fajr* time begins and what some women experience of delaying the bathing for menses or postnatal bleeding until the time of *Fajr* begins if she thinks she is pure before *Fajr*. She is still obligated to fast and her delaying her bathing until after the *Fajr* time begins does not prevent her fasting. However, she should not delay the bathing until sunrise. Rather, she must bathe and pray the *Fajr* prayer before sunrise. Likewise is the case for the sexually impure person. He should not delay bathing until after sunrise. Rather, he must bathe and pray the *Fajr* prayer before sunrise. The man must make haste in this so that he can catch

[1] Al-Bukhari no. 2014 and Muslim nos. 759-760.

[2] Abu Dawud no. 2380.

the *Fajr* prayer with the congregation.

From the matters that do not nullify the fast is having blood tests or an injection, as long as that is not intended to provide nourishment (i.e., like an IV). However, it is better and safer to delay this until nighttime if that is easy, due to the statement of the Prophet ﷺ:

«دَعْ مَا يَرِيْبُكَ إِلَى مَا لَا يَرِيْبُكَ»

*“Leave whatever causes you to doubt for that which does not cause you to doubt.”*<sup>[1]</sup>

It is also due to his ﷺ statement:

«مَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعَرْضِهِ»

*“Whoever avoids the doubtful matters, then verily he has freed his religion and his honor (from blame).”*<sup>[2]</sup>

From the matters which some of the people are unaware of their rulings is lacking tranquility in the prayer, regardless of whether it is an obligatory prayer or voluntary prayer. The authentic *Hadiths* from the Messenger of Allāh ﷺ prove that tranquility in the prayer is a pillar from the pillars of the prayer. The prayer is not correct without it. This means to have stillness and humbleness in the prayer and not rushing. In this manner each joint returns to its place (in the positions). Many of the people pray *Salatut-Tarawih* during Ramadhan in a manner such that they do not understand it (the recitation), nor are they tranquil in it. Rather, they peck it out like pecking (of a chicken). The prayer performed in this fashion is not valid and the person who prays like this is a sinner who is not rewarded.

From the matters which some of the people are unaware of their ruling is some people's thinking that it is not permissible to pray less than 20 *Rak'ahs* (units) of *Salatut-Tarawih*. Also, some

[1] Al-Bukhari no. 2518.

[2] Al-Bukhari no. 52 and Muslim no. 1599.

people mistakenly think that it is not permissible to pray more than 11 or 13 *Rak'ahs* of *Salatut-Tarawih*. All of this is incorrect thinking, and it is a mistake that is opposed to the evidences.

Verily, the authentic *Hadiths* from the Messenger of Allâh ﷺ prove that the night prayer is an easy matter. There is no fixed limit that is impermissible to oppose concerning it. Rather, it is confirmed from the Prophet ﷺ that he used to pray 11 *Rak'ahs* during the night and sometimes he might pray 13 *Rak'ahs*. Sometimes he would pray less than that, both during Ramadhan and in other times. When he was asked about the night prayer he said:

«صَلَاةُ اللَّيْلِ مَثْنَى مَثْنَى، فَإِذَا خَشِيَ أَحَدُكُمْ الصُّبْحَ، صَلَّى رَكْعَةً وَوَاحِدَةً، تُؤْتِرُ لَهُ مَا قَدْ صَلَّى»

*“In sets of two, in sets of two. Then when one of you fears the coming of morning, he prays one (Rak'ah) that will serve as a Witr (i.e., make the number odd) of what he has prayed.”*<sup>[1]</sup>

The authenticity of this *Hadith* has been agreed upon.

He (the Prophet ﷺ) did not fix a specific number of *Rak'ahs*, neither in Ramadhan nor in any other time. For this reason, the Companions ؓ sometimes prayed 23 *Rak'ahs*, and sometimes 11 *Rak'ahs* in the time of 'Umar ؓ. All of that has been confirmed from 'Umar ؓ and the Companions in his time.

Some of the *Salaf* used to pray 36 *Rak'ahs* during Ramadhan and then pray three *Rak'ahs* of *Witr* prayer. Some of them prayed 41 *Rak'ahs*. Shaykhul-Islam Ibn Taimiyyah mentioned this from them and that the matter concerning this is broad (i.e., easy). He also mentioned that it is better for whoever lengthens his recitation, bowing and prostrating, to lessen the number of *Rak'ahs*, and whoever lightens (shortens) the recitation, bowing and prostrating, to increase the number of *Rak'ahs*. This is the meaning of his statement, may Allâh have mercy on him.

[1] Al-Bukhari no. 990 and Muslim no. 749.

Whoever pays close attention to his (the Prophet's) Sunnah will know that what is best in regard to all of this is to pray 11 or 13 *Rak'ahs* during Ramadhan and other times. This is because that is in agreement with the practice of the Prophet ﷺ in most of his situations (i.e., what he usually did). Also, this is easier for those who are offering prayer and better for humility and tranquility (in the prayer). Whoever prays more, there is no harm in that nor any dislike, as was mentioned previously. What is best for whoever prays with the *Imam* (of the *Masjid*) in the night prayer of Ramadhan is that he does not stop until the *Imam* stops praying. This is due to the statement of the Prophet ﷺ:

«إِنَّ الرَّجُلَ إِذَا قَامَ مَعَ الْإِمَامِ حَتَّى يَنْصَرِفَ حُسِبَ لَهُ قِيَامَ لَيْلَةٍ»

*“Verily, if the man stands for night prayer with the Imam until he finishes, Allāh will write for him (the reward of) standing the entire night (in prayer).”*<sup>[1]</sup>

It is legislated for all of the Muslims to strive hard in the various types of worship during this noble month. They should strive to pray voluntary prayers and recite the Qur'an with reflection and thinking. They should increase in the glorification of Allāh, declaring his right to be worshipped alone, praising Him, declaring his greatness and seeking His forgiveness. They should say legislated supplications, command the good, forbid the evil, invite to Allāh, be generous to the poor and needy, strive to be kind to parents, keep good family ties, honor the neighbor, visit the sick and other types of good deeds. This is due to the Prophet's statement in the aforementioned *Hadith*:

«يَنْظُرُ اللَّهُ إِلَى تَنَافُسِكُمْ وَيُبَاهِي بِكُمْ مَلَائِكَتَهُ، فَأَرَوْا اللَّهَ مِنْ أَنْفُسِكُمْ خَيْرًا  
فَإِنَّ الشَّقِيَّ مَنْ حُرِمَ فِيهِ رَحْمَةُ اللَّهِ»

*“Allāh looks at your competing for good works during it and He tells proudly to the angels about you all. Therefore, show Allāh goodness from yourselves. For verily, the wretched person is the one*

[1] Abu Dawud 1375, At-Tirmithi no. 806, Ibn Majah no. 1327 and Ahmad 5:159.

who is deprived of Allâh's Mercy during it (Ramadhan).”<sup>[1]</sup>

This is also due to what is reported from him ﷺ that he said:

«مَنْ تَقَرَّبَ فِيهِ بِخَصْلَةٍ مِنَ الْخَيْرِ، كَانَ كَمَنْ أَدَّى فَرِيضَةً فِيمَا سِوَاهُ، وَمَنْ أَدَّى فِيهِ فَرِيضَةً كَانَ كَمَنْ أَدَّى سَبْعِينَ فَرِيضَةً فِيمَا سِوَاهُ»

“Whoever draws near to Allâh during it (Ramadhan) with a single characteristic from the characteristics of (voluntary) goodness, he is like whoever performs an obligatory act in other times. And whoever performs an obligatory act during it, he is like whoever performed seventy obligatory acts in other times.”<sup>[2]</sup>

This is also due to his ﷺ statement in the authentic *Hadith*:

«عُمْرَةٌ فِي رَمَضَانَ تَعْدِلُ حَجَّةً أَوْ قَالَ حَجَّةً مَعِيَ»

“An ‘Umrah performed during Ramadhan is equal to a performance of Hajj – or he said – a Hajj with me.”<sup>[3]</sup>

The *Hadiths* and narrations that prove the sanctioning of competing and being aggressive in performing the various acts of goodness in this noble month are numerous.

Allâh is the One Who is asked to help us and the rest of the Muslims to do all that contains His Pleasure and to accept our fast and standing for night prayer. We ask Him to correct our situations and protect us all from the deviations of trials and temptations. Likewise, we ask Him to make the leaders of the Muslims righteous and unite their word upon the truth. Verily, He is the Guardian of that and He is capable of doing it.

*As-Salamu ‘Alaykum wa Rahmtullâhi wa Barakatuhu.*

(May peace be upon you, the Mercy of Allâh and His Blessings)  
His Eminence, Ash-Shaykh ‘Abdul-‘Aziz bin ‘Abdullah bin Baz  
General President for the Administration of Scientific Researches, Religious Verdicts, Preaching and Guidance

[1] *Majma‘uz-Zawa‘id* 3:142 and *Kanzul-‘Ummal* no. 23692.

[2] *Sahih Ibn Khuzaymah* no. 1887.

[3] *Al-Bukhari* no. 1863 and *Muslim* no. 1256.

## Rulings Pertaining to the Entry of the Month and its Exit and Sighting the New Moon

### Sighting the new Moon of Ramadhan and the new Moon of Shawwal



What is the method that confirms every lunar month?



The authentic *Hadiths* from the Prophet ﷺ prove that the new crescent moon is whenever a reliable person sees it after sunset on the night of the 30th of Sha‘ban or two reliable persons see it on the 30th night of Ramadhan, then the sighting is considered. By this, the first of the month is known without any need of considering the period of how long the moon remained (visible) after sunset. It makes no difference whether it lasted for twenty minutes or more or less, because there is no authentic *Hadiths* that prove a specification for the number of minutes for the moon’s vanishing after sunset.

The Permanent Committee

### It is not permissible to rely on Calculations in confirming the new Moons



In some lands of the Muslims the people go about fasting without relying on the sighting of the new moon. Rather, they think it is sufficient to only rely on calendars. So, what is the ruling on this?



The Prophet ﷺ ordered the Muslims that they should:

«صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ، فَإِنْ غُمِّيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ شَعْبَانَ  
ثَلَاثِينَ»

“Fast according to the sighting of the new moon and break the fast

according to its sighting. And if it is hidden from them (due to cloudiness) complete the number as 30 (days).”<sup>[1]</sup>

This *Hadith* is agreed upon (i.e., in *Al-Bukhari* and *Muslim*). He ﷺ also said:

«إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسِبُ، الشَّهْرُ هَكَذَا وَهَكَذَا وَهَكَذَا وَخَنَسَ إِبْهَامَهُ فِي الثَّلَاثَةِ وَقَالَ: الشَّهْرُ هَكَذَا وَهَكَذَا وَهَكَذَا وَأَشَارَ بِأَصَابِعِهِ كُلِّهَا يَعْني بِذَلِكَ أَنَّ الشَّهْرَ يَكُونُ تِسْعًا وَعَشْرِينَ وَيَكُونُ ثَلَاثِينَ»

“Verily, we are an illiterate nation. We do not write nor do we calculate. The month is like this and this and this,” and he withdrew his thumb with the third. Then he said: “The month is like this and this and this,” and he held up all of his fingers, meaning that the month is 29 and 30 days.<sup>[2]</sup>

It is confirmed in *Sahih Al-Bukhari* from Abu Hurairah ﷺ that the Prophet ﷺ said:

«صُومُوا لِرُؤُوسِهِ وَأَفْطِرُوا لِرُؤُوسِهِ، فَإِنْ غُمِّيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ»

“Fast according to its (i.e., the new moon’s) sighting and break your fast according to its sighting. If it is hidden from you by clouds, complete the number of (days of) *Sha’ban* as 30.”<sup>[3]</sup>

And he ﷺ said:

«لَا تَصُومُوا حَتَّى تَرَوْا الْهَيْلَالَ، وَلَا تُفْطِرُوا حَتَّى تَرَوْهُ»

“Do not fast until you see the new moon or you complete the number (of 30 days in *Sha’ban*), and do not break your fast until you see the new moon or you complete the number (of 30 days in *Ramadhan*).”<sup>[4]</sup>

[1] *Al-Bukhari* no. 1909 and *Muslim* no. 1081.

[2] *Al-Bukhari* no. 1913 and *Muslim* no. 1080.

[3] *Al-Bukhari* no. 1909 and *Muslim* no. 1081.

[4] *Al-Bukhari* no. 1080.



The *Hadiths* concerning this matter are numerous and all of them prove that it is obligatory to act according to the sighting or completion of the number of days (in the month as 30) when there is no sighting. Likewise they prove that it is not permissible to rely on calculations for this. Shaykhul-Islam Ibn Taimiyyah mentioned that it is the consensus of the people of knowledge that it is not permissible to rely upon calculations to confirm the new moons. This is the truth concerning which there is no doubt. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

## Fasting and Breaking the Fast according to the Sighting of the New Moon

By his Eminence Ash-Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz

All praise is due to Allâh and may blessings and peace be upon the Messenger of Allâh, his family, his Companions and whoever follows his guidance. To proceed:

Many of the brothers have asked me about the ruling on relying upon the broadcast announcements regarding fasting and breaking the fast and does that agree with the authentic *Hadith*:

(صُومُوا لِرُؤْيَيْتِهِ وَ أَفْطَرُوا لِرُؤْيَيْتِهِ)

*“Fast according to its (the new moon’s) sighting and break your fast according to its sighting.”*

They have asked that if the sighting is confirmed by the testimony of a just person in a Muslim country, is it obligatory upon the neighboring country to take this? And if we say this, what is its evidence, and is the difference of the times of the rising of the moon, i.e., sighting zones in different places considered?

The answer to this question is that verily it is confirmed from the Messenger of Allâh ﷺ by numerous routes of transmission that he said:

«صُومُوا لِرُؤْيَيْتِهِ وَأَفْطِرُوا لِرُؤْيَيْتِهِ فَإِنْ أُغْمِيَ عَلَيْكُمْ فَأَقْدَرُوا لَهُ ثَلَاثِينَ»

*“Fast according to its (the new moon’s) sighting and break your fast according to its sighting. If it is hidden from you by clouds, then consider it (the month) as 30 days.”*<sup>[1]</sup>

In another wording of it he ﷺ said:

«فَأَكْمِلُوا الْعِدَّةَ ثَلَاثِينَ»

*“Then complete the number (of days) as 30.”*<sup>[2]</sup>

In another narration he ﷺ said:

«فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ»

*“Then complete the number (of days) of Sha’ban as 30.”*<sup>[3]</sup>

And it is confirmed that he ﷺ said:

«لَا تَقْدَمُوا الشَّهْرَ حَتَّى تَرَوْا الْهَيْلَالَ أَوْ تَكْمِلُوا الْعِدَّةَ ثُمَّ صُومُوا حَتَّى تَرَوْا الْهَيْلَالَ أَوْ تَكْمِلُوا الْعِدَّةَ»

*“Do not go forth with the month until you see the new moon or you complete the number (of 30 days). Then fast until you see the new moon or you complete the number (of 30 days).”*<sup>[4]</sup>

The *Hadiths* with this meaning are numerous and they prove that what is considered in this regard is either the sighting of the new moon or completing the number of days.

Concerning calculation, this is to be relied upon. This is the truth and it is the consensus of the people of knowledge who are considered authoritative. The intent of the *Hadith* is not that every person has to see the new moon himself. Rather, its meaning is only that there is a clear and trustworthy witnessing. Abu Dawud recorded with an authentic chain of narration from

[1] Muslim no. 1080.

[2] Al-Bukhari no. 1907.

[3] Al-Bukhari no. 1909.

[4] Abū Dawud no. 2326 and An-Nasa’i no. 2128.

Ibn ‘Umar رضي الله عنه that he said: “The people looked for the new moon, so I told the Prophet صلى الله عليه وسلم that I saw it. Therefore, he fasted and ordered the people to fast.”

Ahmad and the Sunan compilers recorded a *Hadith*, which Ibn Khuzaymah and Ibn Hibban graded authentic, from Ibn ‘Abbas رضي الله عنه that a Bedouin Arab came to the Prophet صلى الله عليه وسلم and said: “Verily I saw the new moon.” So, the Prophet صلى الله عليه وسلم said:

«أَتَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ قَالَ نَعَمْ، قَالَ يَا بِلَالُ»

“Do you testify that none has the right to be worshipped but Allāh and Muhammad is the Messenger of Allāh?”<sup>[1]</sup>

The man said: “Yes.” The Prophet صلى الله عليه وسلم then said:

«أَذِّنْ فِي النَّاسِ فَلْيُصُومُوا غَدًا»

“Announce among the people, O Bilal, that they should fast tomorrow.”

It is reported from ‘Abdur-Rahman bin Zaid bin Al-Khattab that he gave a sermon on a day in which there was doubt (about whether to fast or not). So, he said: “Verily I sat with the Companions of the Messenger of Allāh صلى الله عليه وسلم, and I asked them and they told me that the Messenger of Allāh صلى الله عليه وسلم said:

«صُومُوا لِرُؤُوسِهِ، وَأَفْطَرُوا لِرُؤُوسِهِ، وَأَنْسُكُوا لَهَا فَإِنْ غَمَّ عَلَيْكُمْ فَأَتِمُّوا ثَلَاثِينَ وَإِنْ شَهِدَ شَاهِدَانِ مُسْلِمَانِ فَصُومُوا وَأَفْطَرُوا»

“Fast according to its (the new moon’s) sighting and break your fast according to its sighting, and be devout in looking for it. If it is hidden from you by clouds, complete (the month as) 30 days. If two Muslim witnesses testify to seeing it, then fast and break the fast (according to their testimony).”<sup>[2]</sup>

This *Hadith* was recorded by Ahmad, and An-Nasa’i recorded it without him saying in it, “Muslim.” It was reported from the

[1] Abu Dawud no. 2340.

[2] Ahmad 4:321. and An-Nasa’i no. 2118.

governor of Makkah, Al-Harith bin Hatib that he said: "The Messenger of Allâh ﷺ took a covenant with us that we would be devout in looking for the new moon. And if we did not see it and two just witnesses testified to seeing it, we would devoutly follow their testimony." This was recorded by Abu Dawud and Ad-Daraqutni, who said: "This chain of narration is connected and authentic."

These *Hadiths*, and what has been reported with their same meaning, prove that the sighting of one just witness is sufficient for the sighting of the new moon of Ramadhan. However, concerning stopping the fast (at the end of Ramadhan) and the rest of the months, there must be two just witnesses. This is in combining between the *Hadiths* reported concerning this. This is also the view that most of the people of knowledge have gone with and it is the truth due to the appearance of its evidences. From this it becomes clear that the meaning of "sighting" is its confirmation by an Islamically legislated method and the meaning is not that each person has to see the new moon. Therefore, if a Muslim nation that rules according to the Islamic law, like the Kingdom of Saudi Arabia, announces that the sighting of the new moon of Ramadhan or Shawwal or Thul-Hijjah has been confirmed, all of its citizens must follow it in that. According to a large number of the people of knowledge it is also obligatory upon other people as well to accept that sighting due to the generality of the Prophet's statement:

«الشَّهْرُ تِسْعٌ وَعِشْرُونَ لَيْلَةً فَلَا تَصُومُوا حَتَّى تَرَوْهُ، فَإِنْ غَمَّ عَلَيْكُمْ فَأَكْمِلُوا الْعِدَّةَ ثَلَاثِينَ»

*"The month is 29 days, so do not fast until you see it (the new moon), and if it is hidden from you by clouds, complete the number (of days) as 30."*<sup>[1]</sup>

This was recorded by Al-Bukhari in his *Sahih* from a *Hadith* of Ibn 'Umar ﷺ. Muslim recorded it with the wording:

[1] Al-Bukhari no. 1907.

«صُومُوا لِرُؤْيَيْتِهِ، وَأَفْطَرُوا لِرُؤْيَيْتِهِ، فَإِنْ أُغْمِيَ عَلَيْكُمْ فَأَقْدُرُوا لَهُ ثَلَاثِينَ»

“Fast according to its (the new moon’s) sighting and break your fast according to its sighting. And if it is hidden from you by clouds, consider it (the month) as 30 days.”<sup>[1]</sup>

Muslim reported a version with this wording, but in it he ﷺ said:

«فَإِنْ أُغْمِيَ عَلَيْكُمْ الشَّهْرُ، فَعُدُّوا ثَلَاثِينَ»

“And if the month is hidden from you by clouds, then count it as 30 days.”<sup>[2]</sup>

Verily, the obvious meaning of these *Hadiths* and what has been reported with their meaning includes the entire *Ummah*. An-Nawawi reported in *Sharhul-Muhaththib* from Imam Ibn Al-Munthir that this was the view of Al-Laith bin Sa’d, Imam Ash-Shafi’i and Imam Ahmad, may Allâh have mercy on them. He – meaning Ibn Al-Munthir – said: “And I don’t know this to be the view of anyone except Al-Madani and Al-Kufi,” meaning Malik and Abu Hanifah.

A group of the scholars said: “The ruling of the sighting is only encompassing if the places have the same sighting zones (i.e., rising points of the new moon). However, if the sighting zones differ, then the people of each sighting zone have their own sighting.” This was related by Imam At-Tirmithi from the people of knowledge. Their argument for this is based upon what Muslim reported in his *Sahih* from Ibn ‘Abbas ؓ that Kuraib came to him in Al-Madinah from Ash-Sham (i.e., the land of Syria, Jordan, Palestine and Lebanon) at the end of Ramadhan. He informed him that the new moon was seen in Ash-Sham on the night of *Jumu’ah* (i.e., Thursday night) and that Mu’awiyah and the people fasted according to that. Ibn ‘Abbas ؓ replied, “But we saw it on the night of *As-Sabt* (i.e., Friday night), so we will not stop fasting until we see it or we

[1] Muslim no. 1080.

[2] Muslim no. 1081.

complete the number (of 30 days).” Kuraib said, “Isn’t the sighting and fasting of Mu‘awiyah sufficient for you?” Ibn ‘Abbas ﷺ replied, “No. Thus did the Messenger of Allāh ﷺ command us.” These scholars say that this proves that Ibn Abbas held the view that the sighting is not to be generalized, and that the people of each land have their own sighting, if the sighting zones differ. Therefore, these scholars say that the sighting zones in the area of Al-Madinah are not the same as the sighting zones in Ash-Sham. Others said that he probably did not act according to the sighting of the people of Ash-Sham because no one testified to it with him other than Kuraib alone, and the testimony of one witness is not acted upon for ending the month. One person’s testimony is only acted upon for the entry of the month.

This matter was presented to the Senior Scholars Board in the Kingdom of Saudi Arabia in the second session held in Sha‘ban, 1392 AH, and they agreed that what is most correct in this issue is ease in the matter. This means that it is permissible to take either one of these two views according to the position of scholars of the land. I say that this is a middle view that contains combining between the evidences and the statements of the people of knowledge. When this is known, it is obligatory on the people of knowledge in every land to be concerned with this matter when the month begins and ends and that they agree upon what is closest to the truth according to their *Ijtihad* (exercise of judgement). Then, they should act according to that and convey it to the people. It is also incumbent upon the authorities with them and the masses of the Muslims to follow them (the scholars) in that. They should not differ in this matter because that causes division of the people and an abundance of gossip and baseless talk if the country is not Islamic.

In reference to the Islamic country, it is obligatory upon it to rely upon what the people of knowledge say and to oblige the people to adhere to it, whether it is regarding fasting or breaking the fast. This is acting according to the mentioned *Hadiths*,

fulfillment of what is obligatory and preventing the citizens from falling into what Allâh has forbidden. And it is known that Allâh restrains with the ruler what He does not restrain with the Qur'an.

I ask Allâh to help us and all of the Muslims to understand His religion, to be firm upon it, rule by it, refer to it for judgement and avoid whatever contradicts it. Verily, He is Most Generous, Most Noble.

May Allâh send blessings and peace upon His servant and Messenger, our Prophet Muhammad, and his family and Companions.

### **A Firm Decision**

#### **Regarding acting according to sighting in affirming the new Moons and not according to Astronomical Calculations**

All praise is due to Allâh alone and may blessings and peace be upon him whom there is no Prophet after him (i.e., Muhammad ﷺ). To proceed:

Verily, the Council of Islamic *Fiqh* Academy has reviewed a copy of a letter from the Society of Islamic Preaching in Singapore during its fourth session held at the General Secretariat of the Muslim World League in Makkah Al-Mukarramah. This session took place between 7th and the 17th of Rabi' Al-Akhir, 1401 AH. The letter was dated Shawwal 16th, 1399 AH, corresponding to August 8th, 1979 CE. The letter was addressed to the *charg d'affaires* of the Royal Embassy of Saudi Arabia there in Singapore. The contents of the letter expressed that there was a difference that arose between this Society and the Islamic Council in Singapore concerning the beginning of the month of Ramadhan and its ending in the year 1399 AH or 1979 CE. This was due to the Society holding the view that the beginning of

the month of Ramadhan and its ending should be based upon the Islamically sanctioned sighting, as this is in accordance with the generality of the Islamic evidences. At the same time, the Islamic Council in Singapore held the view that the beginning and ending of the aforementioned Ramadhan should be according to astronomical calculations. The reason for that is the Committee's saying: "In reference to countries in the area of Asia, their sky is covered with clouds, especially in Singapore, thus most of the places for sighting the new moon are blocked from sightings. Therefore, this (calculation) is considered from the matters that are excused and necessary. For this reason it is obligatory to determine (the time of the new moon) by way of calculations."

After the members of the Council of Islamic *Fiqh* Academy undertook a comprehensive study of this issue in the light of the Islamic texts, the Council of Islamic *Fiqh* Academy decided to support the Society of Islamic Preaching in its view. This is due to the clarity of the Islamic evidences in this matter.

Likewise, the Committee made a decision in reference to this situation where there are places like Singapore and some areas of Asia and other places where their sky is blocked by what prevents sightings. They decided that the Muslims in these areas and similar places may take the sighting of whoever they trust from the Islamic countries that rely upon visual sightings of the new moon instead of any form of calculations. This is acting according to the Prophet's statement:

«صُومُوا لِرُؤْيَيْهِ وَأَفْطَرُوا لِرُؤْيَيْهِ، فَإِنْ غُمِّيَ عَلَيْكُمُ الشَّهْرُ، فَعُدُّوا ثَلَاثِينَ»

*"Fast according to its sighting and break your fast according to its sighting. And if it is hidden from you by clouds, then complete the number (of days) as 30."*<sup>[1]</sup>

And his ﷺ statement:

«لَا تَصُومُوا حَتَّى تَرَوْا الْهَيْلَالَ، وَلَا تُفْطَرُوا حَتَّى تَرَوْهُ»

[1] Al-Bukhari no. 1909 and Muslim no. 1081.



*“Do not fast until you see the new moon or you complete the number (of days as 30). And do not break your fast until you see the new moon or you complete the number (of days as 30).”*<sup>[1]</sup>

And whatever *Hadiths* have been reported with the same meaning as these two.

### **The sighting of the new Moon in a Country does not oblige all of the Countries to judge according to it**

**Q** The appearance of the new moon of Ramadhan or the new moon of Shawwal varies between the Islamic countries. Therefore, do the Muslims fast when it is sighted in one of these countries?

**A** The people of knowledge differ among themselves on the issue of the new moon. Among them there are those who think that if the sighting of the new moon of Ramadhan is confirmed in any place in an Islamically sanctioned manner, then this obliges all of the Muslims to fast. They also say that if the sighting of the new moon of Shawwal is confirmed (in any place), all of the Muslims are obligated to break the fast.

This is the well-known view of the *Mathhab* (School of *Fiqh*) of Imam Ahmad. Based upon this, if the new moon is sighted in the Kingdom of Saudi Arabia, for example, it is obligatory on all of the Muslims in all of the lands to act according to this sighting in fasting Ramadhan and breaking the fast in Shawwal. The evidence that they use for this position is the generality of the Statement of Allâh, the Most High:

﴿فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ﴾

*“So whoever among you witnesses the month, then let him fast it.”*<sup>[2]</sup>

[1] Al- Bukhari no. 1906 and Muslim no. 1080.

[2] *Al-Baqarah* 2:185.

They also use the generality of the Prophet's statement:

﴿إِذَا رَأَيْتُمُوهُ فَصُومُوا، وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا﴾

*“When you see it (the new moon of Ramadhan), then fast, and when you see it (the new moon of Shawwal), then break your fast.”*<sup>[1]</sup>

Among the scholars are those who say that fasting with the new moon of Ramadhan and breaking the fast in Shawwal is not obligatory except for whoever sees the new moon or is in the same sighting zone (i.e., the same area of the sighting) as someone who saw it. This is because the rising points of the new moon differ, as is agreed upon by the people who know (its science). Thus, if the sighting zones differ, it is obligatory that every land judge according to its own sighting and the lands that are in the same sighting zone of the new moon should follow it. If a land is not in the same sighting zone, it should not follow another land's sighting. This statement is the one chosen by Shaykhul-Islam Ibn Taimiyyah, may Allāh have mercy on him. His proof for this view is in the Statement of Allāh, the Most High:

﴿فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ﴾

*“So whoever among you witnesses the month, then let him fast it.”*<sup>[2]</sup>

He also based this upon the Prophet's statement:

﴿إِذَا رَأَيْتُمُوهُ فَصُومُوا، وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا﴾

*“When you see it (the new moon of Ramadhan), then fast, and when you see it (the new moon of Shawwal), then break your fast.”*<sup>[3]</sup>

[1] Al-Bukhari no. 1906.

[2] Al-Baqarah 2:185.


[3] Al-Bukhari no. 1900 and Muslim no. 1080.


In other words, he used the same evidence that is used by those who hold the view that there is a general, comprehensive obligation regarding the ruling of the new moon. However, the angle of proof with Ibn Taimiyyah in this Verse and this *Hadith* is different, as (he held the view that) the ruling is related to one who witnesses and sees the moon. This dictates that whoever does not witness or see it, then he is not obligated to follow its judgement. Therefore, based on this, if the sighting zones differ, the judgements of the new moon are not confirmed by generalization.

There is no doubt that this is a strong position in proving this point and it is supported by examination and analogy.

Ash-Shaykh Ibn 'Uthaimin


### The ruling on fasting Ramadhan 28 days

 Is it permissible to fast only 28 days for the month of Ramadhan?

 It is confirmed in the extensive authentic *Hadiths* from the Messenger of Allāh ﷺ that the month is not less than 29 days. When it is confirmed with Islamically valid evidence that the month of Shawwal has entered after the Muslims have only fasted 28 days, this means that they did not fast the first day of Ramadhan. Therefore, they must make up for it, because it is not possible for the month to be 28 days. The month is only 29 or 30 days.

Ash-Shaykh Ibn Baz

### Can we fast 31 days?

 If we began our fast in the Kingdom of Saudi Arabia, then we travelled to our country in East Asia during the month of Ramadhan, where the Islamic Hijri month is a day behind, should we fast 31 days?



If you fasted in Saudi Arabia or another land, then you fasted the rest of the month in your own land or another place, then break your fast with them (in the last land) even if that is more than 30 days. This is due to the statement of the Prophet ﷺ:

«الصَّوْمُ يَوْمَ تَصُومُونَ، وَالْفِطْرُ يَوْمَ تُفْطِرُونَ»

*“The fast is the day that you all fast and breaking the fast is the day when you all break fast.”<sup>[1]</sup>*

However, if you did not complete 29 days, you must complete that (number of fasting days). This is because the month is not less than 29 days.

Ash-Shaykh Ibn Baz

## The ruling on always fasting 30 days for Ramadhan



Q What is the ruling concerning some people who always fast 30 days for Ramadhan?



The extensive authentic *Hadiths* from the Messenger of Allâh ﷺ, the consensus of the Companions of the Messenger ﷺ and those who followed them in righteousness of the scholars, prove that the month is either 29 or 30 days. So, whoever always fasts it 30 days without looking into the new moons (i.e., sightings), then he has opposed the Sunnah and the consensus (*Ijma'*), and he has made an innovation in the religion that Allâh has not allowed. Allâh said:

﴿اتَّبِعُوا مَا أُنزِلَ إِلَيْكُمْ مِنْ رَبِّكُمْ وَلَا تَتَّبِعُوا مِنْ دُونِهِ أَوْلِيَاءَ﴾

*“Follow what has been revealed to you all from your Lord and do not follow any Awliya’ (friends, helpers, supporters) besides Him.”<sup>[2]</sup>*

[1] At-Tirmithi no. 697.

[2] Al-A'raf 7:3.

And He said:

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

“Say (O Muhammad ﷺ): If you all love Allâh, then follow me and Allâh will love you and forgive you.”<sup>[1]</sup>

And He said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾

“Whatever the Messenger (Muhammad ﷺ) gives you, then take, and whatever he forbids you from, then abstain (from it). And fear Allâh. Verily, Allâh is severe in punishment.”<sup>[2]</sup>

And He, the Mighty and Majestic said:

﴿تِلْكَ حُدُودُ اللَّهِ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا وَذَلِكَ الْفَوْزُ الْعَظِيمُ ۝ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ وَيَتَعَدَّ حُدُودَهُ يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ عَذَابٌ مُهِينٌ﴾

“These are the limits of Allâh and whoever obeys Allâh and His Messenger (Muhammad ﷺ), He (Allâh) will enter him into gardens with rivers flowing beneath them. They will abide therein forever and that is the supreme success. And whoever disobeys Allâh and His Messenger (Muhammad ﷺ) and transgresses His limits, He (Allâh) will enter him into a Fire (Hell) to abide therein forever, and he will have a disgraceful torment.”<sup>[3]</sup>

And the Verses with this meaning are numerous. It is recorded in the two *Sahihs* (of Al-Bukhari and Muslim) in a *Hadith* from Ibn ‘Umar ؓ that the Prophet ﷺ said:

[1] Aal ‘Imran 3:31.

[2] Al-Hashr 59:7.

[3] An-Nisa’ 4:13,14.

«صُومُوا لِرُؤُوسِهِ وَأَفْطِرُوا لِرُؤُوسِهِ، فَإِنْ غَمَّ عَلَيْكُمْ فَأَقْدَرُوا لَهُ»

*“Fast according to its (the new moon’s) sighting and break your fast according to its sighting. And if it is hidden from you by clouds, then consider it (i.e., count it as 30 days).”*<sup>[1]</sup>

This *Hadith* is agreed upon and in a version recorded by Muslim he said:

«فَأَقْدَرُوا لَهُ ثَلَاثِينَ»

*“Then consider it to be 30 days.”*<sup>[2]</sup>

In another wording reported in the Two *Sahihs*, he said:

«إِذَا رَأَيْتُمُ الْهِلَالَ فَصُومُوا، وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا، فَإِنْ غَمَّ عَلَيْكُمْ فَأَقْدَرُوا لَهُ» «فَعَدُّوا ثَلَاثِينَ»

*“When you all see the new moon (of Ramadhan), then fast, and when you see it (the new moon of Shawwal), then break your fast. And if it is hidden from you by clouds, then consider it 30 days.”*<sup>[3]</sup>

In *Sahih Al-Bukhari* it is reported from Abu Hurairah رضي الله عنه that the Prophet ﷺ said:

«صُومُوا لِرُؤُوسِهِ، وَأَفْطِرُوا لِرُؤُوسِهِ، فَإِنْ غَبِيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ سَعْبَانَ ثَلَاثِينَ»

*“Fast according to its sighting and break your fast according to its sighting. And if it is hidden from you by clouds, then fast 30 days.”*<sup>[4]</sup>

And in another wording he said:

«فَأَكْمِلُوا الْعِدَّةَ ثَلَاثِينَ»

[1] Al-Bukhari no. 1906 and Muslim no. 1080.

[2] Muslim no. 1080.

[3] Muslim no. 1080.

[4] Al-Bukhari no. 1909.

“Then complete the number (of days) as 30.”<sup>[1]</sup>

And in yet another wording he said:

(فَأَكْمِلُوا شَعْبَانَ ثَلَاثِينَ يَوْمًا)

“Then complete Sha’ban as 30 days.”

It is also reported from Huthayfah ؓ that the Prophet ﷺ said:

(لَا تَصُومُوا حَتَّى تَرَوْا الْهِلَالَ أَوْ تَكْمِلُوا الْعِدَّةَ وَلَا تَفْطَرُوا حَتَّى تَرَوْا الْهِلَالَ أَوْ تَكْمِلُوا الْعِدَّةَ)

“Do not fast until you see the new moon (of Ramadhan) or you complete the number (as 30 days). And do not break your fast until you see the new moon (of Shawwal) or you complete the number (as 30 days).”

This was recorded by Abu Dawud and An-Nasa’i with an authentic chain of narration. It has also been confirmed from him ؓ in a number of *Hadiths* that he said:

«إِنَّ الشَّهْرَ تِسْعٌ وَعِشْرُونَ فَلَا تَصُومُوا حَتَّى تَرَوْا الْهِلَالَ وَلَا تَفْطَرُوا حَتَّى تَرَوْا الْهِلَالَ فَإِنْ غَمَّ عَلَيْكُمْ فَأَكْمِلُوا الْعِدَّةَ»

“Verily, the month is 29 days, so do not fast until you see the new moon, and do not break the fast until you see the new moon. And if it is hidden from you by clouds, then complete the number (as 30 days).”<sup>[2]</sup>

And it has been confirmed from him ؓ that he said:

(الشَّهْرُ هَكَذَا وَهَكَذَا وَأَشَارَ بِأَصَابِعِهِ الْعُشْرَ وَخَسَّنَ إِبْهَامَهُ فِي الثَّلَاثَةِ ثُمَّ قَالَ: الشَّهْرُ هَكَذَا وَهَكَذَا وَهَكَذَا)

“The month is like this, and this and this,” and he raised his ten fingers, and he withdrew his thumb the third time. Then he said: “The month is like this, and this and this,” with his ten fingers,

[1] Al-Bukhari no. 1907

[2] Ad-Dawud no. 2326. and An-Nasa’i no. 2128.

*and he did not withdraw his thumb at all.*

In doing this, he ﷺ was alluding to the fact that sometimes it is 30 days and sometimes it is 29 days. Indeed the people of knowledge and faith from the Companions of the Prophet ﷺ and those who followed them in righteousness have met these *Hadiths* with acceptance and submission, and they acted according to their dictates. Thus, they would look for the new moon of Sha‘ban, Ramadhan and Shawwal, and they would act according to what the evidence testified to of completing the month (i.e., 30 days) or shortening it (i.e., 29 days). Therefore, it is obligatory upon all the Muslims to traverse upon this straight path and abandon whatever opposes it from the opinions of people and what they have introduced of innovations. In this way, they will be members of those whom Allâh has promised them Paradise and pleasure in His Statement:

﴿وَالسَّابِقُونَ السَّابِقُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ وَالَّذِينَ اتَّبَعُوهُمْ بِإِحْسَانٍ رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ وَأَعَدَّ لَهُمْ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا أَبَدًا ذَلِكَ الْفَوْزُ الْعَظِيمُ﴾

*“And the foremost to embrace Islam of the Muhajirun (those who migrated from Makkah to Al-Madinah) and the Ansar (the citizens of Al-Madinah who helped the Muhajirun) and also those who followed them in righteousness (in faith). Allâh is pleased with them and they are pleased with Him. He has prepared for them gardens with rivers flowing beneath them. They will dwell therein forever. That is the supreme success.”*<sup>[1]</sup>

Ash-Shaykh Ibn Baz

### **He did not know that the month had started until after *Fajr* time began**



What is the ruling on the fast of the person who did not know that the month of Ramadhan had begun until

[1] *At-Tawbah* 9:100.



after the time of *Fajr* had entered, due to sleep or other than that?



Whoever did not know that the month of Ramadhan had begun until after the time of *Fajr* had entered, then he must refrain from those things that break the fast for the rest of his day, because it is a day of Ramadhan. It is not permissible for the person who is a resident of a place and healthy to partake of any of the things that would break the fast during Ramadhan. He must also make up for the day of fasting because he did not pass the night with the intention to fast before the time of *Fajr*. It has been confirmed from the Prophet ﷺ that he said:

«مَنْ لَمْ يُبَيِّتِ الصِّيَامَ قَبْلَ الْفَجْرِ فَلَا صِيَامَ لَهُ»

*“Whoever does not pass the night with the intention to fast before the (time of) Fajr, then he has no fast.”*<sup>[1]</sup>

The great scholar Ibn Qudamah reported this in *Al-Mughni* and it is the opinion of most of the *Fiqh* scholars. What is intended by this is the obligatory fast, and this is due to the noble *Hadith* which we have mentioned. In reference to the voluntary fast, it is permissible to begin it during the daytime as long as the person has not partaken of anything that would break the fast. This is because that which proves this has been authenticated from the Prophet ﷺ. We ask Allâh to help the Muslims to do that which pleases Him and that He accept from them their fasting and standing in prayer during the night. Verily, He is All-Hearing, Most Near.

Ash-Shaykh Ibn Baz

### Fasting with the Country in which you reside



If the beginning of the month of Ramadhan has been confirmed in one of the Islamic countries, like the Kingdom of Saudi Arabia, and that has been announced,

[1] An-Nasa'i no. 2333.

however in the country in which I live, the beginning of Ramadhan has not been announced, what is the ruling? Do we fast merely by the confirmation in the Kingdom or do we break our fast and fast with them (the people where we are) whenever they announce the beginning of the month of Ramadhan, and likewise regarding the beginning of Shawwal – ‘Eid day? What is the ruling if there is a difference in the matter between two countries? May Allâh reward you with a good reward on behalf of the Muslims and us.



It is (obligatory) upon the Muslim to fast with the country where he is and to break his fast with them. This is due to the statement of the Prophet ﷺ:

«الصَّوْمُ يَوْمَ تَصُومُونَ، وَالْفِطْرُ يَوْمَ تُفْطِرُونَ، وَالْأَضْحَى يَوْمَ تُضْحُونَ»

*“The fast is the day that you all fast, breaking the fast is on the day that you all break the fast and the sacrifice (Al-Adhha) is on the day that you all sacrifice.”<sup>[1]</sup>*

And success is from Allâh.

Ash-Shaykh Ibn Baz

## **The Age at which Fasting Becomes Obligatory**

**It is obligatory upon the Person  
who has reached the age of Puberty to fast**

**Q** I am a young man who has reached the age of 23 and my father encouraged me to fast when I was about 15 years old. Hence, I used to fast and some days I would not fast, because I did not know the true meaning of the fast. Then, after I reached the age of puberty and I understood more, I began to fast every blessed month of Ramadhan and I would not break the fast on any of its days, and all praise is

[1] At-Tirmithi no. 697.

due to Allâh. So, my question is: Do I have to make up for the fasts of the previous years, while knowing that I was 18 years old when I began to fast every Ramadhan?



When a person reaches the age of 15 years, all of the responsibilities become obligatory upon him. For verily, this age is the sign of puberty. Therefore, this person who was lax about fasting, and he was considered to have reached the age of puberty, and he left off what was obligatory, he must make up for what he left off of the days of Ramadhan that passed that he did not fast. He is not excused because of his ignorance of the wisdom of fasting. Therefore, he must make up for the days that he left off or in which he did not complete the fast, along with making expiation for each day by feeding a poor person. If he does not know the number of days, then he must make up a safe estimate (of days) until he is sure that he has made up for what was obligatory as a responsibility upon him. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

### She is 13 years old and she does not fast



There is a young lady who has reached the age of 12 or 13 years and the blessed month of Ramadhan passed her and she did not fast it. Is there any sin upon her or her family? Should she fast, and if she does not fast is there any sin on her?



The woman is considered responsible under conditions: Islam, sanity and puberty. Puberty is attained by menstruation or a wet dream or the growth of coarse pubic hair around the sexual organ or reaching the age of 15. Therefore, this young lady, if she has all the conditions of responsibility, fasting is obligatory upon her and she must make up for the days that she did not fast during the time of her responsibility. If one of the conditions is not present of these conditions, then she is not responsible and there is no sin upon her.

The Permanent Committee

## The age of being held responsible for fasting

**Q** When is a young lady obligated to fast?

**A** The young lady is obligated to fast when she reaches the age of responsibility. Puberty is attained by reaching the age of 15 years or the growth of coarse pubic hair around the private part or the ejaculation of the well-known fluid or menstruation or pregnancy. Whenever any of these things occur, she is obligated to fast, even if she is a 10-year-old girl. For verily, a large number of females begin menstruating at the age of 10 or 11 years. Yet, their families will be lax and they will think that she is a little girl and they will not make her fast. This is a mistake. For verily, when the young lady menstruates she has reached the age of womanhood and the pen of responsibility applies to her (i.e., she is held responsible as an adult). And Allâh knows best.

Ash-Shaykh Ibn Jibreen

## **The Benefits of Fasting and its Etiquettes, and the Ruling on the Fast of Whoever Abandons the Prayer and is Lazy About its Performance**

### The social Benefits of Fasting

**Q** Does fasting have any social benefits?

**A** Yes, it has social benefits. Among them are the people feeling that they are one nation (*Ummah*). They eat at one time and fast during one time. The wealthy feels the favor of Allâh and he empathizes with the poor. The dangers of Satan are lessened for the son of Adam. Also, it (fasting) contains fear of Allâh and fear of Allâh strengthens the ties between the individuals of the society.

Ash-Shaykh Ibn 'Uthaimin

## What should the fasting person do and what is obligatory upon him

**Q** What should the fasting person do and what is obligatory upon him?

**A** The fasting person should increase in the acts of obedience (to Allâh) and avoid all of the prohibitions. It is obligatory upon him to guard the performance of the obligatory acts and stay away from the forbidden things. Thus, he should pray the five prayers in their times with the congregation. He should abandon lying, backbiting, cheating and treachery, interest and usury based dealings, and every statement or action that is forbidden. The Prophet ﷺ said:

«مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ وَالْعَمَلَ بِهِ، وَالْجَهْلَ فَلَيْسَ لِلَّهِ حَاجَةٌ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ»

*“Whoever does not abandon false speech, acting according to it and ignorance, then Allâh has no need of him abandoning his food and drink.”<sup>[1]</sup>*

Ash-Shaykh Ibn ‘Uthaimin

## Being wasteful with the Food for fast breaking

**Q** Does being extravagant in the preparations of food for fast breaking lessen the reward of the fast?

**A** It does not lessen the reward of the fast, but it is a forbidden act that is done after completing the fast. It does not lessen its reward, but this is included in the statement of Allâh, the Most High:

﴿وَكُلُوا وَاشْرَبُوا وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ﴾

*“And eat and drink, but do not be wasteful. Verily, He (Allâh)*

<sup>[1]</sup> Al-Bukhari no. 1903.

does not like those who are wasteful.”<sup>[1]</sup>

Therefore, being wasteful in itself is forbidden, and being moderate is half of livelihood. If the people have something as leftover, then they should give it away in charity, for verily that is better.

Ash-Shaykh Ibn ‘Uthaimin

### The ruling on the Person who fasts but is lazy about performing the Prayer

**Q** Some of the young men – may Allâh guide them – are lazy about performing the prayer during Ramadhan and other times. However, they strictly guard the fast of Ramadhan, while patiently bearing the thirst and hunger. What do you advise them and what is the ruling on their fast?

**A** My advise for these people is that they contemplate for a while about their situation and that they should know that the prayer (*As-Salah*) is the most important pillar of Islam after the two Testimonies of Faith. They should know that whoever does not pray, and he abandons the prayer due to being lax about it, then according to the correct view with me, that is supported by the proof of the Book and the Sunnah, he is a disbeliever. His disbelief is that which expels him from the religion as an apostate from Islam. Therefore, the matter is not light, because whoever is a disbeliever, who has apostatized from Islam, no fast or charity is accepted from him. No deed is accepted from him at all. This is due to the Statement of Allâh, the Most High:

﴿وَمَا مَنَعَهُمْ أَنْ تُقْبَلَ مِنْهُمْ نَفَقَاتُهُمْ إِلَّا أَنَّهُمْ كَفَرُوا بِاللَّهِ وَرَسُولِهِ. وَلَا يَأْتُونَ الصَّلَاةَ إِلَّا وَهُمْ كُسَالَىٰ وَلَا يُنْفِقُونَ إِلَّا وَهُمْ كَادِرُونَ﴾

*“And nothing prevents their contributions from being accepted*

<sup>[1]</sup> Al-A‘raf 7:31.

*from them except that they disbelieved in Allâh and in His Messenger (Muhammad ﷺ), and that they do not come to As-Salah (the prayer) except in a lazy state, and that they do not offer contributions except unwillingly.”*<sup>[1]</sup>

Thus, Allâh explained that their contributions, even though they contain considerable benefit for others, are not accepted from them with their disbelief. And He, the Most High said:

﴿وَقَدِمْنَا إِلَىٰ مَا عَمِلُوا مِنَّ عَمَلٍ فَجَعَلْنَاهُ هَبَاءً مَّنشُورًا﴾

*“And We shall turn to whatever deeds they (disbelievers, polytheists, sinners) did, and We shall make such deeds as scattered floating particles of dust.”*<sup>[2]</sup>

These people who fast and do not pray, their fast is not accepted. Rather, it is rejected as long as we say that they are disbelievers, as the Book of Allâh and the Sunnah of His Messenger ﷺ prove. Hence, my advice to them is that they fear Allâh, the Mighty and Majestic, and that they guard the performance of the prayer. They should pray them in their times and with the congregation of the Muslims. If they do so, I guarantee for them, by the Power of Allâh, that they will find in their hearts a firm desire in Ramadhan and other months to offer the prayer in its times with the congregation of the Muslims. This is because if the human being turns to his Lord, comes to Him and sincerely repents to Him, then he will be better after the repentance than he was before it. This is as Allâh mentioned concerning Adam ؑ, that after what happened with him of eating from the tree, Allâh said:

﴿ثُمَّ أَحْبَبْنَاهُ رَبُّهُ فَتَابَ عَلَيْهِ وَهَدَىٰ﴾

*“Then His Lord chose him, and accepted his repentance, and gave him guidance.”*<sup>[3]</sup>

Ash-Shaykh Ibn ‘Uthaimin

[1] *At-Tawbah* 9:54.

[2] *Al-Furqan* 25:23.

[3] *Ta-Ha* 20:122.

## The ruling on whoever fasts but does not pray

**Q** I have witnessed some of the Muslim youth fasting, but they do not pray. Is the fast of the person who fasts but does not pray accepted? I have heard some of the preachers telling these youth to break their fast and not to fast, as he who does not pray has no fast.

**A** Whomever the prayer is obligatory upon and he intentionally abandons it, rejecting its obligation, then he has disbelieved according to the consensus of the scholars. Whoever abandons it due to being lax and lazy about it, then he has disbelieved according to the correct opinion from the opinions of the people of knowledge. When it is ruled that he is a disbeliever, then his fasting and other acts of worship are nullified. This is due to Allâh's Statement:

﴿وَلَوْ أَشْرَكُوا لَحِطَ عَنْهُمْ مَا كَانُوا يَعْمَلُونَ﴾

*“And if they had associated partners with Allâh, all that they used to do would have been of no benefit to them.”<sup>[1]</sup>*

However, such a person should not be ordered to abandon fasting. This is because his fasting will only increase him in goodness and closeness to the religion. Also, due to the fear of his heart, it is hoped that it will lead him to return to the performance of the prayer and repentance from abandoning it. And success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

## The ruling on whoever only fasts and prays during Ramadhan

**Q** If a person is active in fasting and praying only during Ramadhan, but he leaves off the prayer as Ramadhan

[1] Al-An'am 6:88.



ends, does he has a fast?



The prayer is a pillar from the pillars of Islam, and it is the most emphasized pillar after the two Testimonies of Faith. It is from the mandatory duties upon the individuals, and whoever abandons it while rejecting its obligation or due to laxity and laziness, then he has disbelieved. In reference to those who fast Ramadhan and they only pray during Ramadhan, then this is an attempt to deceive Allâh. What wicked people these are who do not know Allâh except during Ramadhan. Thus, their fast is not acceptable while they are abandoning the prayer outside of Ramadhan.

The Permanent Committee

### **The ruling on speaking with a Woman and touching her Hand during the daytime in Ramadhan**



What is the ruling on speaking with a woman or touching her hand during the daytime in Ramadhan for the fasting person? This is while keeping in mind that the likes of this occurs in some of the places of business and shops.



If the man's speaking with the woman is without any suspicion or lustful intent in speaking with her, be it being for business negotiating, asking for directions and similar things, or he touches her hand unintentionally, then that is permissible during Ramadhan and other times. However, if his speaking with her is with the intent of seeking pleasure in conversing with her, then it is not permissible, whether it is during Ramadhan or any other time. Actually, it is even more severely prohibited during Ramadhan.

The Permanent Committee

## The ruling on the Fast of a Person who drinks Alcohol during the Nights of Ramadhan

**Q** There is a person who has been tested with drinking alcohol. This is so much so that he even drinks it during the nights of Ramadhan. So, what is the ruling on his fasting during the day while he drinks alcohol during the night?



Drinking alcohol is from the major sins due to the Statement of Allâh:

﴿يَأْتِيهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ○ إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ وَيَصُدَّكُمْ عَن ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ فَهَلْ أَنْتُمْ مُنْتَهُونَ﴾

*“O you who believe! Intoxicants (all kinds of alcoholic drinks), gambling, Al-Ansab (stone altars for sacrificing animals to false deities), and Al-Azlam (arrows for seeking luck) are an abomination of Satan’s handiwork. So, avoid that (abomination) in order that you may be successful. Satan wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allâh and from As-Salah (the prayer). So, will you not then abstain?”<sup>[1]</sup>*

Thus, drinking is forbidden during Ramadhan and outside of Ramadhan, even though drinking it during Ramadhan is even more severely forbidden. Therefore, the person who drinks it must repent to Allâh by avoiding drinking it and feeling sorrow for his being negligent about the crime of drinking it, and he must feel guilty about that. He must also be determined not to return to it during Ramadhan or any other time.

In reference to the fast of whoever drinks it (alcohol, intoxicants) during the night, then his fast is correct and acceptable, as long as he abstains from eating, drinking and the

<sup>[1]</sup> Al-Ma’idah 5:90, 91.

other things that break the fast, from dawn to sunset with the intention of fasting for Allâh.

The Permanent Committee

### **Sleeping the entire length of the Hours of the Day**

**Q** What is the ruling on sleeping the entire length of the hours of the day? What is the ruling on the fast of the person who sleeps, and when he wakes up to offer the obligatory (prayers), he then sleeps (again)? What is the ruling on that?

**A** This question contains two situations: The first situation is that of a man who sleeps the entire length of the day and he does not wake up. There is no doubt that this is a person who has committed a crime against himself and he is disobedient to Allâh by his abandoning the prayer in its times. If he is of those (who are required to) pray in congregation (i.e., men), then he has also added to that the sin of abandoning the congregation. This is forbidden for him and it lessens the reward of his fast. He is like the person who builds a castle and tears down a city. Therefore, he must repent to Allâh, get up and offer the prayer in its times as he has been commanded to do.

The second situation is that of a person who gets up to pray the obligatory prayer in its time with the congregation. This person is not a sinner, however he has caused himself to miss much good. This is because the fasting person should busy himself with prayer, remembrance of Allâh, supplication and recitation of the Noble Qur'an. This is so that he can combine various acts of worship with his fasting. If the person accustoms himself and trains himself to do acts of worship while fasting, that will become easy for him. However, if he accustoms himself to laziness, sluggishness and relaxation, he will become accustomed to that, and the acts of worship and deeds will become difficult for him while fasting. Therefore, my advice to this person is to not waste the time of his fasting by sleeping. Rather,

he should strive to do acts of worship. And verily, Allâh has made things easy — and all praise is due to Allâh — during this time of ours for the fasting person, by His removing the hardship of the fast from him by way of air conditioners and other things that makes the fast easier for him.

Ash-Shaykh Ibn ‘Uthaimin

## **Eating and Abstaining from Eating During Ramadhan**

**The ruling on whoever eats while the *Athan* is being called or a little after it**

**Q** Allâh, the Most High said:

﴿وَكُلُوا وَاشْرَبُوا حَتَّىٰ يَبَيِّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ﴾

*“Eat and drink until the white thread becomes distinct from the black thread.”*<sup>[1]</sup>

What is the ruling on whoever completes his predawn breakfast and drinks water at the time of the *Athan* or 15 minutes after the *Athan* of *Fajr*?



If the person who is mentioned in the question knows that this was before morning (i.e., dawn) had appeared, then he does not have to make up for the day. If he knew that it was after the morning had appeared, then he has to make up for the day. However, if he did not know whether his eating or drinking was after the morning (dawn) had appeared or before it, he does not have to make up for the day, because the basic principle is that it is still considered night (until proven otherwise). Yet, the Muslim must be careful about his fasting and abstain from those things that break the fast when he hears the *Athan*, unless he knows that this *Athan* was before morning (dawn).

The Permanent Committee

[1] *Al-Baqarah* 2:187.

## The ruling on the Fast of whoever ate at the time of the *Athan*

**Q** What is the legal ruling for fasting concerning whoever heard the *Athan* of *Fajr* and continued eating and drinking?

**A** It is obligatory upon the believer to refrain from things that break the fast, such as eating, drinking and other than them, when it becomes clear to him that *Fajr* time has entered and fasting is obligatory, like the fast of Ramadhan, the fast for a vow and expiation. This is due to the Statement of Allâh, the Mighty and Majestic:

﴿وَكُلُوا وَاشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ ثُمَّ أَتِمُّوا الصِّيَامَ إِلَى اللَّيْلِ﴾

“And eat and drink until the white thread of the dawn becomes distinct to you from the black thread. Then complete the fast until the night.”<sup>[1]</sup>

Therefore, when the person hears the *Athan* and he knows that it is being called for *Fajr* time, it is obligatory on him to abstain. If the person making the *Athan* is calling it before the entrance of *Fajr* time, it is not obligatory on the person to abstain and it is allowed for him to eat and drink until it becomes clear to him that it is *Fajr* time. If he does not know the situation of the person calling the *Athan*, as to whether he is calling the *Athan* before *Fajr* time or after it, then it is better and safer for him to abstain when he hears the *Athan*. Also, it does not harm if he ate or drank something during the *Athan*, because he did not know (for certain) that *Fajr* time had entered.

It is known that whoever is within the area of cities that have electrical lights, he is not able to know exactly when the time for *Fajr* enters. Yet, he must play it safe by acting according to the

[1] *Al-Baqarah* 2:187.

*Athan* and the charts that specify the time of *Fajr* by the hour and minute. This is acting upon the Prophet's statement:

«دَعْ مَا يَرِيْبُكَ إِلَى مَا لَا يَرِيْبُكَ»

“Leave whatever causes you to doubt for that which does not cause you to doubt.”<sup>[1]</sup>

And the Prophet's statement:

«مَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعِرْضِهِ»

“Whoever avoids the doubtful matters then verily he has freed his religion and honor (from suspicion).”<sup>[2]</sup>

And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### If the fasting Person drank after the *Athan* of *Fajr*

**Q** If the fasting person drank after he heard the *Athan* of *Fajr*, is his fasting correct (i.e., acceptable)?

**A** If the fasting person drank after he heard the *Athan* of *Fajr*, if the person who calls the *Athan* does so after it becomes clear to him that it is morning, then it is not permissible for the fasting person to eat or drink after it. If the person who calls the *Athan* does so before it becomes clear to him that it is morning (dawn), then there is no harm in eating and drinking until it becomes clear that it is morning (dawn). This is due to Allâh's Statement:

﴿فَالَّذِينَ بَشِرْتُمْوهُنَّ وَابْتَعُوا مَا كَتَبَ اللهُ لَكُمْ وَكَلُوا وَأَشْرَبُوا حَتَّى يَبَيِّنَ لَكُمْ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ﴾

“So, now touch them (i.e., have sexual relations with women) and seek that which Allâh has written for you. And eat and drink

[1] At-Tirmithi no. 2518.

[2] Al-Bukhari no. 52.

until the white thread (of dawn) becomes distinct to you from the black thread.”<sup>[1]</sup>

Also, the Prophet ﷺ said:

«إِنَّ بِلَالَ لَا يُؤَدِّنُ بَلِيلَ فَكُلُوا وَاشْرَبُوا حَتَّى تَسْمَعُوا أَذَانَ ابْنِ أُمِّ مَكْتُومٍ فَإِنَّهُ لَا يُؤَدِّنُ حَتَّى يَطْلُعَ الْفَجْرُ»

“Verily, Bilal calls the Athan at night, so eat and drink until you hear the Athan of Ibn Umm Maktum. For verily, he does not call the Athan until Fajr time commences.”<sup>[2]</sup>

For this reason it is necessary for those who call the *Athan* to strive to be exact in the *Athan* of the morning (i.e., dawn). They should not call the *Athan* until it becomes clear to them that it is morning or they are certain of its entrance by exact clocks. This is so that they do not deceive the people and forbid them from what Allâh has allowed for them, and allow the morning prayer for them before its time. For this contains a serious danger.

Ash-Shaykh Ibn ‘Uthaimin

### Whoever ate or drank after *Fajr* time began has no Fast

**Q** Regarding the voluntary fasting, I intended to fast on Monday, but after the *Athan* of *Fajr*, I got up and drank. Is it allowed for me to complete my fast due to that, and is it counted for me or not? And whoever ate or drank after the *Athan* for a voluntary fast, can he complete his day or not? Please benefit me with an answer, and may Allâh reward you with good.



The obligation of the fasting person if his fast is obligatory is that he refrains from food and drink and the other things that break the fast after verifying the entry of the time of

[1] *Al-Baqarah* 2:187.

[2] *Al-Bukhari* no. 617.

*Fajr* himself. He may also verify the entry of *Fajr* by hearing the *Athan* of the caller who normally calls the *Athan* after *Fajr* comes or he may base his verification on charts that list the times of the entry of *Fajr*. This is due to Allâh's Statement:

﴿وَكُلُوا وَاشْرَبُوا حَتَّىٰ يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ ۗ ثُمَّ أَتُوا الصِّيَامَ إِلَىٰ اللَّيْلِ﴾

*"And eat and drink until the white thread of dawn becomes distinct to you from the black thread. Then complete the fast until night."*<sup>[1]</sup>

This is also due to the Prophet's statement:

«إِنَّ بِلَالَ لَا يُؤَدِّنُ بِلَيْلٍ فَكُلُوا وَاشْرَبُوا حَتَّىٰ يُنَادِيَ ابْنَ أُمَّ مَكْتُومٍ»

*"Verily, Bilal calls the Athan at night so eat and drink until Ibn Umm Maktum makes the call."*<sup>[2]</sup>

He (Ibn Umm Maktum) was a blind man who would not give the call to prayer until it was said to him, "Morning has come, morning has come." This narration is agreed upon (in Al-Bukhari and Muslim). Thus, if a person eats after that or drinks or does anything that would break the fast, his fast is nullified. In reference to one who is fasting a voluntary fast, his fast is not complete unless he refrains from eating, drinking and the other things that break the fast from the time when *Fajr* time enters, just like the one who is fasting an obligatory fast. If he eats or drinks or does anything that would break the fast after *Fajr* time enters or after the *Athan* that is made at the time of *Fajr*'s entry, then he has no fast. However, the person fasting a voluntary fast differs from the person fasting a voluntary fast in that it is permissible for him to start his fast during the daytime if he did not do anything that would break the fast after *Fajr* time began. The reward for fasting is written for him from the time that he had intention to fast. This is due to the statement of 'A'ishah  :

[1] *Al-Baqarah* 2:187.

[2] Al-Bukhari no. 617.



“The Messenger of Allâh ﷺ entered upon us one day and said:

«هَلْ عِنْدَكُمْ شَيْءٌ»

*‘Do you all have anything (to eat)?’*

We replied, ‘No.’ Then he said:

«فَإِنِّي إِذَا صَائِمٌ»

*‘Then verily I am fasting.’*

Then he came to us on another day and we said: ‘We have been given some *Hais* (a mixture of dates and clarified butter) as a gift.’ So, he said:

«أَرَيْتَنِي فَلَقَدْ أَصْبَحْتُ صَائِمًا فَأَكَلُ»

*‘Show it to me, for verily I have been fasting since morning.’*<sup>[1]</sup>

Then he ate it.” This was recorded by Muslim.

Then, there is also his statement:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ»

*“Actions are only with intentions, and every man will only get what he intended.”*<sup>[2]</sup>

This is agreed upon. And success is from Allâh.

Ash-Shaykh Ibn Baz

### **The ruling on the Fast of whoever ate while being uncertain as to whether *Fajr* time had begun or whether the Sun had set**

**Q** What is the ruling on the fast of someone who ate or drank while being uncertain about whether *Fajr* time had begun or whether the sun had set? Please benefit us with

[1] Muslim no. 1154.

[2] Al-Bukhari no. 1 and Muslim no. 1907.

an answer, and may you be rewarded (by Allâh).



Whoever ate or drank while being uncertain about the entry of *Fajr* time, there is no sin on him and his fasting is correct. This is because the basic principle is that it still remains night (until proven otherwise). What is legislated for the believer is that he eats *Sahur* (predawn breakfast) before the time of doubt to protect his religion (from doubt) and to strive to perfect his fasting.

In reference to whoever ate or drank while being uncertain about the setting of the sun, then he has erred and he must make up for that day of fasting. This is because the basic principle is that it still remains daytime (until proven otherwise). Therefore, it is not permissible for the Muslim to break his fast unless he is certain that the sun has set or he feels certain that it probably has set. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### He broke his Fast based upon the Radio Announcer's Announcement

During one of the days of Ramadhan, the radio broadcast announcer announced that the *Athan* of *Maghrib* would be after two minutes. Then, at the same moment, the prayer caller of the neighborhood called the *Athan*. So, which one should be followed?



If the caller to prayer calls the *Athan* based upon looking at the sun and he is trustworthy, then we follow the caller to prayer. This is because he calls the *Athan* based upon the perceived occurrence, which is his seeing the sunset. However, if he calls the *Athan* based upon a clock and he does not see the sun, then it seems that the announcement of the announcer is more probably correct. This is because the clocks differ and following the announcer is better and safer.

Ash-Shaykh Ibn 'Uthaimin

## A Land where the Sunset is delayed!



We are in a land where the sun does not set until 9:30 pm or 10:00 pm. So, when do we break our fast?



You break your fast when the sun sets. As long as you have a night and a day within 24 hours, you are obligated to fast, even if the day is very long.

Ash-Shaykh Ibn 'Uthaimin

## The Length of the Night and the Day



In the land of Scandinavia and the area north of it the Muslim has to deal with the problem of the night and the day being very long and very short. Sometimes the day will continue for 22 hours and the night will be for 2 hours. Then, in another season, the situation will be the opposite. This is like what happened to one of the questioners when he passed through this land during the evening in Ramadhan. He also said that it is said that the night in some of the areas lasts for 6 months and the day will last a similar amount of time. So, how does the person estimate the fast in lands like these and how do their people who are Muslims fast or those Muslims who live there for work and study?



The problem in these lands is not particularly related to fasting. Rather, it also includes the prayer. However, if the country has a day and a night, then it is obligatory to act according to the dictates of that, regardless of whether the day is extremely long or short. However, if the land does not have a night and day, like the areas around the poles of the earth where the day will last 6 months or the night will last 6 months, then these people estimate the time of their fasting and prayer. But what do they base their estimation upon? Some of the people of knowledge say that they estimate based upon the times of Makkah, because Makkah is the Mother of cities. Thus, all of

the cities refer to it because the mother is the thing which is followed, like the *Imam* for example. This is as the poet said: "Upon its head is a mother for it that you follow." Others have said that in that land they should consider based upon the middle course. Thus, they should consider the night as 12 hours and the day as 12 hours, because this is the balanced time regarding the day and night. Some of the people of knowledge have said that they consider the closest land to them that has a regular night and day. This view is the most correct, because the closest land to them has the most right to be followed and it is the closest to their climate geographically. Therefore, based upon this, they should look at the night and day of the closest land to them, and they should restrict themselves to following it, whether it is for the fasting or the prayer.

Ash-Shaykh Ibn 'Uthaimin

## The Things that Break the Fast

### Repentance is Expiation!

**Q** I would like to ask about the expiation of masturbating during the daytime in Ramadhan. I know that it is not permissible, but is there expiation for it? If there is expiation, I would like a detailed explanation of it. May Allâh bless you.

**A** As masturbation is not permissible during Ramadhan or outside of Ramadhan, it is considered a sin and a crime. It is certainly written as an evil deed if Allâh does not pardon the servant for it. Its expiation is true repentance and performing good deeds, which remove evil deeds. Since it occurred during the daytime of Ramadhan, the sin is even greater in evil. Thus, it needs sincere repentance, the performance of righteous deeds, increasing in acts that bring one nearer to Allâh and acts of obedience, and preventing the soul from forbidden lusts. Also, that day of fasting that was corrupted by masturbation must be made up for. And Allâh accepts repentance from His servants and pardons evil deeds. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

## The fasting Person swallowing Saliva

**Q** What is the ruling on the fasting person swallowing saliva?

**A** Saliva does not harm the fast because it is only spit. If the person swallows it, there is no harm in that and if he spits it out, there is no harm. In reference to phlegm, which is that which comes up from the chest or the nose and it is also called mucus, and it is thick phlegm which the person sometimes gets from the chest and sometimes from the head, the man and woman must spit it out. It is obligatory to expel it and refrain from swallowing it (for the fasting person).

Concerning normal saliva, which is spit, there is no problem with it and it does not harm the fasting person, whether a man or a woman.

Ash-Shaykh Ibn Baz

## If the fasting Person rinses out his Mouth and some Water enters his Throat

**Q** If the fasting person rinses out his mouth or cleans his nose with water and some of the water enters his throat unintentionally, does this nullify his fast?

**A** If the fasting person rinses out his mouth or cleans his nose with water and the water enters his inner body, this does not break his fast, because he did not do that intentionally. This is due to Allâh's Statement:

﴿وَلَكِنْ مَا تَعَمَّدَتْ قُلُوبُكُمْ﴾

*"But what your hearts purposefully intended."*<sup>[1]</sup>

Ash-Shaykh Ibn 'Uthaimin

[1] Al-Ahzab 33:5.

## I swallowed some Water after rinsing my Mouth

**Q** One day I swallowed some water after rinsing my mouth. When I asked a Shaykh about it, he said to me that there is nothing due on me, as I did not intend to break my fast. Is there any thing due on me?

**A** You do not have to make up for this matter and what that *Mufti* told you as an answer is correct. Firstly, because of ignorance and lack of awareness of the ruling; secondly, because of the small amount of that and its rarity; and thirdly, that occurs similar to a person being forced and overcome by it (i.e., it is uncontrollable).

Ash-Shaykh Ibn Jibreen

## Using the Toothstick during Ramadhan

**Q** There are those who avoid using the toothstick during Ramadhan due to fear that it will corrupt the fast. Is this correct? And what is the preferred time to use the toothstick during Ramadhan?

**A** Refraining from using the toothstick during the daytime in Ramadhan or during other days outside of Ramadhan when a person is fasting is baseless. This is because using the toothstick is a Sunnah. It is as has been mentioned in the authentic *Hadith*:

«مَطْهَرَةٌ لِلْفَمِ مَرْضَاةٌ لِلرَّبِّ»

“Cleansing for the mouth and pleasing to the Lord.”<sup>[1]</sup>

It is legislated especially during *Wudhu'* (ablution), for the prayer, when getting up from sleep, upon entering the house when one first enters, while fasting and at other times. It does not corrupt the fast unless the toothstick has a taste and an effect upon the spit. In that case you should not swallow its

[1] An-Nasa'i no. 5.

taste. Likewise, if some blood comes out from the gums when using the toothstick, you should not swallow it. If you cautiously avoid this, then it (using the toothstick) does not affect the fasting at all.

Ash-Shaykh Ibn 'Uthaimin

### The ruling on using Toothpaste for the fasting Person

**Q** Is it permissible for the fasting person to use toothpaste while he is fasting during the daytime of Ramadhan?

**A** There is no harm in that as long as one is careful not to swallow any of it. Likewise, it is legislated for the fasting person to use the toothstick at the beginning of the day and its end. Some of the people of knowledge held the view that using the toothstick is disliked after midday, but this is an incorrect view. The correct view is that it is not disliked due to the generality of the Prophet's statement:

«السَّوَاكُ مَطْهَرَةٌ لِلْفَمِ مَرْضَاةٌ لِلرَّبِّ»

*"The tooth stick is cleansing for the mouth and pleasing to the Lord."*<sup>[1]</sup>

This was recorded by An-Nasa'i with an authentic chain of narration from 'A'ishah رضي الله عنها. It is also due to his رضي الله عنه statement:

«لَوْ لَا أَنْ أَشَقُّ عَلَى أُمَّتِي لَأَمَرْتُهُمْ بِالسَّوَاكِ عِنْدَ كُلِّ صَلَاةٍ»

*"Were I not placing a hardship upon my Ummah, I would have ordered them to use the toothstick for every prayer."*<sup>[2]</sup>

This *Hadith* is agreed upon (by Al-Bukhari and Muslim) and this includes the *Zuhr* and *Asr* prayers, which are both after midday. And Allāh is the Giver of success.

Ash-Shaykh Ibn Baz

[1] An-Nasa'i no. 5.

[2] Al-Bukhari no. 887 and Muslim no. 252.

## The ruling on using a Toothbrush with bleeding

**Q** After abstaining (from eating when starting the fast) is it permissible for me to brush my teeth with paste, and if it is permissible, does the small amount of blood that comes from the teeth during brushing break the fast?

**A** There is no harm in rubbing the teeth with water, the toothstick and the toothbrush after beginning the fast. Some people (scholars) have declared using the toothstick disliked for the fasting person after midday, because it removes the foul taste in the mouth of the fasting person. However, the correct view is that it is recommended to use the toothstick at the beginning of the day and its end, and that its use does not remove the bad taste in the mouth. It only cleans the teeth and mouth from odors, smells and leftover particles of food. In reference to using paste, it seems most evident that it is disliked due to what it contains of fragrance and because it has a taste that mixes with the spit, and one cannot be certain that he won't swallow it. Therefore, whoever needs it may use it after *Sahur* (predawn breakfast) and before the time for abstaining from food. If a person uses it during the daytime and makes sure he does not swallow any of it, there is no harm in that if there is a need. If a light amount of blood comes from the teeth while the person is rubbing them with the brush or the toothstick, that does not break the fast. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

## The ruling on using Oil

**Q** Does oil that moistens the skin harm the fast if it is of the type that prevents water from reaching the skin?

**A** There is no harm in using body oil while fasting when there is a need. For verily, the oil only moistens the outer skin and it does not affect the inside of the body. Then, even if it is possible for it to enter the pores of the skin, it is still not



considered as something that breaks the fast.

Ash-Shaykh Ibn Jibreen

### Using Henna for the fasting Person

**Q** Is it permissible to apply henna to the hair while fasting and praying? I ask this because I heard that henna breaks the fast.

**A** This is not correct. For verily applying henna while fasting does not break the fast nor does it have any effect on the fasting person. This is just like kohl, eardrops and eyedrops. All of that does not harm the fasting person nor does it break the fast.

In reference to applying henna during the prayer, I do not know how this question could be possible, as it is not possible for the woman who prays to be applying henna. The questioner probably means to ask does the henna prevent the correctness of the *Wudhu'* (ablution) if the woman is wearing henna. The answer to this is that this does not prevent the correctness of the *Wudhu'*, because there is nothing in the henna that prevents the water from reaching the skin. It is only coloring. That which has an effect on the *Wudhu'* is whatever has some substance that prevents the water from reaching the skin. In this case, such a substance must be removed for the ablution to be correct.

Ash-Shaykh Ibn 'Uthaimin

### The ruling on using Perfume during the Daytime in Ramadhan

**Q** What is the ruling on the fasting person using perfumed fragrances during the daytime in Ramadhan?

**A** There is no harm in using them during the daytime in Ramadhan and inhaling them, except for incense smoke. The person should not inhale it because it has some substance to it that reaches the stomach, which is the smoke.

Ash-Shaykh Ibn 'Uthaimin

## The ruling on using Perfume and Incense during Ramadhan

**Q** Is it permissible to use perfume, like 'Uud oil, cologne and incense, during the daytime in Ramadhan?

**A** Yes, it is permissible to use it under the condition that one does not inhale the incense smoke.

Ash-Shaykh Ibn Baz

## The ruling on tasting Food

**Q** Is it permissible for the cook to taste his food to make sure that it tastes right while he is fasting?

**A** There is no harm in tasting the food if there is a need for it. This is by the person placing it on the tip of his tongue so that he may know its sweetness and saltiness and their opposites. However, he should not swallow any of it. Rather, he should spit it out or expel it from his mouth and his fast will not be corrupted by that, if Allâh, the Most High wills.

Ash-Shaykh Ibn Jibreen

## Eating forgetfully!

**Q** What is the ruling on eating or drinking forgetfully? Is it obligatory upon whoever sees the person eating or drinking forgetfully to remind him that he is fasting?

**A** Whoever eats or drinks forgetfully while he is fasting, then verily his fast is correct. However, when he remembers he must stop, even if a morsel of food or some drink is in his mouth he must spit it out. The proof of the completion of his fast is the Prophet's statement in what has been confirmed from him by way of Abu Hurairah ﷺ:

«مَنْ نَسِيَ وَهُوَ صَائِمٌ فَأَكَلَ أَوْ شَرِبَ فَلْيُتِمِّمْ صَوْمَهُ فَإِنَّمَا أَطْعَمَهُ اللَّهُ وَسَقَاهُ»

*“Whoever forgets while he is fasting and he eats or drinks, then let him complete his fast. For verily, it was only Allâh who fed him and gave him drink.”*<sup>[1]</sup>

This is also because a person is not punished for forgetfulness in doing a prohibited action. This is due to the Statement of Allâh, the Most High:

﴿رَبَّنَا لَا تُؤَاخِذْنَا إِنْ نَسِينَا أَوْ أَخْطَأْنَا﴾

*“Our Lord, do not punish us if we forget or fall into error.”*<sup>[2]</sup>

Allah, the Most High, said: “I have done so (i.e., pardoned it).”

In reference to whoever sees him, it is obligatory upon him to remind him, because this is a part of changing an evil. Verily, the Prophet ﷺ said:

«مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ»

*“Whoever among you sees an evil, then let him change it with his hand, and if he is not able, then with his tongue, and if he is not able, then with his heart.”*<sup>[3]</sup>

There is no doubt that the fasting person’s eating and drinking during his fast is a form of evil, but he is pardoned for it while he does so forgetfully, as there is no punishment for it. However, concerning whoever sees him, he has no excuse for avoiding stopping him.

Ash-Shaykh Ibn ‘Uthaimin

## Do Eyedrops break the Fast?




Does using eyedrops during the daytime in Ramadhan break the fast or not?

[1] Al-Bukhari no. 1933 and Muslim no. 1155.


[2] Al-Baqarah 2:286.


[3] Muslim no. 49.

 The correct view is that drops do not break the fast, even though there is a difference of opinion between the people of knowledge concerning it. Some of them have said that if its taste reaches the throat, then it breaks the fast. However, the correct view is that it does not break the fast at all, because the eye is not an entrance (to the body). But if the person makes up the day of fasting to be safe and avoids the difference of opinion that if he tastes its taste in his throat (while fasting), there is no harm in that. Yet, the correct view is that it does not break the fast regardless of whether the drops were placed in the eye or the ear.

Ash-Shaykh Ibn Baz

### Drops do not corrupt the Fast

 In the book *Adh-Dhiya'ul-Lami'*, a statement is mentioned in a *Khutbah* (sermon) specifically related to the month of Ramadhan and that which pertains to fasting. The text of the statement says: "And he also does not break his fast if he is overcome by vomiting and if he applies medicine to his eyes or ear or he puts drops in them." What do you all think about this?

 What he said concerning the person who puts drops in his eyes or ears for medicinal treatment not corrupting his fast by that is correct. This is because this (application of drops) is not called eating or drinking – not according to the general custom, nor according to the speech of the Islamic law. This is also because it enters through an entrance that is not the normal entrance for food and drink. If the person delays applying the drops in his eyes and ears until nighttime that is safer to avoid the difference of opinion. Likewise, whoever is overcome by vomiting, he has not corrupted his fast by its coming out. This is because Allâh does not burden a soul except with what it can bear and the Islamic law is based upon removing hardship. This is due to the Statement of Allâh, the Most High:

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ﴾

*“And He (Allāh) did not place any hardship upon you all in the religion.”*<sup>[1]</sup>

And there are other evidences besides this as well. This is also due to the Messenger’s statement:

«مَنْ ذَرَعَهُ الْقَيْءُ فَلَا قَضَاءَ عَلَيْهِ، وَمَنْ اسْتَقَاءَ فَعَلَيْهِ الْقَضَاءُ»

*“Whoever is forced to vomit, he does not have to make up for the fast, and whoever makes himself vomit, he must make up for the fast.”*<sup>[2]</sup>

The Permanent Committee

## The ruling on Injections during the Daytime of Ramadhan

**Q** Do shots and medical injections during the daytime of Ramadhan have any effect on the fast?

**A** Medical injections are of two types. The purpose of one of them is nourishment and to sustain the body without the need of eating and drinking, because it has the same meaning. Therefore, this type breaks the fast, because of the texts of the Islamic law, if the meaning which they contain is present in any form, then this form is given the ruling of that text. In reference to the second type, it is the injection that does not nourish. This means that it is not a substitute for eating and drinking. This type does not break the fast because the text does not relate to it in wording or meaning. For it is not food or drink, nor does it have the meaning of food or drink. The basic principle is that the fast is correct until it is confirmed that something corrupts it according to the evidence of the Islamic law.

Ash-Shaykh Ibn ‘Uthaimin

[1] *Al-Hajj* 22:78.

[2] Abu Dawud no. 2380, At-Tirmithi. no. 720 and Ibn Majah no. 2366.

## The fasting Person bathing a lot

**Q** What is the ruling on bathing during the daytime in Ramadhan more than once or sitting by the air conditioner during the entire time (of fasting) while this air conditioner puts out some moisture?

**A** Verily, this is permissible and there is no harm in it. Indeed the Messenger ﷺ used to pour water over his head due to the heat or thirst while he was fasting. Ibn 'Umar used to wet his garment with water to lessen the intensity of the heat or thirst while he was fasting. Also, moisture does not have an effect on the fast because it is not water that reaches the stomach.

Ash-Shaykh Ibn 'Uthaimin

## Does inhaling Medicine into the Nose break the Fast?

**Q** There is a medicine that the people with asthma have and they take it by inhaling it. Does this break the fast or not?

**A** The medicine for asthma that sick people use by inhaling reaches the two (lungs) by way of the windpipe and it does not reach the stomach. Therefore, it is not food or drink, nor does it resemble them. It only resembles that which is dropped in the outer opening of the urethra and that which is used to treat *Al-Ma'mumah* (head injury down to the skull) and *Al-Ja'ifah* (injury to the inside of stomach). It is also similar to kohl and anal injections (i.e., a suppository) and similar things from all that reaches the brain or inner body through other than the mouth or nose. The scholars differ in these matters as to whether the fasting person breaks his fast by using them. Among them are those who say that the fasting person does not break his fast by using any of these things. Also, there are those among them who say that the fasting person breaks his fast by using some of these things, but not others. However, there is an

agreement among all of the scholars that none of these things are called food or drink. Yet, the scholars who declare the fast broken by using these things or some of them, give them the ruling of food and drink by the common factor that all of that reaches the interior of the body by choice. They also base their position on what is confirmed from the Prophet's statement:

«وَبَالِغٌ فِي الْإِسْتِشْقَاقِ إِلَّا أَنْ تَكُونَ صَائِمًا»

*“And be excessive in inhaling water (for Wudhu’) unless you are fasting.”*<sup>[1]</sup>

Thus, the Prophet ﷺ made an exception for the fasting person regarding this due to fear that the water would reach his throat or his stomach by him being excessive in inhaling water, and thereby corrupt his fast. Hence, this proves that everything that reaches the interior of the body by choice breaks the fasting person's fast.


Those scholars who do not rule that the fast is corrupted by such things, like Shaykhul-Islam Ibn Taimiyyah and those who agree with him, do not hold that comparing these things with food and drink is correct. For verily, there is nothing in the evidences that dictates that what breaks the fast is everything that reaches the brain or the inner body or whatever enters the body by an opening or reaches the inner body. There is no established evidence of the Islamic law for making any of these characteristics attached to the ruling of the fasting person breaking his fast. There is no evidence that is religiously correct for attaching this ruling to any of these characteristics. Also, giving this (such characteristics) the meaning of what reaches the throat or the stomach of water due to exaggerating in inhaling it is not correct, as there is a difference. For verily the water nourishes, so when it reaches the throat or the stomach, it corrupts the fast regardless of whether it entered the mouth or the nose, as each of them is only a path. For this reason the fast is not corrupted


[1] Abu Dawud no. 2366, At-Tirmithi no. 788 and Ibn Majah no. 407.

by simply rinsing the mouth or inhaling water if it is done without excessiveness, and that has not been prohibited. Hence, the fact that the mouth is a path is a discarded description that has no effect (in the matter). Therefore, if the water or something similar reaches the interior of body through the nose, it has the same ruling as it reaching the interior of the body through the mouth. Thus, it (the nose) and the mouth are the same. That which is apparent is that using this medicine through inhaling, due to what has preceded, does not break the fast. This is because it does not have the same ruling as food and drink in any way. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The ruling on the Wet Dream and Blood and Vomit coming out during the Fast

 I was fasting and I slept in the *Masjid*. Then, after I awoke I found that I had a wet dream. Does the wet dream has an effect on the fast, while it should be known that I did not bathe and I offered the prayer without making complete bathing? Another time I was hit by a rock in my head and blood flowed from it. Was my fast broken because of the blood? And in reference to vomit, does it corrupt the fast or not? I hope to receive some benefit.

 The wet dream does not corrupt the fast because it was not by the choice of the servant. However, he must perform complete bathing for sexual impurity if sperm was emitted from him. This is because when the Prophet ﷺ was asked about that he answered that the person who has a wet dream must perform complete bathing if he finds the fluid, meaning sperm. Your praying without bathing is a mistake on your part and a great evil. You must repeat that prayer along with repenting to Allâh. Concerning the stone that struck you in your head causing blood to flow, this does not nullify your fast.



This vomit that came out of you without you choosing that (i.e., unintentionally), it does not nullify your fast due to the Prophet's statement:

«مَنْ ذَرَعَهُ الْقَيْءُ فَلَا قَضَاءَ عَلَيْهِ وَمَنْ اسْتَقَاءَ فَعَلَيْهِ الْقَضَاءُ»

*“Whoever is overcome by vomiting, he does not have to make up for the fast, and whoever makes himself vomit, he must make up for the fast.”*<sup>[1]</sup>

This was recorded by Ahmad and the *Sunan* compilers with an authentic chain of narration.

Ash-Shaykh Ibn Baz

### The Blood that corrupts the Fast

**Q** What is the general rule concerning the blood that comes out of the body that corrupts the fast and how does it corrupt the fast?

**A** The blood that corrupts the fast is the blood that comes out by cupping. This is due to the Prophet's statement:

«أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ»

*“The person who performs cupping and the person who gets cupped both break their fast.”*<sup>[2]</sup>

An analogy is made between cupping and whatever has the same meaning from what a person does by his choice and thus a lot of blood comes out of him causing weakness in the body. Verily, this corrupts the fast just like cupping, because the Islamic law does not separate between two similar things just like it does not combine two different things. In reference to what comes out of the person unintentionally, like a nosebleed and a wound to the body by knife while one is cutting meat or the person stepping

[1] Abu Dawud no. 2380, At-Tirmithi no. 720 and Ibn Majah no. 1676.

[2] Abu Dawud no. 2367.

on glass or anything similar to that, this does not corrupt the fast. It makes no difference if a lot of blood comes from him and likewise if a small amount of blood comes out. This does not have the same effect as cupping. Like the blood that is taken for a blood test, this also does not corrupt the fast.

Ash-Shaykh Ibn 'Uthaimin

## The ruling on Cupping for the fasting Person and the ruling on Blood coming out of him



The Prophet's statement:

«أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ»

*“The person who performs cupping and the one who gets cupped both break their fast.”*<sup>[1]</sup>

Is this an authentic *Hadith*? If it is authentic what is its explanation?



This *Hadith* is authentic. It was graded authentic by Imam Ahmad and others. It means that if the fasting person performs cupping on someone else, he breaks his fast, and if someone else cups him (the fasting person), he breaks his fast. This is because cupping involves the person performing the cupping and the person who is getting cupped.

The person who is getting cupped is the one from whom blood is withdrawn and the one performing the cupping is the person who extracts the blood. Thus, if the fast is an obligatory fast, it is not permissible for the fasting person to get himself cupped because it necessitates breaking a fast that is obligatory upon him. The only exception is if there is a necessity that calls for that, such as the blood agitating him and causing some hardship on him. In this case there is no harm in the person getting cupped and he considers himself as breaking his fast. He makes

[1] Abu Dawud no. 2367.

up for that day and he may eat and drink during the rest of the day, because everyone who breaks his fast with an Islamically legislated excuse that allows fast breaking, then it is permissible for him to eat for the rest of the day. That is because this day during which the Legislator, i.e., Allah allows him to break his fast is not a day that he is obligated to abstain (from food, drink, etc.) as is necessitated by the evidences of the Islamic law.

At this appropriate time I would like to mention that some of the people go too far in this matter. This is such that if some of them even get a slight scratch from which a little blood comes out, they think that this invalidates their fast. However, this thinking is not correct. Rather we say that verily the excretion of blood, when it comes out by other than your doing, it has no effect on you regardless of whether it was a lot or a little. So, if a person has a nosebleed and a lot of blood comes out of him, then verily that does not harm. Also, if a person has a wound and it bursts and a lot of blood comes out of it, that does not harm. If a person is injured in an accident and a lot of blood comes out of him, that does not harm, nor does he break his fast by that. This is because the blood came out against his will. If the person himself caused the blood to come out by his choice, then if that blood necessitates what cupping necessitates, such as weakness of the body and declining of the strength, then it breaks the fast. This is because there is no difference between it and cupping in meaning. If the blood is only a small amount that the body is not affected by, then it does not harm, nor does it break the fast, like if blood comes out of a person due to his own will or something similar. Verily this does not harm nor does it break the fast. It is obligatory on every person to know the limits of what Allâh has revealed to His Messenger ﷺ so that he may worship Allâh upon clear-sighted guidance. And Allâh is the Giver of success.

Ash-Shaykh Ibn 'Uthaimin

## Whoever has Blood taken from him while he is fasting

**Q** What is the ruling on whoever has blood taken from him while he is fasting during Ramadhan? The reason that this is done is for a blood test, and the blood is taken from his right arm. The amount that is taken is a moderate amount (in a syringe).

**A** The likes of this blood test do not corrupt the fast. Rather, it is pardoned because it is from that which there is a need for. It is not from the things that are known from the pure Islamic law to break the fast.

Ash-Shaykh Ibn Baz

## The ruling on the fasting Person donating Blood

**Q** Is donating blood during the daytime in Ramadhan permissible or does it break the fast?

**A** If a person donates blood and a large amount of it is taken from him, this invalidates his fast based on an analogy with cupping. This is by blood being drawn from him through the veins to save a sick person or to preserve the blood for emergencies. However, if the amount that is taken from him is a small amount, then it does not break the fast. This is like the amount that is taken by way of needles and syringes to do blood tests and examinations.

Ash-Shaykh Ibn Jibreen

## Vomiting unintentionally does not corrupt the Fast

**Q** Does vomiting corrupt the fast?

**A** Many things happen to the fasting person that he does not intend, such as wounds or nosebleeds or vomiting or

water going into his throat or gasoline fumes going into his throat, all against his will. Thus, all of these matters do not corrupt the fast. This is due to the Prophet's statement:

«مَنْ ذَرَعَهُ الْقَيْءُ فَلَا قَضَاءَ عَلَيْهِ وَمَنْ اسْتَقَاءَ فَعَلَيْهِ الْقَضَاءُ»

*"Whoever is overcome by vomiting, he does not have to make up for the day of fasting, and whoever makes himself vomit, he must make up for the day of fasting."*<sup>[1]</sup>

Ash-Shaykh Ibn Baz

### The ruling on Kissing for the fasting Person

**Q** If a young man or an elderly man kisses his wife while he is fasting has he committed a sin?

**A** The fasting person has not committed a sin by kissing his wife, regardless of whether he is a young man or an elderly man. This is due to what is recorded in *Sahih Muslim* that 'Umar bin Abu Salamah asked the Prophet ﷺ: "Does the fasting person kiss?" The Prophet ﷺ said:

«سَلِّ هَذِهِ»

*"Ask this woman (meaning Umm Salamah)."*

So, she told him that the Prophet ﷺ would do that. Then he ('Umar bin Abu Salamah) said: "O Messenger of Allâh! Verily, Allâh has forgiven you for your earlier and latter sins." Then the Prophet ﷺ said:

«أَمَّا وَاللَّهِ إِنِّي لَأَتَّقَاكُمْ لِلَّهِ وَأَخْشَاكُمْ لَهُ»

*"By Allâh, verily I am more pious regarding Allâh (i.e., His Laws) than you all and I fear Allâh more than you all."*<sup>[2]</sup>

Ash-Shaykh Ibn 'Uthaimin

[1] Abu Dawud no. 2380. At-Tirmithi no. 720 and Ibn Majah no. 1676.

[2] Muslim no. 1108.

## The emission of Prostatic Fluid (*Mathi*) with sexual desire does not invalidate the Fast

**Q** If a man kisses while he is fasting or he sees some erotic films and some prostatic fluid is emitted from him, does he make up for that fast? If that occurred during separate days, should he make up for the days successively or separately? May Allâh reward you with the best reward on behalf of the *Ummah* of Islam.

**A** The emission of prostatic fluid (*Mathi*) does not invalidate the fast according to the most correct view of the two views held by the scholars. It makes no difference whether that was caused by kissing the wife or looking at some films or anything else that arouses the lust. However, it is not permissible for the Muslim to watch erotic films or listen to what Allâh has forbidden of singing and musical instruments. In reference to the ejaculation of sperm (*Mani*) due to sexual desire, this invalidates the fast, regardless of whether it happened due to touching or a kiss or repeated looking or anything else that arouses the lust, such as masturbation and similar things. In reference to wet dreams and thinking (about erotic things), the fast is not invalidated by that, even if sperm is ejaculated because of it. Also, making up for days of fasting for Ramadhan does not have to be done consecutively. Rather, it is permissible to separate the days due to the generality of Allâh's Statement:

﴿فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

"So whoever among you is ill or on a journey, then (he may fast the days from) a number of other days."<sup>[1]</sup>

Ash-Shaykh Ibn Baz

[1] *Al-Baqarah* 2:184.

## The excretion of Prostatic Fluid (*Mathi*) does not corrupt the Fast

**Q** A person mentions that when there was some affectionate play between him and his wife or kissing, he found some moisture in his underpants from his penis. Therefore, he asks about the consequences that result from that in reference to purity and the correctness of the fast?

**A** The questioner did not mention in the question that he felt sperm (*Mani*) being ejaculated due to fondling his wife. He only mentioned that he found some moisture in his underpants. Therefore, it seems apparent – and Allâh knows best – that what he found was prostatic fluid (*Mathi*) and not sperm (*Mani*). Prostatic fluid (*Mathi*) is impure and it requires the spot that is touched by it on the garment or underpants to be washed. Likewise, the *Wudhu'* is broken by it (its emission) and it requires that the penis and the testicles be washed to remove it due to its impurity. Then *Wudhu'* should be made afterwards so that purity may be attained. However, the fast is not corrupted by it according to the correct view from the statements of the people of knowledge and it does not require complete bathing. However, if that which was emitted was sperm (*Mani*), then it is obligatory to perform complete bathing and the fast is corrupted by it. However, the sperm itself is pure (i.e., legally) even though it is considered unclean (i.e., customarily), and it is legislated to wash the spot that it stained of the garment or the underpants. The fasting person should carefully guard his fast by avoiding whatever would stir his lust, such as sexual fondling and similar things.

The Permanent Committee

## Whoever had a Wet Dream in the Daytime during Ramadhan

**Q** If the fasting person has a wet dream in the daytime during Ramadhan, does that invalidate his fast or not? Also, is he obligated to perform complete bathing immediately?

**A** Wet dreams do not invalidate the fast, because it is not done by the choice of the fasting person. He must perform complete bathing as he would for sexual impurity. If he had the wet dream after the *Fajr* prayer and he delayed bathing until the time of the *Zuhr* prayer, there is no harm in that. Likewise, if a man has sex with his wife at night and he does not bathe until after the *Fajr* time enters, there is no sin on him for that. Verily, it has been confirmed from the Prophet ﷺ that he would wake up in the morning in a state of sexual impurity, then he would bathe and fast. The same applies to the menstruating woman and the woman with post childbirth bleeding. If they become pure during the night and they do not bathe until after the *Fajr* time enters, there is no harm in that and their fast is correct. However, it is not permissible for them or the sexual impure person to delay bathing or the prayer until sunrise. Rather it is obligatory on all of them to make haste in bathing before sunrise so that they can offer the prayer in its time. The man must make haste in bathing from sexual impurity before the *Fajr* prayer so that he can perform the prayer in congregation. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

## A Man had sex with his Wife in the Daytime during Ramadhan

**Q** What is the ruling on whoever fell into something forbidden during the month of Ramadhan if he was fasting, and what if it was during the night, and what is its expiation?





Whoever has sex with his wife during Ramadhan, if it was during the night between sunset and the entrance of *Fajr* time, there is no harm in that. If he had sex with her in the daytime between the entrance of *Fajr* time and sunset, while he was fasting and responsible for his action, then he is a sinner who is disobedient to Allâh and His Messenger ﷺ. He must make up for the day and expiate the sin. The expiation is to free a slave. If he cannot find a slave, then he must fast two months consecutively. If he is not able to do so, he must feed 60 poor people, giving each poor person half a *Sa'* of food of the land, from what is considered customary among his people that they feed others with in their land.

The Permanent Committee

### **If the fasting Person has sex with his Wife and he forces her to do so against her will**



If a man has sex with his wife in the daytime during the fast and he forced the wife to do that, and they are not able to free a slave or fast due to their being busy seeking livelihood, is it sufficient for them to give food? And what is the amount and type of food they must give?



If the man forces his wife to have sex while they are both fasting, then the fast of the woman is correct and there is no expiation on her. However, the man is obligated to make expiation for the sex that he had if that occurred during the daytime of Ramadhan. The expiation is freeing a slave. If he cannot find a slave, then he must fast two months consecutively. If he is not able to do that, he must feed 60 poor people, due to the *Hadith* of Abu Hurairah ﷺ that is recorded in the two *Sahihs* (of Al-Bukhari and Muslim). He must also make up for the day of fasting.

Ash-Shaykh Ibn 'Uthaimin

## The ruling on the Fast of the Person who sleeps on the Job

**Q** There is an employee who says that he has slept more than once on the job and did not do his work. Did he corrupt his fast in doing so?

**A** His fast is not corrupted, because there is no relationship between not doing work and the fast. However, it is obligatory on the person who is assigned a job to perform the job that he has been entrusted with. This is because he takes pay and a salary for this work. It is obligatory that his work be done in a manner that will free him of any liability, just as he expects his entire salary. However, the reward for his fast is lessened due to his doing something forbidden, which is his sleeping on the job that has been entrusted to him.

Ash-Shaykh Ibn 'Uthaimin

## Who is Allowed to Break His Fast During Ramadhan

### The sick Person who is not strong enough to fast

**Q** There is a person who is ill with tuberculosis and it is difficult for him to fast during Ramadhan. Last Ramadhan he did not fast, so does he have to give food since it is known that he is not expected to recover from this illness?

**A** If this sick person is not strong enough to fast Ramadhan and he is not expected to recover from the illness, he is not obligated to fast. Instead, it is obligatory for him to feed a poor person for each day that he does not fast. He gives the person half a *Sa'* of wheat or dried dates or rice or something similar to that from the customary food of his people that they eat if he is able to do so. This is similar to the extremely old man and woman upon whom fasting is too difficult.

The Permanent Committee

## The sick Person upon whom fasting is too difficult

**Q** I am a woman who is ill and I did not fast some days last Ramadhan. I am not able to make up for these days due to my illness. So, what is the expiation for that? Likewise, I will definitely not be able to fast Ramadhan this year, so what is the expiation of that also? May Allâh reward you with good.

**A** It is legislated for the sick person upon whom fasting is too difficult to break his fast, and whenever Allâh cures him, he makes up for whatever is due upon him of fasting. This is due to Allâh's Statement:

﴿فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ﴾

*“And whoever is ill or on a journey, then (he may fast the days from) a number of other days.”*<sup>[1]</sup>

O you questioner, there is no sin upon you in breaking your fast during this month (Ramadhan) as long as the illness still remains. This is because breaking the fast is a concession from Allâh for the sick person and the traveller, and Allâh loves for His concessions to be taken just like He hates for disobedience of Him to be done. There is no expiation on you, but whenever Allâh cures you, you must make up for the days. May Allâh cure you from every evil and expiate the sins from you and us.

Ash-Shaykh Ibn Baz

## The ruling on whoever is unable to fast due to old age or illness

**Q** If my mother became ill some days before Ramadhan, and the illness weakened her, and she is elderly, and she fasted 15 days of Ramadhan, but she is not able to fast what

[1] Al-Baqarah 2:184.

remains and she cannot make up for the days, is it correct for her to give charity? How much daily charity would be sufficient since I am taking care of her? Do I pay what is due on her in the situation that she does not have anything to give in charity?



Whoever is unable to fast due to old age or an illness that the person is not expected to recover from, then that person breaks his fast and feeds a poor person for each day. Allâh said:

﴿وَعَلَى الَّذِينَ يُطِيقُونَ فِدْيَةَ طَعَامٍ مِسْكِينٍ﴾

*“And upon those who are able to do so, i.e., fast, but with difficulty, there is a ransom of feeding a poor person.”*<sup>[1]</sup>

Ibn ‘Abbas ؓ said: “This was revealed as a concession for the extremely old man and the extremely old woman who are not able to fast. Thus, they feed a poor person in place of each day.” This was recorded by Al-Bukhari.

Therefore, your mother must feed a poor person for each day, and the amount is half a *Sa‘* of the food of the land. If she cannot find anything to give as food for herself, then there is nothing due on her. If you want to give food on her behalf, then this is a form of doing charitable good and Allâh loves those who do good.

The Permanent Committee

### A Person with a Kidney illness and fasting

**Q** I suffer from an illness in my kidney and the doctors have advised me not to fast. However, I do not obey what they say. Therefore, I fast but my pain increases. Is there any sin on me if I break my fast and what is the expiation of that?

[1] Al-Baqarah 2:184.



Whenever the fast becomes difficult for you, and it increases the illness, and a Muslim doctor who is known to be correct, advises you and informs you that the fast will harm your health and increase the pain and that you are endangering yourself, then it is allowed for you to break the fast. You must then feed a poor person for each day and you do not have to make up for the fasting due to your inability to do so. However, if it is decreed that the illness goes away, and you become well, and your health returns, then after that you must fast the next month (of Ramadhan) like others. You are not required to make up for the previous years during which you did not fast and you expiated for breaking the fast.

Ash-Shaykh Ibn Jibreen

### **It is legislated for the sick Person to break his Fast**



I am 16 years old and I am being treated in a hospital for the past 5 years. During the month of Ramadhan last year the doctor ordered that I be given some chemical medicine in the vein of my neck while I was fasting. The medicine was strong and it affected my stomach and all of my body during the same day that I took it, causing me to be severely hungry. After less than seven hours had passed since *Fajr*, at approximately *Asr* time, I began to feel pain from the hunger and felt as though I was about to die, but I did not break my fast until the *Athan* of *Maghrib*. During the month of Ramadhan this year, if Allâh wills, the doctor will again order that I be given that medicine. Should I break my fast on that day or not? If I do not break my fast, do I still have to make up for that day? Does taking blood from the vein of the neck break the fast or not? Likewise, concerning the medicine that I mentioned (does it break the fast)?



It is legislated for the sick person to break the fast during the month of Ramadhan if the fast is harmful to him or difficult upon him or he needs to take some medicine during the

day. This medicine could be various types of pills, syrups and so forth, from that which is eaten or drunk. This it due to Allâh's Statement:

﴿فَمَنْ كَانَتْ مِنْكُمْ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ﴾

*"And whoever is ill or on a journey, then (he may make up for his fast from) a number of other days."*<sup>[1]</sup>

It is also due to the Prophet's statement:

﴿إِنَّ اللَّهَ يُحِبُّ أَنْ تُؤْتَى رُخْصَتُهُ كَمَا يَكْرَهُ أَنْ تُؤْتَى مَعْصِيَتُهُ﴾

*"Verily, Allâh loves that His concession be taken just as he hates that disobedience of Him be done."*<sup>[2]</sup>

In another narration he said:

﴿كَمَا يُحِبُّ أَنْ تُؤْتَى عَزَائِمُهُ﴾

*"...just as He likes for His Decisions to be followed."*<sup>[3]</sup>

In reference to taking blood from the vein of the neck for blood tests and other purposes, the correct view is that it does not break the fast of the fasting person. However, if it is a lot, then it is better to delay it until night. If it is done during the day, it is safer to make up for the day of fasting, as it resembles cupping.

Ash-Shaykh Ibn Baz

## Senility removes Responsibility

**Q** I have a grandmother who is very old and she has not fasted in 10 years due to her lack of ability. She died this year and she did not expiate for the previous years nor did her heirs make expiation for her due to their ignorance. It should also be known that she was receiving help in the form of social

[1] Al-Baqarah no. 2:184.

[2] Ahmad no. 2:108.

[3] Ibn Hibban no. 913, 914.

security benefits. Are her heirs obligated to make expiation on her behalf for every fast of Ramadhan during the previous years, and is there any sin on them regarding that? Please benefit us with an answer, may Allâh reward you with good.



If she had sound intelligence during the period of time mentioned and she was able to make the expiation, then it is given on her behalf from what she left as inheritance. This is in order to expiate the days that she did not fast and she did not make expiation for by feeding a poor person half a *Sa'* of food for each day from the food of the land to be distributed among the poor and needy people.

However, if she lost her intellect due to senility or she was poor in her life and unable to make expiation due to her money from the social security being only sufficient for her needs without anything being left for expiating, there is nothing due on her or her heirs. This is due to Allâh's Statement:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

“So fear Allâh a much as you are able.”<sup>[1]</sup>

It is also due to the Prophet's statement:

«مَا نَهَيْتُكُمْ عَنْهُ فَاجْتَنِبُوهُ وَمَا أَمَرْتُكُمْ بِهِ فَاتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

“Whatever I have prohibited you from, avoid it; and whatever I have commanded you with, do it as much as you are able.”<sup>[2]</sup>

The authenticity of this *Hadith* is agreed upon.

Also, with senility being involved – if she had become senile – then the responsibility for fasting, prayer and similar things is removed from her. And success is from Allâh.


Ash-Shaykh Ibn Baz

[1] *At-Taghabun* 64:16.

[2] *Al-Bukhari* no. 7288 and *Muslim* no. 1337.

## The Person who loses his Intellect is not obliged to fast

**Q** My daughter is 30 years old and she has children. However, she has been afflicted with a mental disorder for the past 14 years. In the past this illness would affect her for a period of time and then it would go away at other times. This time it has afflicted her in a way different than normal, as she has been suffering from it for almost three months now. Due to this she cannot pray properly or perform *Wudhu'* properly except with the help of another person to show her how and tell her how much she has prayed. Now after the blessed month of Ramadhan has entered she has only fasted one day and she cannot fast properly. Concerning the rest of the days (of Ramadhan) she is not fasting them. Please give me some guidance in this matter concerning what is obligatory upon her and me, considering that I am in charge of her affairs. May Allâh reward you.

 If her situation is actually as you have mentioned, it is not obligatory upon her to fast and pray. She is not required to perform these duties nor is she required to make up for them, as long as she remains in this state. There is nothing due upon you other than taking care of her, because you are her guardian. Indeed it has been confirmed from the Prophet ﷺ that he said:

«كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ...»

*“All of you are guardians and all of you are responsible for those under their guardianship.”*<sup>[1]</sup>

If it is decreed that she regains her intellect sometimes, she is obligated to pray the current prayer during the time of her soundness of mind. Likewise, if it is decreed that she regains her intellect for a day or a number of days during the month of

[1] Al-Bukhari no. 893 and Muslim no. 1829.



Ramadhan from the remaining days, she only fasts during the days in which she is of sound mind.

The Permanent Committee

### Is it permissible for the Worker to break his Fast?

**Q** I heard a *Khatib* from the *Imams* of the *Masjids*, on the second *Jumu'ah* of the blessed month of Ramadhan, giving permission for the worker whose work is strenuous on him, and who has no income other than this work of his, to break his fast. He said that this worker should feed a poor person for each day of the days of Ramadhan and he set an amount of 15 dirhams of cash that should be paid (for the food). Is there an authentic evidence for this from the Book and the Sunnah?

**A** It is not permissible for the responsible person to break his fast during the daytime in Ramadhan simply because the person is a worker. However, if he meets with extreme difficulty that forces him to break his fast during the day, then he may break his fast according to what the difficulty demands. Then, he should abstain (from food, drink, etc.) until sunset and break his fast with the people. Then, he must make up for that day during which he broke his fast. The *Fatwa* (ruling) that you mentioned is not correct.

The Permanent Committee

### Is it permissible for the Shepherds to break their Fast during Ramadhan?

**Q** Ramadhan enters during a time when it is hot sometimes, and there are shepherds (owners) of camels and sheep, who cannot find a shepherd to hire. These shepherds suffer greatly from thirst. May they break their fast or not?

**A** If the fasting person needs to break the fast during the day, and if he fears that if he does not break his fast he will die, he breaks his fast during the time of necessity. Then, after he partakes of what will keep him alive, he abstains (from eating, drinking, etc.) until night and after Ramadhan is over he makes up for this day in which he broke his fast. This is due to the generality of Allâh's Statement:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

*"Allâh does not burden a soul except with what it can bear."*<sup>[1]</sup>

And the Statement of Allâh:

﴿مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ﴾

*"Allâh does not want to place any hardship on you."*<sup>[2]</sup>

The Permanent Committee

## The ruling on whoever breaks his Fast during the Daytime in Ramadhan intentionally

**Q** A man fasts during Ramadhan and his thirst becomes severe, so he drinks. So, what is the ruling?

**A** He must make up for the day of fasting and there is no expiation due on him according to the most correct opinion between the two views of the scholars. If he was lax regarding that, he must make repentance to Allâh along with making up for the day of fasting.


In reference to expiation, it is not obligatory upon anyone other than the person who has sex during the day in Ramadhan who is obligated to fast. This is because the *Hadith* has been reported concerning that according to the correct view.


Ash-Shaykh Ibn Baz

[1] *Al-Baqarah* 2:286.

[2] *Al-Ma'idah* 5:6.

## Do the People who fight *Jihad* break their Fasts?


 Is it allowed for those who wage war against the enemy to break their fasts during Ramadhan and make up for the days afterward?


 If those who wage war against the disbelievers are travelling on a journey during which the prayer is shortened, it is permissible for them to break their fast and they must make up for the fasts after Ramadhan. If they are not travelling, as the disbelievers have besieged them in their lands, then whoever is able to fast among them while performing *Jihad*, he is obligated to fast. Concerning whoever is not able to combine between fasting and doing what is obligatory upon him specifically regarding *Jihad*, then it is permissible for him to break his fast and he must make up for the fasting. He is to fast the days that he did not fast after Ramadhan is over.

The Permanent Committee

## The Traveller and Fasting

### Fasting during Travel

 Is it a condition for the concession of the traveller to break his fast during Ramadhan that his journey be on foot or on an animal or is there no difference between travel on foot and riding an animal or in a car or an airplane? Is it a condition that the travel must be tedious to the extent that the fasting person cannot bear fasting? Is it better for the traveller to fast if he is able to or is it better for him not to fast?

 It is permissible for the traveller who is travelling on a journey in which it is permissible for him to shorten his prayers to break his fast during his journey. It makes no difference whether he is walking or riding, and it makes no difference whether he is riding in a car or an airplane or

something else. It also makes no difference whether he becomes fatigued on his journey to such an extent that he cannot bear fasting or he is not fatigued. It does not matter whether he is suffering from hunger and thirst or he is not affected by any of that. This is because the Islamic law has unrestrictedly given permission to break his fast for the traveller who is travelling on a journey in which it is permissible for him to shorten his prayers, and other similar things from the concessions of travelling. The Islamic law has not restricted that to any mode of transportation, nor has it restricted it to fear of fatigue or hunger or thirst. Indeed the Companions of the Messenger of Allāh ﷺ used to travel with him on his war expeditions during the month of Ramadhan and some of them would fast and some of them would not fast. Yet, they would not reprove each other concerning it. However, the traveller should certainly break his fast during the month of Ramadhan if the fasting becomes difficult for him due to intense heat or a defective road or a difficult distance and the journey is continuous, for example. It is reported from Anas ؓ that he said: "We were with the Messenger of Allāh ﷺ on a journey and some of us fasted and some of us did not fast. So, those who were not fasting fastened their belts and worked while those who were fasting became too weak to work. Then the Prophet ﷺ said:

«ذَهَبَ الْمُفْطِرُونَ الْيَوْمَ بِالْأَجْرِ»

*"Those who broke their fast have taken the reward today."*<sup>[1]</sup>

Breaking the fast on a journey may be obligatory for an emergency situation that necessitates that, like in the *Hadith* of Abu Sa'īd Al-Khudri ؓ when he said: "We travelled with the Messenger of Allāh ﷺ to Makkah while we were fasting. So, we settled at a place and the Messenger of Allāh ﷺ said:

«إِنَّكُمْ دُنُوتُمْ مِنْ عَدُوِّكُمْ وَالْفِطْرُ أَقْوَى لَكُمْ»

*"Verily, you all have approached your enemy and breaking the fast*

[1] Al-Bukhari no. 2890 and Muslim no. 1119.

*is better for your strength.'*

So, it was a concession, and among us were those who fasted and among us were those who did not fast. Then we stopped at another place and he said:

«إِنَّكُمْ مُصَبِّحُو عَدُوِّكُمْ وَالْفِطْرُ أَقْوَى لَكُمْ فَأَفْطِرُوا»

*'Verily, you all will meet your enemy in the morning and breaking the fast is better for your strength, so break your fast.'*<sup>[1]</sup>

This was a decisive order, so we broke our fast. Indeed I saw us fasting with the Messenger of Allāh ﷺ after that on journeys."

Muslim recorded this. Likewise, there is the *Hadith* of Jabir bin Abdullah ؓ when the Messenger of Allāh ﷺ was on a journey and he saw a man whom the people had gathered around. Some shade was set up over him, so the Prophet ﷺ said:

«ماله؟»

*"What is wrong with him?"*

They said: "He is a man who is fasting." So the Messenger of Allāh ﷺ said:

«لَيْسَ مِنَ الْبِرِّ أَنْ تَصُومُوا فِي السَّفَرِ»

*"It is not from righteousness that you all fast while on a journey."*<sup>[2]</sup>

Muslim recorded this.

The Permanent Committee


### Fasting while on a Journey

**Q** As you all know, the means of comfortable transportation are numerous, and all praise is due to Allāh. And the traveller does not find any difficulty in fasting. So, is it

[1] Muslim no. 1120.

[2] Muslim no. 1115.

better for him to fast or break his fast?

 The traveller is given the choice between fasting and breaking the fast. The apparent meaning of the Islamic evidences shows that breaking the fast is better, especially if the fast is difficult upon the person. This is due to the Prophet's statement:

«لَيْسَ مِنَ الْبِرِّ الصَّوْمُ فِي السَّفَرِ»

*"It is not from righteousness to fast during travel."*<sup>[1]</sup>

And his statement:


«إِنَّ اللَّهَ يُحِبُّ أَنْ تُؤْتَى رِخْصَةً كَمَا يَكْرَهُ أَنْ تُؤْتَى مَعْصِيَتَهُ»


*"Verily, Allâh loves that His concessions are taken just as he hates for disobedience of Him to be done."*<sup>[2]</sup>

Whoever fasts there is no sin upon him if the fast is not difficult for him. If the fast is difficult for him, then that is disliked for him (to fast). And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### **If the Traveller arrives in the Land (of his destination) does he abstain?**

 If I was travelling in Ramadhan and I was not fasting during my journey, and when I reached the land where I was going to stay for a number of days, I abstained by fasting for the rest of that day and for the following days. Do I have permission or not to break the fast in the daytime during these days while I am in a land that is not my original land?

 If the traveller passes through a land that is not his land and he is not fasting, he does not have to abstain (from

[1] Al-Bukhari no. 1946.

[2] Ahmad no. 2:108.

eating and drinking, etc.) if his stay is going to be for four days or less. However, if he decided to stay in that land for more than four days, then he completes (the fast of) that day during which he arrived and he makes up for it (after Ramadhan). He is also obliged to fast the rest of the days, because with this intention of his that has been mentioned, he has the same ruling as the residents and he does not have the ruling of the travellers according to the majority of the scholars. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### The ruling on the Fast of one who is not a Resident

**Q** If I was on a journey for the sake of some business work and I arrived in the land that I intended during the end of the month of Sha'ban, then I stayed in this land until the middle of Shawwal, is it permissible for me to break the fast or not?

**A** It is not permissible to break the fast of Ramadhan except with an excuse, like the difficulty of travel and illness, even though it is better for the traveller to fast, and that is what the Prophet ﷺ did most of the time. However, if there is difficulty (on the traveller), he may break the fast, taking the concession of Allâh. In reference to the person who is staying in a land other than his own, if he prepared to leave, he may shorten his prayers and break his fast. Likewise, if he is not settled in the land, but he has only set up a tent outside the land or he stays in his car, then he is bothered by the heat, the sun, the wind and going back and forth to relieve himself. However, if he has settled firmly in the land and he stays in an air-conditioned hotel or in fancy castle or a building or anything similar, and his needs and luxurious accommodations are fulfilled while he enjoys what the residents enjoy of furnishings, beds, food, air conditioners and complete service, then in this situation he is considered a resident. He is not truly considered

on a journey, which is a piece of the torment. I do not think that this type of person may break his fast or shorten the prayer. Rather, he is like the residents. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

### It is obligatory to abstain after the cause for breaking the fast ends

**Q** If I was on a journey and I broke my fast during this journey of mine, then during one of the days I arrived back to my family before 'Asr time, is it obligatory on me to abstain (from food, drink, etc.) or do I break my fast?

**A** Yes, abstaining (from food, drink, etc.) is obligatory upon the person whose reason for breaking the fast has ended. So, if the journey has ended during the daytime, it is obligatory to abstain for the rest of the day, because Allâh said:

﴿أَوْ عَلَى سَفَرٍ﴾

“Or on a journey”<sup>[1]</sup>

And the journey has ended (in this case). The same is said concerning the sick person if he breaks his fast and then he gets better and recovers during the day. He must abstain for the rest of the day, as the excuse has ended. Along with this, it is obligatory to make up for that day completely, like others.


Ash-Shaykh Ibn Jibreen

### The Fast of Bus Drivers

**Q** Is the ruling of the traveller applied to the drivers of cars and buses due to their continuous work outside of the cities during the daytime in Ramadhan?

[1] Al-Baqarah 2:184.





 Yes, the ruling of travel is applied to them. They may shorten and combine the prayers and break the fast. If someone says, “When do they fast since their work is continuous?” We answer, “They fast during the days of winter, because its days are short and cool.” In reference to drivers who work inside of the cities, they do not have the ruling of the traveller and it is obligatory on them to fast.

Ash-Shaykh Ibn ‘Uthaimin

### **The Menstruating Woman, the Woman with Post-Childbirth Bleeding and Fasting**


**It is not permissible for the menstruating Woman to fast**


 May the woman who is menstruating break her fast during Ramadhan and fast other days in place of the days that she broke her fast?

 The fast of the menstruating woman is not correct and it is not permissible for her to do so. So, if she gets her menstrual cycle, she breaks her fast and fasts other days in place of the days that she broke her fast after she becomes pure.

The Permanent Committee

### **The ruling on using Pills that prevent the Menses during Ramadhan**

 Some women intentionally take pills during Ramadhan to prevent the monthly period – menses. The reason for this is so that they will not have to make up for the days after Ramadhan. Is this permissible or are there any restrictions regarding this for this women to act according to?

 My opinion concerning this matter is that the woman should not do this and she should remain upon what

Allâh decreed and wrote upon the daughters of Adam. For verily, Allâh has a wisdom in making this monthly cycle. This wisdom suits the nature of the woman. If this natural occurrence is prevented, there is no doubt that there will be a harmful reaction upon the woman's body. Indeed the Prophet ﷺ said:

«لَا ضَرَرَ وَلَا ضِرَارَ»


“There is no harming nor is there reciprocating of harm.”<sup>[1]</sup>

This is without consideration of what these pills cause of harms to the womb, as the doctors have mentioned. Thus, my opinion concerning this matter is that the woman should not use these pills, and all praise is due to Allâh for His Decree and His Wisdom. When the menses comes to her, she abstains from fasting and prayer, and when she becomes pure, she returns to fasting and prayer. Then, when Ramadhan ends, she makes up for whatever she missed of fasting.

Ash-Shaykh Ibn ‘Uthaimin

### **If the Woman becomes pure after *Fajr*, she abstains and makes up for the Fast**


**Q** If the woman becomes pure immediately after *Fajr* time, does she abstain and fast this day with it being considered a day for her, or is it obligatory on her to make up for that day?


 If the blood stops flowing from her during the time that *Fajr* comes in or a little before it, her fast is correct and she is credited with fulfillment of that obligation, even if she did not bathe until after it became morning. However, if the blood did not stop until after it was clearly morning (i.e., *Fajr* time had entered), then she abstains during that day, but it is not accepted from her (as a fast). Rather, she makes up for that day after Ramadhan. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

[1] Ibn Majah no. 2340.


## The fasting of the Woman with post-childbirth Bleeding


 If I gave birth a week before Ramadhan, for example, and I became pure before completing the 40 days, is it obligatory upon me to fast?

 Yes, whenever the woman with post-childbirth bleeding becomes pure and that which she knows to be a sign of purity becomes apparent to her, which is the white pad or total cleanliness, then she fasts and prays. It makes no difference if it is even a day or a week after giving birth. For verily, there is no limit for the minimum amount of postnatal bleeding. Some women do not see any blood at all after giving birth. Reaching a period of 40 days is not a condition. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

## The Woman whose Bleeding returns while she is fasting

 If the woman with postnatal bleeding becomes pure within a week, then she fasts with the Muslims during Ramadhan for a number of days, then her bleeding returns, does she break her fast in this situation? Does she have to make up for the days that she fasted and the days that she broke her fast?

 If the woman with postnatal bleeding becomes pure within 40 days and she fasts some days, then her bleeding returns during the 40 days, her fast is correct. She must leave off the prayer and fasting during the days that her bleeding returned – because it is postnatal bleeding – until she becomes pure or completes the 40 days. When she completes the 40 days she must bathe, even if she does not think she is pure, because the 40 days is the end of the postnatal bleeding according to the correct view between the two opinions of the scholars. After that she must make *Wudhu'* for the time of each prayer until the

bleeding stops, as the Prophet ﷺ commanded the woman with a prolonged flow of menstrual blood to do. Her husband may enjoy sexual relations with her after the 40 days, even if she does not think she is pure. This is because the (postnatal) blood and the situation mentioned is not (postnatal) blood that does not prevent the prayer and fasting, nor does it prevent the husband from his sexual enjoyment with his wife. However, if after the 40 days the bleeding coincides with her normal time of menstruation, then she leaves off the prayer and fasting and she considers it a menstrual cycle. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### **The ruling on delaying the bathing for Menstruation until the time of *Fajr* enters**

**Q** Is it permissible to delay the bathing for sexual impurity until the time of *Fajr* enters, and is it permissible for women to delay the bathing for menstruation or postnatal bleeding until the time of *Fajr* enters?

**A** If the woman sees that she has become pure before the time of *Fajr*, then she must fast and there is no harm in her delaying the bathing until after the time of *Fajr* enters. However, she may not delay it until sunrise. Rather, she must bathe and pray before sunrise. Likewise, the sexually impure person may not delay bathing until after sunrise. Rather, he must bathe and pray the *Fajr* prayer before sunrise. It is also obligatory on the man to make haste in this so that he can catch the *Fajr* prayer with the congregation.

Ash-Shaykh Ibn Baz

## The Pregnant Woman and the Breast-Feeding Woman

### If the pregnant Woman and the breast-feeding Woman break their fasts during Ramadhan

**Q** What is due on the pregnant woman and the breast-feeding woman if they break their fasts during Ramadhan, and what amount of rice suffices them for feeding poor people?

**A** It is not permissible for the pregnant woman or the breast-feeding woman to break the fast during the daytime in Ramadhan, except with an excuse. If they break their fast with an excuse, it is obligatory on them to make up for the fast, due to the Allâh's Statement concerning the sick person:

﴿فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ﴾

*“So whoever among you is ill or on a journey, then (he may make up for his fast from) a number of other days.”<sup>[1]</sup>*

And these two types of women (i.e., pregnant and breast-feeding) have the same meaning as the sick person.


If their excuse is fear for the child, then they must feed poor people for each day along with making up for the fasts. They may give wheat or rice or dried dates or other things from the food that people eat. Some of the scholars have said that nothing is due on them other than making up for the fasts regardless of the situation, because there is no evidence from the Book and the Sunnah that necessitates giving food (for this). And the basic principle is freedom of responsibility until evidence is established that proves doing. This is the position of Abu Hanifah and it is strong.

Ash-Shaykh Ibn ‘Uthaimin

[1] *Al-Baqarah* 2:184.

## If the pregnant Woman and the breast-feeding Woman fear for themselves or their Children

**Q** If the pregnant woman or the breast-feeding woman fears for herself or the child during the month of Ramadhan and she breaks her fast, what is due on her? Does she break her fast, give food, and make up for the fast; or does she break her fast, make up for the fast, and not give food; or does she break the fast and give food without making up for the fast? What is the correct position between these three?

 If the pregnant woman fears for herself or her unborn child from fasting Ramadhan, she breaks her fast and she is only obligated to make up for the fast. Her situation in this is the situation of the one who is not strong enough to fast or fears some harm for him from fasting. Allâh said:

﴿وَمَنْ كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ﴾

*"And whoever is ill or on a journey, then (he may make up for his fast from) a number of other days."<sup>[1]</sup>*

The same applies to the breast-feeding woman if she fears for herself while breast-feeding her child during Ramadhan or she fears for her child if she fasts and does not breast-feed him. She breaks her fast and she is only obligated to make up for the fast. And success is from Allâh.

The Permanent Committee

## If the pregnant Woman breaks her Fast she only makes up for the Fast

**Q** I was pregnant during the month of Ramadhan, so I broke my fast and I fasted other days in place of these days completing what was due on me and I gave charity.

<sup>[1]</sup> Al-Baqarah 2:185.

Then I became pregnant a second time in the month of Ramadhan, so I broke my fast and I fasted other days in place of these days from another month. I made up for the fasts by fasting every other day for two months. However, I did not give any charity. Is there anything in this situation that makes it obligatory upon me to give charity?



If the pregnant woman fears for herself or her child in her womb from fasting, she breaks her fast and she is only obligated to make up for the fast. Her situation in that is the situation of the sick person who is not strong enough to fast or who fears for himself from fasting. Allâh said:

﴿وَمَنْ كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

*“And whoever is ill or on a journey, then (he may make up for his fast from) a number of other days.”<sup>[1]</sup>*

The Permanent Committee

### **She did not make up for the Fasts due to fear for her breast-feeding Child**



A woman gave birth in Ramadhan and she did not make up for the fasts after Ramadhan due to fear for her breast-feeding child. Then she became pregnant again and she delivered in the next Ramadhan. Is it permissible for her to distribute money instead of fasting?



It is obligatory on this woman to fast in place of the days that she did not fast, even if it is after the second Ramadhan. This is because she only left off making up for the fasts between the first Ramadhan and the second Ramadhan due to an excuse. I do not know would it be difficult upon her to make up for the fasts in the wintertime by fasting every other day. Even if she is breast feeding, verily Allâh will give her

[1] Al-Baqarah 2:185.

strength and that will not harm her or her child. Therefore, she should strive as much as she is able to make up for the fasts of the Ramadhan that passed before the next Ramadhan comes. If she is not able to do so, there is no sin on her in delaying it (making up for it) until the next Ramadhan.

Ash-Shaykh Ibn 'Uthaimin

## Making up for the Fast

### It is obligatory to make up for the Fast after being cured from illness

**Q** There is a woman who was stricken with a mental illness, fever, disorder of the nerves and other than this. Due to the effects of this, she left off fasting for a period of approximately four years. In a situation like this does she make up for the fasts or not, and what is her ruling?

**A** If she left off fasting due to lack of ability, it is obligatory on her to make up for what she did not fast of Ramadhan during the four years when she is able to do so. Allâh said:

﴿وَمَنْ كَانَ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَيْتُمْ وَلَعَلَّكُمْ تَشْكُرُونَ﴾

*"And whoever is ill or on a journey, then (he may make up for his fast from) a number of other days. Allâh wants ease for you and He does not want difficulty for you. And (He wants) that you complete the number (of days) and declare Allâh's Greatness for His guiding you and so that perhaps you may be thankful."*<sup>[1]</sup>

If her illness and her inability to fast are not expected to end according to the decision of the doctors, she feeds a poor person for each day that she did not fast. She gives half a *Sa'* of wheat

[1] Al-Baqarah 2:185.



or dried dates or rice or something similar from that which her people eat in their homes. This is like the extremely old man and the extremely old woman upon whom fasting is a struggle and an extreme difficulty. She also does not make up for the days of fasting.

The Permanent Committee

### Fasting voluntary Fasts does not make up for missed Fasts of Ramadhan

**Q** I became ill and the illness became severe upon me. My brother took me and admitted me to the hospital in Makkah. After my entering the hospital two months of Ramadhan passed and I was still in the same hospital. After that I was moved to Riyadh and I entered the hospital a second time. The month of Ramadhan came again and I was better than before, so I fasted. Nothing remained except the first two months (of Ramadhan). The question is: Am I obligated to fast for the two months, knowing that I fast three days every month, or am I obligated to give some charity, or what should I do? Am I obligated to request the charity from my only son who is well off, as he is not an employee and he does not have a house other than the one he rents? I am a woman with a weak condition and I am not able to work, earn money, and give charity. So, what is the solution?



It is obligatory upon the questioner to make up for the fasts of the two mentioned months due to the generality of the Statement of Allâh, the Most High:

﴿وَمَنْ كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

*“And whoever is ill or on a journey, then (he may make up for his fast from) a number of other days.”<sup>[1]</sup>*

<sup>[1]</sup> Al-Baqarah 2:185.

What the questioner mentioned of fasting three days of every month, if her intention in doing so is to make up for what she left off of fasting during the two months, then this intention is correct. She must fast whatever is left from the days of the two months. If her intention in doing this is to perform voluntary fasting, then this does not remove the obligation upon her. She still must fast two complete months and she does not have to give food along with fasting, because she is excused for delaying due to the illness.

The Permanent Committee

### **The ruling on whoever broke the Fast of Ramadhan due to an illness and he gave Food, then he recovered from his illness**

**Q** A number of years ago I broke my fast during the entire month of Ramadhan. I was made to sleep with sleep inducing medicine in the hospital and the doctors forbade me from fasting. Since my health did not allow me to fast, I gave food for the entire month before the arrival of the next month of Ramadhan. However, I fasted the month of Ramadhan for a number of years following that and I made up for the fasts of the month that I did not fast by fasting 23 days. I still have 7 days to make up for from that month. Will the previous food that I gave for that month relieve me of the responsibility (of fasting) or do I have to make up for the 7 days, even though my health does not allow me to fast from time to time?

**A** It is obligatory on you to make up for the seven days and feed a poor person for each day. The amount of food that you are to give is half a *Sa'* of the food of the land. This is due to your delaying making up for the fast past the Ramadhan that came after the one that you did not fast. Allâh says:


﴿وَمَنْ كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾


*“And whoever is ill or on a journey, then (he may make up for his fast from) a number of other days.”<sup>[1]</sup>*

This is also because a group of the Prophet’s Companions gave the ruling that whoever delays making up for the fasts (past the following Ramadhan) must feed a poor person for every day along with making up for the fasts. May Allâh give success and peace to all.

Ash-Shaykh Ibn Baz


### **He did not fast during Ramadhan due to an illness and he died before he could make up for the fast**

 A man died on the day of *‘Eidul-Fitr*, and on the first or second day of Ramadhan he was stricken with an illness. All of Ramadhan passed while he was not fasting. Therefore, do his heirs have to fast on his behalf after his death or do they have to give food or is there nothing due on the deceased and the heirs concerning this?

 If this sick person broke his fast due to a lack of ability to fast and he was not able to make up for it because he died on the day of *‘Eidul-Fitr*, then the fast is not obligatory on him to make it for. This is because of his lack of ability due to his illness. He also is not required to make up for the fast because he was not able due to his death on the day of *‘Eidul-Fitr*. Also, his heirs are not obligated to fast or give food on his behalf.

The Permanent Committee

### **He died while having a Day of Ramadhan due on him that he did not make up for**

 My son reached the age of 18 years and he died five days ago. There was one day of fasting due on him that

[1] *Al-Baqarah* 2:185.

he did not fast during Ramadhan, which was the first day. He fasted all of the days following that day. So, what is the ruling in this situation, knowing that he did not make up for that day and the doctor advised him not to fast at all so that the bone could heal and he needed quality nourishment? May Allâh reward you with good and may peace be upon you.



If the situation is like what has been mentioned – that your son was injured in a car accident, and due to that he did not fast a day of Ramadhan, as he lacked the ability to fast, and he died before being able to make up for it – nothing is due on him. Also, nothing is due on his guardians – not making up for the fast, nor any ransom (of giving food). This is due to the Statement of Allâh, the Most High:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

“Allâh does not burden a soul except with what it can bear.”<sup>[1]</sup>

May Allâh send blessings upon Muhammad, his family and his Companions.

The Permanent Committee

### He broke his Fast due to an Excuse, so is he obligated to make expiation?



A man broke his fast for two days during the month of Ramadhan in the year 1395 AH. Then, the month of Ramadhan arrived for the year 1396 AH while he had not made up for those two days. Then, he broke his fast during the Ramadhan of 1396 AH for three days. He made up for these five days consecutively in Muharram of 1397 AH. So, does he need to pay any compensation money?



If the fast breaking of the person whom you have mentioned was for an excuse, nothing is due on him

[1] Al-Baqarah 2:186.

other than making up for the days as he did. This is due to the Statement of Allâh:

﴿فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

*“So, whoever among you is ill or on a journey, then (he may make up for his fast from) a number of other days.”*<sup>[1]</sup>

If the fast breaking was without an excuse, then along with making up for the days that you did, you must make repentance. This is because breaking the fast in Ramadhan is not permissible except with an excuse. There is no expiation due on you concerning the three days that you did not fast during Ramadhan of the year 1396 AH. However, concerning the two days that you did not fast during Ramadhan in the year 1395 AH, along with making up for the days, you must feed a poor person for each day if you delayed making them up for until Ramadhan of 1396 AH without a legislated excuse. The amount of food that is to be given to each poor person is half a *Sa'* of food of the land. This is if your breaking the fast was by something other than sex. However, if the fast breaking was by having sex, along with making up for each day you did not fast due to having sex, you must make expiation. This is by freeing a believing slave. If you cannot find a believing slave to free, then you must fast two months consecutively. If you are not able to do so, you must feed 60 poor people. And Allâh is the Giver of success.

The Permanent Committee

### Delaying making up for the Fast of Ramadhan to the next Ramadhan

**Q** What is the ruling of the Islamic law concerning a man who delays making up for the fast of Ramadhan until after another Ramadhan due to an excuse, and another man who delayed it without an excuse?

[1] *Al-Baqarah* 2:184.



Whoever delays it with a legislated excuse, like illness and similar things, there is no sin on him. This is due to Allâh's Statement:

﴿وَمَنْ كَانَ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ﴾

*"And whoever is ill or on a journey, then (he may make up for his fast from) a number of other days."*<sup>[1]</sup>

And His Statement:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

*"So fear Allâh as much as you are able."*<sup>[2]</sup>

Concerning the person who delayed this (making up for the fast past the next Ramadhan) without an excuse, then he has disobeyed his Lord, and he must repent from that along with making up for the fast and feeding a poor person for each day. The amount of food that he must give is half a Sa' of the food of the land, such as rice or other than it. Its amount by weight is approximately 1½ kg. He gives this to some of the poor people, even if it is one person, before the fast or after it. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### He delayed making up for the Fast until the next Ramadhan came



What is the ruling on someone who does not fast a day of Ramadhan due to a pardonable excuse and he does not make up for it until the next Ramadhan comes upon him?



If he delayed making up for the day that he did not fast due to an excuse, such as sickness and its like, there is nothing due on him other than making up for the fast when he is able. If he delayed making up for the fast without an excuse,

[1] Al-Baqarah 2:185.

[2] At-Taghbun 64:16.

then he has done wrong and he must make up for the day and feed a poor person.

**Q** What is the ruling on someone who owes a day of fasting from Ramadhan of the year 1392 AH and he did not make up for it until Ramadhan of the year 1393 AH caught him?

**A** If the person neglects making up for a day or more of Ramadhan until Ramadhan of the following year catches him, he makes up for what he missed, whether a day or days, and he feeds a poor person half of *Sa'* of food for each day. This should be from wheat or similar food from that which the people are accustomed to eating in their land. This is if he delayed making up for the fast without an excuse. However, if he delayed making up for the fast due to an excuse, such as illness or weakness such that he does not have the strength to make up for fasting what he missed, then he does not have to give food.

The Permanent Committee

### The ruling on delaying making up for the Fast without an Excuse

**Q** I was stricken with a severe illness approximately five years ago and that occurred during the blessed month of Ramadhan. Thus, I was unable to fast that month, and until this date I have not fasted it. So, is it permissible for me now to make up for what I missed and is there any sin on me for that? Please benefit me with an answer, and may Allâh reward you and protect you.


**A** You must repent to Allâh for this tremendous delay. It was obligatory on you to fast the days that you did not fast before the coming of the Ramadhan of the year following the one you did not fast. Along with repenting to Allâh, you must feed a poor person half a *Sa'* of the food of the land for each day, such as dried dates or rice or other than them. Half a


Sa' is equal in amount to approximately  $1\frac{1}{2}$  kg. It should all be given to some of the poor people, even if it is given to just one poor person.

We ask Allâh to accept your repentance and to pardon you and us. Verily, He is the Best Who is asked.

Ash-Shaykh Ibn Baz

**She did not fast Ramadhan 24 years ago  
due to an Excuse and she did not make up for it  
because she did not know she had to**

 A woman did not fast Ramadhan in the year 1382 AH due to a true excuse, which was her breast-feeding her infant. Now the child has grown up and today he is 24 years old, but the woman still has not made up for that month. By Allâh, the Most Mighty, this was only due to ignorance and not laxity on her part or purposeful intent. I hope that you can benefit us with an answer.

 It is obligatory upon her to make haste in making up for that month as soon as possible. She should fast it even if she does so during separate days that equal the amount of days that the Muslims fasted that year. Along with fasting she must give charity, which is feeding a poor person for each day as expiation for her delay. For verily, whoever delays making up for the fast until another Ramadhan comes, he is obligated to make expiation along with making up for the fast. It suffices for the entire month to give a bag of rice that is 45 kg. It was obligatory upon her to investigate and ask about the affair of her religion. For verily, this matter is well known and common with certain individuals among the people – meaning whoever breaks the fast due to an excuse, he is obligated to make up for the fast as soon as possible, and it is not permissible to delay without an excuse.

Ash-Shaykh Ibn Jibreen



## You must make up for the Fast even if it is over separate Days

**Q** I am a young woman who is 17 years old. My question is that from the first two years that I fasted, I have not fasted (i.e., made up for) the days that I did not fast during Ramadhan (i.e., due to menstruation). So, what should I do?

**A** You must make haste to make up for those days, even if you do so over separate days. Also, along with making up for the days, you must make expiation, which is feeding a poor person for each day. This is due to delaying making up for the fast more than a year, as is the view of the majority of the scholars.

Ash-Shaykh Ibn Jibreen

## Whoever abandons Fasting intentionally, then he repents, does he make up for the Days?

**Q** What is the ruling on the Muslim upon whom many months of Ramadhan pass over a number of years and he does not fast, even though he performs the rest of the obligations? He lives away from his homeland and there is nothing hindering him from fasting. Is he obligated to make up for the fasts if he repents or returns to his land?

**A** Fasting Ramadhan is a pillar from the pillars of Islam, and the responsible person intentionally abandoning the fast is from the greatest of the major sins. Some of the people of knowledge hold the view that he is a disbeliever and he has apostatized by that. He must make sincere repentance and increase his performance of righteous deeds, such as voluntary acts of worship. He must strictly guard the laws of the religion, such as prayer, fasting, *Haji*, *Zakah* and other things. He does not have to make up for the fasts according to the most correct view between the two opinions of the scholars, because his crime is too great to be fixed by making up for the days. And success is

from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### First fast whatever Fasting that you have to make up for

**Q** Is it permissible to fast six days of Shawwal before fasting to make up for missed days of Ramadhan? Is it permissible to fast Monday during the month of Shawwal with the intention of making up for the fast of Ramadhan and with the intent of gaining the reward of fasting on Monday?

**A** The reward of fasting six days during the month of Shawwal cannot be achieved unless the person completed the fasting of the month of Ramadhan. Therefore, whoever has fasting to make up for from Ramadhan, he does not fast six days of Shawwal until after he makes up for the fasting of Ramadhan. This is because the Prophet ﷺ said:

«مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ...»

*“Whoever fasted Ramadhan and then followed it with (fasting) six days of Shawwal...”*<sup>[1]</sup>

Based upon this we say to whoever has to make up for fasting: “First fast what you have to make up for, then fast the six days of Shawwal.” If it happens that fasting these six days coincides with Monday and Thursday, then the person gets the reward of both if he has the intention for getting the reward of the six days and the intention for the reward of Monday or Thursday. This is due to the Prophet’s statement:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مِمَّا نَوَىٰ»

[1] Muslim no. 1164.

“Actions are only with intentions, and every person will only get what he intended.”<sup>[1]</sup>

Ash-Shaykh Ibn ‘Uthaimin

## The ruling on delaying making up for the Fast of Ramadhan until winter

**Q** Is it permissible to delay fasting the owed fasting of Ramadhan until the winter season?

**A** It is obligatory to make up for the fasting of Ramadhan immediately, after one is able and the excuse for not fasting has ended. It is not permissible to delay it without a reason for fear of hindrances (which might prevent one from making up for the owed fasts), such as illness or travel or death. However, if the person delays it and fasts it during the winter and during the short days, that suffices him and it removes the obligation of making up for the days.

Ash-Shaykh Ibn Jibreen

## The Tarawih Prayer and Standing for Prayer at Night

The *Tarawih* Prayer is *Sunnat Mu’kkadah* (compulsory)

**Q** Is the *Tarawih* prayer only *Sunnah* (i.e., supererogatory) or is it *Sunnat Mu’kkadah* (compulsory), and how do we perform it?

**A** It is *Sunnat Mu’kkadah* (compulsory) that the Prophet ﷺ encouraged with his saying:

«مَنْ قَامَ رَمَضَانَ إِيمَانًا وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ»

[1] Al-Bukhari no.1 and Muslim no. 1907.

“Whoever stands for prayer (at night) during Ramadhan with faith and seeking reward, he will be forgiven for his previous sins.”<sup>[1]</sup>

It is confirmed that he prayed it with his Companions for a number of nights. Then he feared that it would be made obligatory upon them and he encouraged them to pray it by themselves. Thus, a man would pray it alone, and two men would pray it together and three would pray it in a group. Then ‘Umar رضي الله عنه decided to gather them behind one man due to what that contained of bringing the people together for prayer and hearing the Qur’an. Thus, the Muslims continued upon this practice until today. During that time it was prayed as 23 *Rak’ahs* and they would lengthen the recitation (of the Qur’an) such that they would recite *Surat Al-Baqarah* in 12 *Rak’ahs*, and sometimes in 8 *Rak’ahs*. Since the Prophet صلى الله عليه وسلم did not set any restriction of a specific number on it, the matter concerning it (the number of *Rak’ahs*) is easy. If the person wishes he may lessen the number of *Rak’ahs* and lengthen the pillars (i.e., positions of the prayer), and if he wishes he may increase the number of *Rak’ahs*.

Ash-Shaykh Ibn Jibreen

### The *Tarawih* prayer is *Sunnah* (i.e., supererogatory) and it is not obligatory

**Q** I work in one of the places of business and I am not able to pray the *Tarawih* prayer in the *Masjid*, as the times for work are from after *Maghrib* until close to *Sahur* (late night just before *Fajr* time). Am I committing a sin in this, and how can I replace this reward that I am missing?

**A** You are not committing a sin by leaving off the *Tarawih* prayer, because it is a *Sunnah* (i.e., supererogatory). If a person performs it, he gets the reward and if he does not perform it, there is no sin on him. Since Allâh knows your

[1] Al-Bukhari no. 2009 and Muslim no. 759.

intention, that were you not occupied with what is obligatory upon you of the hired agreement for doing this work, you would have performed this *Tarawih* prayer, then verily Allâh's bounty is vast. He will reward you for whatever intentions you had.

Ash-Shaykh Ibn 'Uthaimin

### The ruling on reading from a copy of the Qur'an in the *Tarawih* Prayer

**Q** Is it permissible to read from a copy of the Qur'an in the *Tarawih* prayer and the prayer of Eclipse or not? Please benefit us with an answer, and may Allâh benefit you.

**A** There is no harm in reading from a copy of the Qur'an in the night prayer of Ramadhan. This is due to what this contains of allowing those who are being led in prayer to hear all of the Qur'an and because the evidences of the Islamic law from the Book and the Sunnah allude to the sanctioning of reciting the Qur'an in the prayer. This includes reciting it from a written copy and from one's memory. It has been confirmed from 'A'ishah رضي الله عنها that she ordered her freed slave, Thakwan, to lead her in the night prayer of Ramadhan and he was reading from a copy of the Qur'an. Al-Bukhari mentioned this in his *Sahih* with an incomplete chain of narration, being certain about it.

Ash-Shaykh Ibn Baz

### The Night Prayer is in Sets of Two's

**Q** Some of the *Imams* combine four *Rak'ahs* or more in the *Tarawih* prayer with only one *Tasleem* (concluding by saying *As-Salamu 'Alaikum wa Rahmatullah*) and no sitting between two *Rak'ahs*. They claim that this is the Sunnah. Is there any basis for this act in our pure Islamic law?

**A** This act is not legislated. Rather, it is disliked or even forbidden according to most of the people of knowledge.

This is due to the Prophet's statement:

«صَلَاةُ اللَّيْلِ مَثْنِي مَثْنِي»

“The night prayer is two, two (i.e., sets of two's).”<sup>[1]</sup>

The authenticity of this *Hadith* is agreed upon from a narration of Ibn ‘Umar ؓ. This is also due to what is confirmed from ‘A’ishah ؓ as she said:

“The Prophet ﷺ used to pray 11 *Rak’ahs* during the night, and he would make the *Tasleem* after every two *Rak’ahs* and make *Witr* (odd number prayer) with one *Rak’ah* (i.e., at the end).”

This *Hadith’s* authenticity is agreed upon and the *Hadiths* with this meaning are numerous.

In reference to the famous *Hadith* of ‘A’ishah ؓ where she said:

“Verily, the Prophet ﷺ used to pray four *Rak’ahs* at night, and do not even ask about their beauty and length. Then, he would pray four *Rak’ahs*, and do not even ask about their beauty and length.”


This *Hadith* is agreed upon (by Al-Bukhari and Muslim) and it means that he would make the *Tasleem* between every two *Rak’ahs*. It does not mean that he would make all the four *Rak’ahs* with only one *Tasleem*. This is due to what she said in the previous *Hadith* and also due to what is confirmed from him ﷺ in his saying that the night prayer is two, two; as was mentioned previously. Some *Hadiths* affirm the others and some of them explain the others. Thus, it is obligatory on the Muslim to take them all and interpret *Al-Mujmal* (that which has more than one possible meaning) by *Al-Mubayyin* (that which clarifies). And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

[1] Al-Bukhari no. 990 and Muslim no. 749.

## Tranquility is an obligation that must be present in the Prayer

**Q** We have an *Imam* of a *Masjid* who rushes extremely fast in the *Tarawih* prayer. We are not able to supplicate or glorify Allâh or even concentrate with humility during this great opportunity. Along with this, he only recites the first *Tashahhud* (up to), "I testify that none has the right to be worshiped but Allâh and Muhammad is His servant and Messenger." He says that this is sufficient and he does not send blessings upon the Prophet ﷺ, which he says is (only) an extra addition. In reference to the Verses, he does not recite more than a Verse or two. We hope that you can give some advice, and may Allâh reward you with good.

 What is legislated for the *Imams* in the *Tarawih* prayer and the obligatory prayers is tranquility, slow rhythm in recitation and humility in bowing, prostrating, standing completely after bowing and between the two prostrations. This applies to all of the prayers, both the obligatory and the voluntary ones. Tranquility is an obligation that must be present. Whoever does not fulfill it, then his prayer is nullified. This is due to what is confirmed in the two *Sahihs* that the Prophet ﷺ saw a man praying without tranquility in his prayer. Hence, the Prophet ﷺ ordered him to repeat the prayer and he directed him to the obligation of tranquility in his bowing, prostrating, standing after bowing and between the two prostrations. What is legislated for the *Imams* is that they recite with slow rhythm and that they have humility in the recitation. This is so that they may benefit and those who are praying behind them may benefit from their recitation. This is also so that they may move the hearts with the recitation causing them to be humble to their Lord and turn to Him. It is obligatory upon the *Imams* and those who are being led in prayer to send blessings upon the Prophet ﷺ with the prayer of Ibrahim after the two Testimonies of Faith and before the *Tasleem*. This is

because the command to do so has been confirmed from the Prophet ﷺ. A group of the people of knowledge holds the view that it is obligatory. Thus, it is not permissible for the *Imams* and those who are being led in prayer to oppose the pure Islamic law in the prayer or in anything else. It is legislated for everyone who prays, whether an *Imam* or someone being led or someone praying by themselves, to seek refuge with Allâh from the torment of Hell, the torment of the grave, the trials of life and death, and the trial of the False Christ. This is to be said after sending prayers upon the Prophet ﷺ and before the *Tasleem*. This is because the Messenger ﷺ used to do that and he ﷺ ordered the *Ummah* to say this supplication. It is recommended to say extra supplications before closing with the greeting of peace. An example is the famous supplication that the Prophet ﷺ advised Mu'ath bin Jabal ؓ to say at the end of every prayer, which is:

«اللَّهُمَّ أَعِنِّي عَلَى ذِكْرِكَ وَشُكْرِكَ وَحُسْنِ عِبَادَتِكَ»

“O Allâh, help me to remember You, be thankful to You, and to perfect Your worship.”<sup>[1]</sup>

And success is from Allâh.


Ash-Shaykh Ibn Baz

### Lengthening the *Tarawih* Prayer

**Q** There is an *Imam* of a *Masjid* who leads the people in the *Tarawih* prayer and he recites an entire page in every *Rak'ah*, which is approximately equivalent to 15 Verses. However, some of the people say that he prolongs the recitation and some say the opposite. What is the Sunnah in the *Tarawih* prayer and is there a limit by which lengthening (the recitation) is known from not lengthening it that has been conveyed from the Prophet ﷺ?

[1] Abu Dawud no. 1522.




 It has been confirmed in the *Sahih* that the Prophet ﷺ used to pray 11 *Rak'ahs* at night during Ramadhan and during other times. However, he would lengthen the recitation and the pillars (i.e., positions of the prayer). This was such that one occasion he recited more than five parts (*Ajza'*) in one *Rak'ah* with slow rhythmic recitation and contemplation. It has also been confirmed that he used to get up during the middle of the night or a little before it or a little after it and he would continue praying until close to the time of *Fajr*. And he would pray 13 *Rak'ahs* in about 5 hours. This necessitates lengthening the recitation and the pillars of the prayer.


It has been confirmed that when 'Umar رضي الله عنه gathered the Companions for the *Tarawih* prayer they would pray 20 *Rak'ahs* and they would recite in the *Rak'ah* about 30 Verses from the Verses of *Al-Baqarah*. This is close to four or five pages. Thus, they would pray reciting *Surat Al-Baqarah* in 8 *Rak'ahs*, and if they prayed while reciting it in 12 *Rak'ahs* they considered that he (the *Imam*) had lightened the prayer. This is the Sunnah concerning the *Tarawih* prayer. If the *Imam* lightens (i.e., shortens) the *Qira'ah*, he increases the number of *Rak'ahs* to 41 *Rak'ahs*, as some of the *Imams* have said. If he likes to shorten the number to 11 or 13, he increases in the recitation and the pillars of the prayer. There is no restricted number for the *Tarawih* prayer. What is wanted is only that you pray in a time in which you may attain tranquility and concentration. It should be an amount that will not take less than an hour or close to it. Whoever thinks that this is lengthening the prayer, then he has opposed what has been conveyed, and thus he should not be paid any attention.

Ash-Shaykh Ibn Jibreen

**It is legislated to let those being led in Prayer hear all of the Qur'an in order in the *Tarawih* Prayer**


 If I am an *Imam* in the *Tarawih* prayer, am I obligated to recite every night Verses that follow in succession that


which preceded them. Meaning, do I recite the *Surahs* of the Qur'an in successive order or do I read from where I stopped from the Verses that I recited during the day?

 What is legislated for the *Imams* is that they allow those being led in prayer to hear all of the Qur'an during the night prayer of Ramadhan if they are able to do so. Thus, the *Imam* should recite Verses and *Surahs* every night that come after what he recited in the previous night so that those praying behind him hear all of the Book of their Lord in succession according to its arrangement in the Qur'an. If he is able to complete the entire Qur'an with them to the end, then that is better if it is not difficult on them. He should do this giving attention to slow rhythmic recitation, humility and tranquility. This is because the intent of the prayer is nearness to Allâh and humbleness before Him, hoping for what is with Him of reward and being fearful of what is with Him of punishment. The intent is not simply to offer *Rak'ahs* without any humility or attention of the heart before Allâh, glory is unto Him the Most High. May Allâh help the Muslims in that which contains their rectification and salvation in this life and the Hereafter.

Ash-Shaykh Ibn Baz

### The Supplication of *Al-Qunut*

 What is the ruling on reciting the supplication of *Al-Qunut* in *Witr* prayer during the nights of Ramadhan? Is it permissible to leave it off?

 *Al-Qunut* is a *Sunnah* (i.e., supererogatory act) in the *Witr* prayer. If a person leaves it off sometimes there is no harm in that.

Ash-Shaykh Ibn Baz

### ***Al-Qunut in the Witr Prayer is Sunnah***

**Q** Some of the *Imams* continuously make the supplication of *Al-Qunut* in the *Witr* prayer every night. Has this been reported from our *Salaf*?

**A** There is no harm in that. Rather, it is *Sunnah*, because when the Prophet ﷺ taught Al-Hasan bin 'Ali ؑ *Al-Qunut* for the *Witr* prayer, he did not order him to leave it off sometimes and not to always say it. This proves that both matters are permissible. For this reason it is confirmed from Ubayy bin Ka'b ؑ that when he would lead the Companions ؓ in prayer in the *Masjid* of the Messenger of Allâh ﷺ, he would leave off *Al-Qunut* some nights. This was probably so that he could teach the people that it was not obligatory. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### **Standing for Prayer at Night is not specifically for Ramadhan**

**Q** Is the standing for prayer at night only done in the blessed month of Ramadhan or during all the nights of the year? From what time does it begin and at what time does it end? Is the standing for prayer only or is it prayer and recitation of the Noble Qur'an?

**A** Standing at night for prayer and *At-Tahajjud* is *Sunnah* and a virtuous act that the Prophet ﷺ and his Companions strictly guarded. This is as Allâh said:

﴿إِنَّ رَبَّكَ يَعْلَمُ أَنَّكَ تَقُومُ أَدْنَىٰ مِنْ ثُلُثِي اللَّيْلِ وَنِصْفَهُمُ وَتُلْتَمِسُ وَطَافَةً مِنَ الَّذِينَ مَعَكَ﴾

*“Verily, your Lord knows that you stand less than two thirds of the night (in prayer), and half of it, and a third of it, and also of group of those who are with you.”*<sup>[1]</sup>

[1] *Al-Muzzammil*, 73:20.

This is not specifically for the month of Ramadhan only. Its time is between the times of *Al-'Isha'* and *Al-Fajr*. However, the prayer during the last part of the night is better, and if he prays in the middle of the night he will be rewarded. It is better for it to be performed after some sleeping or in the last half of the night. And Allâh knows best.

Ash-Shaykh Ibn Jibreel

### If a Barrier is placed between the Men and the Women, then which Row of the Women is better?

**Q** If there is a wall used as a barrier between the men and the women in the *Masjid*, does the statement of the Messenger ﷺ apply where he said:

«خَيْرُ صُفُوفِ الرَّجَالِ أَوْلَاهَا وَشَرُّهَا آخِرُهَا وَخَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا وَشَرُّهَا أَوْلَاهَا»

*“The best of the rows of the men are the first of them and the worst of them is the last of them. And the best of the rows of the women is the last of them and the worst of them is the first of them.”*

Or is this not applied and therefore the best of the rows for the women remains the first of them? Please benefit us with an answer, and may Allâh benefit you.

**A** It is apparent that the reason for the best of the rows of the women being the last of them is due to its distance from the men. For verily, the more the woman is away from the men, the safer it is for her and it is more preserving for her honor. It keeps her away from inclining towards lewdness. If the prayer area of the women is far from the men and separated with a barrier, such as a wall or a specific curtain, and they only rely on the microphone in following the *Imam* (in prayer), then the correct view is that the first row is better. This is due to its advancement (being in the front), its closeness to the *Qiblah* and similar to that.

Ash-Shaykh Ibn Jibreel

## Miscellaneous Fatawa

### The ruling on someone who did not fast a Day of Ramadhan and then he repented

**Q** What is the ruling on someone who ate during a day in Ramadhan intentionally, then he repented to Allâh? Is this person's repentance accepted?



Yes, his repentance is accepted due to Allâh's Statement:

﴿وَإِنِّي لَغَفَّارٌ لِّمَن تَابَ وَءَامَنَ وَعَمِلَ صَالِحًا ثُمَّ اهْتَدَى﴾

*"And verily I am Oft-Forgiving for whoever repents, believes, works righteous deeds and then is guided."*<sup>[1]</sup>

And there are evidences other than this from what has come in the Book and the Sunnah.

The Permanent Committee

### She broke her Fast intentionally because of Exams

**Q** I am a young lady and my circumstances forced me to break my fast six days during the month of Ramadhan intentionally. The reason was the situations of exams, because they began during the month of Ramadhan and the subjects were difficult. Had I not broken my fast these days, I would not have been able to study the subjects due to their level of difficulty. I hope that you can benefit me. What should I do so that Allâh will forgive me? May Allâh reward you with good.



You must repent from that and make up for the days that you broke your fast. Allâh accepts the repentance of whoever repents. The reality of repentance by which Allâh wipes away sins is to abstain from the sin and avoid it out of respect

[1] Ta-Ha 20:82.

for Allâh and fear of His punishment. The person should also feel guilt for what he did in the past and he should be truly determined not to repeat this act. If the sin was an act of oppression against the servants (of Allâh), then the completion of the repentance is to give them their rights. Allâh said:

﴿وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَ الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ ﴿٣١﴾﴾

“And all of you repent to Allâh, O you believers, so that perhaps you will be successful.”<sup>[1]</sup>

And He said:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا تُوبُوا إِلَى اللَّهِ تَوْبَةً نَّصُوحًا﴾

“O you who believe, repent to Allâh with sincere repentance.”<sup>[2]</sup>

The Prophet ﷺ said:

«التَّوْبَةُ تَجْبُ مَا قَبْلَهَا»

“Repentance wipes away what was before it.”

And he ﷺ said:

«مَنْ كَانَ عِنْدَهُ لِأَخِيهِ مَظْلَمَةٌ مِنْ عَرَضٍ أَوْ شَيْءٍ فَلْيَتَحَلَّلْهُ الْيَوْمَ قَبْلَ أَلَّا يَكُونَ دِينَارٌ وَلَا دِرْهَمٌ إِنْ كَانَ لَهُ عَمَلٌ صَالِحٌ أُخِذَ مِنْ حَسَنَاتِهِ بِقَدْرِ مَظْلَمَتِهِ فَإِنْ لَمْ يَكُنْ لَهُ حَسَنَاتٌ أُخِذَ مِنْ سَيِّئَاتِ صَاحِبِهِ فَحُمِلَ عَلَيْهِ»

“Whoever has any act of oppression against his brother concerning his honor or anything, then let him clear it up today before there is no dinar or dirham. If he has any righteous deeds, deductions will be made from his good deeds according to the amount of his oppression. If he has no good deeds, deductions will be made from the evil deeds of his friend and they will be placed upon him.”<sup>[3]</sup>

This was recorded by Al-Bukhari in his *Sahih*. And Allâh is the Giver of success.


Ash-Shaykh Ibn Baz

[1] An-Nur 24:31.

[2] At-Tahrim 66:8.

[3] Al-Bukhari no. 2449.


## The Blessing of As-Sahur

 The Messenger ﷺ said:

«تَسَحَّرُوا فَإِنَّ فِي السَّحُورِ بَرَكَهً»


“Eat the Sahur meal, for verily the Sahur contains blessing.”

What is meant by the blessing of As-Sahur?

 The blessing of *As-Sahur* means the blessing of the Islamic legislation and the bodily blessing. In reference to the blessing of the Islamic legislation, from it is carrying out the order of the Messenger ﷺ and following him. In reference to the bodily blessing, from it is nourishing the body and giving it strength to fast.

Ash-Shaykh Ibn ‘Uthaimin


## The Intention for Fasting

 What is meant by this *Hadith*:

«لَا صِيَامَ لِمَنْ لَمْ يُبَيِّتِ النِّيَّةَ»

“There is no fast for whoever does not make the intention during the night (before the fast)”

How is the intention during the night made?

 The intention is the determination of the heart to do the act of fasting. This is necessary for every Muslim who knows that the month of Ramadhan’s fast has been made obligatory by Allāh. It suffices in making the intention during the night for one to know this obligation and adhere to it. It also suffices for him to say to himself that he is going to fast the next day if there is no excuse for him not to do so. It also suffices for him to eat the *Sahur* meal with this intention. There is no need for him to verbally say the intention to fast or do any other act of worship. The place of the intention is the heart. The accompaniment of its ruling is obligatory during the entire

day by him not having the intention to break the fast nor invalidate the fast.

Ash-Shaykh Ibn Jibreen

### Stopping the Person who eats during the Daytime in Ramadhan out of forgetfulness

**Q** If I see a fasting person eating or drinking during the daytime in Ramadhan, am I obligated to remind him? I ask this because I hear some people saying, “You are not obligated to remind him, for verily it is only Allâh Who fed him and gave him drink.”

**A** Whoever sees a Muslim drinking or eating during the daytime in Ramadhan or doing anything else that would break the fast, he must stop him, because doing such thing openly during the daytime in Ramadhan is an evil. This must be done even if the person’s friend is someone who has an excuse in this same matter (i.e., breaking the fast). This is so that the people do not become bold about openly doing what Allâh has forbidden of things that break the fast during the daytime in Ramadhan with the claim that they forgot. If the person who openly does this is truthful in his claim of forgetfulness, he does not have to make up for the fast. This is due to the Prophet’s statement:

«مَنْ نَسِيَ وَهُوَ صَائِمٌ فَأَكَلَ أَوْ شَرِبَ فَلْيَتِمَّ صَوْمَهُ فَإِنَّمَا أَطْعَمَهُ اللَّهُ وَسَقَاهُ»

*“Whoever forgets while he is fasting and he eats or drinks, then let him complete his fast, for verily it is only Allâh Who fed him and gave him drink.”*<sup>[1]</sup>

This *Hadith’s* authenticity is agreed upon. Likewise, the traveller should not openly indulge in things that break the fast while among the residents who do not know his situation. Rather, he must conceal that so that he is not suspected of doing what

[1] Al-Bukhari no. 1933 and Muslim 1155.



Allâh has made forbidden on him, and so that others do not become bold in doing that. Likewise, the disbelievers are prohibited from openly eating and drinking and similar things while among the Muslims (while they are fasting). The door of laxity has been closed in this matter. This is also because they (the non-Muslims) are prohibited from manifesting signs of their false religion among the Muslims. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### **The Child is not obligated to fast, but he may be ordered to do so**


**Q** My small child persistently fasts Ramadhan even though fasting is harmful for him due to his young age and his sickly health. Should I use harshness with him to force him to break his fast?

**A** If he is a child who has not reached the age of puberty, then he is not obligated to fast. However, if he is able to fast without difficulty, then he should be commanded to do so. The Companions ؓ used to make their children fast. This was to such an extent that if a child among them cried they would give him some toys to distract him (from thinking about food). However, if it has been confirmed that this harms the child, then he should be prevented from it. If Allâh, the Most High has prevented us from giving the children their wealth due to fear of corrupting it, then verily fear of harming the bodies is even more important for them to be prevented from. However, preventing them should be in a way that is not harsh, for verily harshness should not be used in dealing with children when raising them.

Ash-Shaykh Ibn 'Uthaimin


### **The Conditions for the correctness of a Child's Fast**

**Q** What are the conditions for the correctness of a child's fast? Is it true that his fast is for his parents?

 It is legislated for the parents to accustom their children to fasting when they are young if they are able to do so, even if they are younger than 10 years old. If one of them reaches the age of puberty, they must force him to fast. If the child fasts before the age of puberty, then he must avoid everything that corrupts the fast just like the adult. This includes eating and similar things. He (the child) gets reward for this (fasting) and so do his parents.

Ash-Shaykh Ibn Jibreen

### Continuous Fasting

 What is continuous fasting and is it Sunnah?

Continuous fasting is that a person does not break his fast for two days. Thus, he continues fasting for two consecutive days. Indeed the Prophet ﷺ prohibited this and he said:

«مَنْ أَرَادَ أَنْ يُوَاصِلَ فَلْيُوَاصِلْ إِلَى السَّحْرِ»

*“Whoever wants to continue fasting (i.e., after sunset), then let him continue (only) until late night just before dawn.”<sup>[1]</sup>*

Therefore, continuing fasting until late night before dawn is considered permissible and it is not considered legislated. The Messenger ﷺ encouraged hastening the breaking of the fast. He said:

«لَا يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الْفِطْرَ»

*“The people will not cease being upon good as long as they hasten the breaking of the fast.”<sup>[2]</sup>*

However, he allowed them to continue fasting until late night before dawn only. When they said: “O Messenger of Allâh, verily you practice continuous fasting,” he said:

[1] Al-Bukhari no. 1967.

[2] Al-Bukhari no. 1957.

«إِنِّي لَسْتُ كَهَيْتِكُمْ»

“Verily, I am not like you all.”<sup>[1]</sup>

Ash-Shaykh Ibn ‘Uthaimin

## Dying during Ramadhan



The Messenger ﷺ said:

«إِذَا جَاءَ رَمَضَانُ فَتُحْتُ أَبْوَابُ الْجَنَّةِ وَغُلِّقَتْ أَبْوَابُ النَّارِ»

“When Ramadhan comes, the gates of Paradise are opened and the gates of the Fire are closed.”

Does this mean that whoever dies during Ramadhan will enter Paradise without any reckoning?



The matter is not like this. Rather, this means that the gates of Paradise are opened as a motivation for the doers (of deeds) to make things easy for them to enter. The gates of the Fire are closed to prevent the people of faith from acts of disobedience so that they do not enter these gates. This does not mean that whoever dies during Ramadhan he will enter Paradise without any reckoning. The only people who will enter Paradise without a reckoning are those who the Messenger ﷺ described in his saying:

«هُمُ الَّذِينَ لَا يَسْتَرْقُونَ وَلَا يَكْتُمُونَ وَلَا يَتَطَيَّرُونَ وَعَلَى رَبِّهِمْ يَتَوَكَّلُونَ»

“They are those who do not seek Ruqyah (incantation) to be performed for them, they do not practice cauterization (for healing), they do not believe in omens and they put their trust in their Lord.”<sup>[2]</sup>

This is considered along with their performing that which is obligatory upon them of righteous deeds.

Ash-Shaykh Ibn ‘Uthaimin

[1] Muslim no. 218.

[2] Muslim no. 218.

## Staying in the *Masjid* for worship and its Conditions

**Q** Is staying in the *Masjid* for worship during the month of Ramadhan a compulsory Sunnah? What are its conditions in times outside of Ramadhan?

**A** Staying in the *Masjid* for worship during Ramadhan is Sunnah. The Prophet ﷺ did it during his lifetime and his wives did it after his death. The people of knowledge have mentioned that there is a consensus among the scholars that it is Sunnah. However, staying in the *Masjid* for worship should be done in the manner that agrees with the purpose for its legislation. This is that the person remains in the *Masjid* for the obedience of Allâh. He does this by leaving off worldly acts for the sake of performing acts of obedience to Allâh. He stays far away from his worldly affairs and he does various acts of obedience, such as prayer, remembrance of Allâh and other things. The Messenger of Allâh ﷺ used to stay in the *Masjid* for worship while seeking the Night of Decree (*Laylatul-Qadr*). The person who stays in the *Masjid* for worship avoids worldly deeds. Thus, he does not sell, he does not buy, he does not leave out of the *Masjid*, he does not follow the funeral procession, and he does not visit the sick person. In reference to what some of the people do of staying in the *Masjid* and then some visitors come to visit them during the night and at the ends of the day, and along with that they have forbidden conversations, this contradicts the purpose of staying in the *Masjid*.

However, if someone visits the person staying in the *Masjid* from among his family members and they speak with him, there is no harm in that. It has been reported from the Prophet ﷺ that Safiyyah ؓ visited him while he was staying in the *Masjid* and she spoke with him. What is important is that the person make his staying in the *Masjid* for drawing near to Allâh, glory be unto Him, the Most High.

## The ruling on what is called Parents' Supper

**Q** There are people who hold parties during Ramadhan and they sacrifice an animal and they call it Parents' supper. What is the ruling on this?

**A** Giving charity on behalf of the deceased parents is permissible and there is no harm in it. However, it is better to supplicate for them than to give charity for them. This is because that is what the Prophet ﷺ directed and advised to be done when he said:

«إِذَا مَاتَ الْإِنْسَانُ انْقَطَعَ عَمَلُهُ إِلَّا مِنْ ثَلَاثَةٍ صَدَقَةٍ جَارِيَةٍ أَوْ عِلْمٍ يُنْتَفَعُ بِهِ  
أَوْ وَوَلَدٍ صَالِحٍ يَدْعُو لَهُ»

*“When the person dies his deeds are cut off except for three: perpetual charity or knowledge from which benefit is gained or a righteous child who supplicates for him.”*<sup>[1]</sup>

He did not say, “a righteous child who gives charity on his behalf or offers prayer (*As-Salah*) for him.” However, if the person gives charity along with this on behalf of his deceased (relative), this will suffice him. This is because the Prophet ﷺ was asked about that and he allowed it.

However, what some people do during the nights of Ramadhan of slaughtering animals and holding numerous parties and those functions that none attend except the wealthy, this is not legislated. It is not from the practice of the Pious Predecessors (*As-Salaf As-Salih*). Therefore, the person should not do this, because in reality it is nothing other than parties that people attend and sit at with the presumption that some of them are drawing near to Allâh by sacrificing this animal. They think that the sacrifice is better than buying the meat. This matter is something opposed to the Islamic law, because the sacrifices by which one draws closer to Allâh are the *Adhha* sacrifices, the

[1] Muslim no. 1631.

sacrifices for *Hajj* and the sacrifices for new born children. Thus, seeking to draw near to Allâh by making sacrifices during Ramadhan is not from the Sunnah.

Ash-Shaykh Ibn ‘Uthaimin

### ***Az-Zakah* in Ramadhan**

**Q** Is *Az-Zakah* more virtuous during Ramadhan along with the fact that it is a pillar from the pillars of Islam?

**A** *Az-Zakah* like other acts of goodness is more virtuous during the virtuous times. However, whenever *Az-Zakah* is obligatory and the item has been possessed for a complete year, it is obligatory upon the person to give it. It should not be delayed until Ramadhan. So, if the year’s time is up on a person’s wealth in Rajab, he should not delay it until Ramadhan. Rather, he should pay it in Rajab. If the year’s time is up on the possession in Muharram, he must pay it in Muharram and he should not delay it until Ramadhan. However, if the year’s time for *Az-Zakah* is completed during Ramadhan, then the person gives it during Ramadhan.

Ash-Shaykh Ibn ‘Uthaimin

### **Whoever has to fast two Months consecutively and he breaks his Fast during it**

**Q** I owed expiation of fasting two months consecutively and I fasted them – and all praise is due to Allâh. However, I fasted the first month completely, then I broke my fast for two days, and then I completed the fast. Before the end of the (last) month, I became sick for three days, so I broke my fast and made up for those days after this. Then, some people said to me that I have to fast two months consecutively over again without breaking the fast between them. Please give me some direction concerning what I should do now.



If your breaking the fast was for a legislated excuse, like illness, then you made haste in completing the two months after the illness went away, then you do not have to repeat it and your fast is correct. However, if your breaking the fast was without a legislated excuse, then you must repeat fasting two months consecutively for 60 days, as the Verses and *Hadiths* prove.

Less than 60 days (of fasting) will not suffice unless it is confirmed that the month is decreased (i.e., to 29 days) by an Islamically valid verification. And success is from Allâh.

Ash-Shaykh Ibn Baz

## Voluntary Fasting

### Fasting six Days of Shawwal and what has been reported in the *Muwatta'* of Malik



What do you think about fasting six days after Ramadhan during the month of Shawwal? Indeed it appears in the *Muwatta'* of Malik that Imam Malik bin Anas said concerning fasting six days after the completion of the fast of Ramadhan that he did not see anyone of the people of knowledge and *Fiqh* fasting it. He said: "And that has not reached me from anyone of the *Salaf*." He also said that the people of knowledge do not like that, and they fear that it is an innovation and that it is adding to Ramadhan that which is not a part of it. This statement is in *Al-Muwatta'*, number 228.



It has been confirmed from Abu Ayyub رضي الله عنه that the Messenger of Allâh ﷺ said:

«مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ فَذَلِكَ صِيَامُ الدَّهْرِ»

"Whoever fasts Ramadhan, and then follows it up with six (days of fasting) from Shawwal, then that is as if he fasted the entire

time (i.e., year).”<sup>[1]</sup>

This was recorded by Muslim and the five (i.e., Abu Dawud, At-Tirmithi, An-Nasa’i, Ibn Majah and Ahmad). Thus, this *Hadith* is authentic and it proves that fasting six days from Shawwal is *Sunnah*. Ash-Shafi’i acted according to it, as did Ahmad and a group of the Imams of the scholars. It is not correct that this *Hadith* be opposed by what some scholars gave as reasons to consider fasting it disliked. These reasons included the scholar’s fear that the ignorant person would believe it is a part of Ramadhan or would think it is obligatory or because it had not reached him from anyone who preceded him from the people of knowledge that they fasted it. For verily all of this is speculation and it cannot contend with the authentic *Sunnah* and the fact that whoever knows an evidence is not the same as he who does not.

The Permanent Committee

### Fasting consecutive Days is not a Condition in fasting the six Days of Shawwal

**Q** In fasting the six days of Shawwal is it necessary that the days be consecutive or is there no harm in fasting them separately (spread out) during the month?

**A** Fasting six days of Shawwal is a confirmed *Sunnah* from the Messenger of Allâh ﷺ. It is permissible to fast them consecutively and separately. This is because the Messenger ﷺ mentioned their fast unrestrictedly and he did not mention that they should be done consecutively or separated. This was when he said:

«مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ كَانَ كَصِيَامِ الدَّهْرِ»

*“Whoever fasts Ramadhan, and then follows it up with six (days of fasting) from Shawwal, then that is as if he fasted the entire*

[1] Muslim no. 1164.



time (i.e., year).”<sup>[1]</sup>

This was recorded by Imam Muslim in his *Sahih*. And success is from Allâh.

Ash-Shaykh Ibn Baz

### The ruling on making up for the six Days after Shawwal

**Q** A woman fasts six days from the month of Shawwal every year. Then, during one of the years she was in the period of postnatal bleeding due to giving birth to her child at the beginning of the month of Ramadhan. She did not become pure until after Ramadhan was over. Then, after she became pure, she started making up for the missed days (of Ramadhan). Is she obligated also to make up for the six days (of Shawwal) after making up for the fast of Ramadhan, even if that is in a month other than Shawwal, or is she only required to make up for Ramadhan? Is fasting these six days from Shawwal always mandatory or not?

**A** Fasting six days of Shawwal is *Sunnah* (i.e., supererogatory) and it is not obligatory. This is due to the statement of the Prophet ﷺ:

«مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ كَانَ كَصِيَامِ الدَّهْرِ»

“Whoever fasts Ramadhan, and then follows it up with six (days of fasting) from Shawwal, then that is as if he fasted the entire time (i.e., year).”<sup>[2]</sup>

This was recorded by Imam Muslim in his *Sahih*, and this mentioned *Hadith* proves that there is no harm in fasting them consecutively or separately due to the generality of its wording. To make haste in fasting them is better due to Allâh’s Statement:

[1] Muslim no. 1164.

[2] Muslim no. 1164.

﴿وَعَجِلْتُ إِلَيْكَ رَبِّ لِتَرْضَى﴾

*“And I hastened to You my Lord so that you would be pleased.”*<sup>[1]</sup>

This is also due to what the Qur’anic Verses and the Prophetic *Hadiths* prove concerning the virtue of racing and making haste to the good. It is not obligatory to always perform this fast, but that is better. This is due to the Prophet’s statement:

«أَحَبُّ الْعَمَلِ إِلَى اللَّهِ مَا دَاوَمَ عَلَيْهِ صَاحِبُهُ وَإِنْ قَلَّ»

*“The most beloved deed to Allāh is that which its doer does consistently, even if it is small in amount.”*<sup>[2]</sup>

It is not legislated to make up for this fast after the month of Shawwal is over, because it is Sunnah and its place has been missed, regardless of whether she abandoned it due to an excuse or without an excuse. And Allāh is the Giver of success.

Ash-Shaykh Ibn Baz

### Making up for missed Days comes first

**Q** Whoever has to make up for days of fasting from Ramadhan, and he desires to fast the six days from Shawwal, and he wants to fast them before making up for what is due on him. He wants to do this due to the consideration that the days of Ramadhan can be made up for at any time, but the six days of Shawwal are only in the month of Shawwal. I hope for some benefit from you, and may Allāh reward you.



What is legislated is that the person begins with making up for the fast before fasting the six days. This is because

[1] *Ta-Ha* 20:84.

[2] Al-Bukhari no. 43. Muslim no. 782.

the Messenger ﷺ said:

«مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ»

*“Whoever fasts Ramadhan, and then follows it up with six (days of fasting) from Shawwal...”*<sup>[1]</sup>

If he fasts it before making up for the missed fasts, he has not achieved following up Ramadhan with it. Rather, he has fasted it before the other part of it (i.e., completing Ramadhan). This is also because the obligation is more important and it has more right to be given precedence.

Ash-Shaykh Ibn Baz

### **It is not permissible to fast the six Days of Shawwal before a Fast of Expiation**

**Q** A man owed expiation of fasting two months consecutively and he liked to fast the six days of Shawwal. So, is that permissible for him?

**A** What is obligatory is to make haste in fasting the fast of expiation. Therefore, it is not permissible to fast the six days before it, because it (the six days of Shawwal) is voluntary while the expiation is obligatory and it must be done immediately. Thus, it is obligatory to fast it first before fasting the six days (of Shawwal) or any other voluntary fasts.

Ash-Shaykh Ibn Baz

### **The Ruling concerning Breaking a Voluntary Fast**

**Q** Is it permissible for the fasting person to break a voluntary fast whenever he wishes?

**A** Yes, it is permissible for him to do so. However, it is preferable for him to complete the fast unless there is a need to break the fast, such as honoring a guest, extreme heat or

<sup>[1]</sup> Muslim no. 1164.

something similar to that. This is because of what has been confirmed from the Prophet ﷺ, in the *Hadith* of 'A'ishah ؓ, indicating what we have said. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

## Voluntary Fasting is with the Permission of the Husband

**Q** Do I have the right to prevent my wife from fasting days of voluntary fasting, like the six days of Shawwal? Is there any sin on me for that?

**A** It has been reported that it is prohibited for the woman to fast a voluntary fast while her husband is present, except with his permission. This is due to the need of seeking pleasure (i.e., by sexual relations with the wife). Hence, if the woman fasts without his permission, it is permissible for him to make her break her fast if he needs to have sexual intercourse. If he does not feel the need to have sex with her, it is disliked for him to prevent her (from fasting) if the fast will not harm her or hinder her from tending to their child or breast-feeding it and similar things. It makes no difference whether that fast is of the six days of Shawwal or other voluntary fasts.

Ash-Shaykh Ibn Jibreen

## The Voluntary Fast is not made up for

**Q** I fast three days of every month and during one of the months I got sick, so I did not fast them. Am I obligated to make up for the days or make expiation?

**A** The voluntary fast is not made up for, even if it was left off by choice. However, it is better for the Muslim to be consistent in what he does of righteous deeds. This is due to the *Hadith*:

«أَحَبُّ الْأَعْمَالِ إِلَى اللَّهِ أَدْوَمُهُ وَإِنْ قَلَّ»

“The most beloved of deeds to Allâh are the most consistent of

them, even if they are few.”<sup>[1]</sup>

Thus, you do not have to make up for the fast or make expiation, while knowing that whatever the person left off of righteous deeds that he used to do because of illness or inability or travel and similar things, the reward of it is still written for him. This is due to the *Hadith*:

«إِذَا مَرَضَ ابْنُ آدَمَ أَوْ سَافَرَ كُتِبَ لَهُ مَا كَانَ يَعْمَلُهُ صَحِيحًا مُقِيمًا»

“If the son of Adam becomes ill or travels, whatever he used to do while he was healthy and at his home is written for him (i.e., as if he did it).”<sup>[2]</sup>

The Permanent Committee

## The Days during which fasting is prohibited

**Q** What are the days during which it is disliked to fast?

**A** The days during which fasting is prohibited are Friday, as it is not permitted to single out Friday for fasting voluntary fasts, because the Messenger ﷺ prohibited that. Likewise, Saturday should not be singled out for voluntary fasting. However, if the person fasts Friday and Saturday along with it or Thursday along with it, there is no harm in that, as the *Hadiths* from the Messenger of Allāh ﷺ have stated. Likewise, it is prohibited to fast the day of ‘*Eidul-Fitr* and that is (strictly) forbidden. Similarly, fasting ‘*Eidun-Nahr* and the days of *At-Tashreeq* should not be fasted, because the Messenger ﷺ prohibited that. However, concerning the days of *At-Tashreeq*, a report has come that proves the permissibility of fasting it to make up for the sacrifice of *Hajjut-Tamattu’* and *Hajjul-Qiran* specifically for whoever was not able to sacrifice. This is based on what is confirmed in Al-Bukhari from ‘A’ishah ؓ and Ibn ‘Umar ؓ. They both said:

[1] Al-Bukhari no. 6464 and Muslim no. 2818.

[2] Al-Bukhari no 2996.

«لَمْ يُرَخَّصْ فِي أَيَّامِ الشَّرِيقِ أَنْ يُصْمْنَ إِلَّا لِمَنْ لَمْ يَجِدِ الْهَدْيَ»

“It was not permitted to fast the days of *At-Tashreeq* except for whoever could not make the sacrifice.”<sup>[1]</sup>

In reference to these days being fasted for voluntary fasting or other reasons, then that is not permissible just like the day of the *'Eid*. Likewise, it is not permissible to fast the 30th day of *Sha'ban* if the sighting of the new moon has not been confirmed, for verily, it is a day of doubt. It is not permissible to fast it according to the most correct view of the two opinions of the scholars. It makes no difference whether it is clear outside or cloudy due to the authentic *Hadiths* that prove the prohibition of that. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### It is not permissible to fast the 13th Day of Thul-Hijjah

**Q** When the fast of the Days of Whiteness (*Ayyamul-Beeadh*, i.e., the 13th, 14th and 15th of each month) coincide with the days of *At-Tashreeq* (the 11th, the 12th, and the 13th of Thul-Hijjah) is it permissible to fast or not?

**A** It is not permissible to fast the 13th of Thul-Hijjah, whether it is a voluntary fast or an obligatory fast. This is because they are days of eating, drinking and remembering Allâh, the Mighty and Majestic. Indeed the Prophet ﷺ forbade fasting them and he did not permit that for anyone other than whoever could not make the sacrifice of *Hajjut-Tamattu'*. In this case, such a person is allowed to fast the 3 days of *At-Tashreeq* in place of the sacrifice and he fasts the 7 remaining days (i.e., 10 all together) with his people (i.e., upon returning to his homeland). This is due to what has been confirmed in *Sahih Al-Bukhari* from 'A'ishah and Ibn 'Umar ؓ that they said: “It was not permitted

[1] Al-Bukhari no. 1997 and 1998.

to fast the days of *At-Tashreeq* except for whoever could not make the sacrifice." In reference to fasting the 14th and 15th (of Thul-Hijjah), there is no harm in that, because they are not from the days of *At-Tashreeq*. And success is from Allâh.

Ash-Shaykh Ibn Baz

### The middle Night of Sha‘ban should not be singled out for worship

**Q** I read in one of the books that fasting the middle night of Sha‘ban is one of the innovations and I read in another source that from the days that are recommended to fast is the middle night of Sha‘ban. What is the correct ruling concerning this?


**A** No authentic report traced to the Prophet ﷺ has been confirmed regarding the virtue of the middle night of Sha‘ban that may be acted upon, even in the collections of virtuous acts. Rather, some reports have been related concerning it from some of the Successors of the Companions that are discontinued (i.e., not traced back beyond them), and numerous *Hadiths* which the most authentic of them are fabricated or extremely weak. These narrations have become very popular in many of the lands that have become filled with ignorance, such narrations as: the lifespans are written in them and entire lives are wiped away, and so forth. Based upon this, it is not legislated to be vigilant (in worship) during this night nor to fast its day. It also should not be singled out for specific worship. No consideration should be given to the numerous amount of ignorant people who do this. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

### The ruling on seeking the Night of ‘Ashura’

**Q** Many of the Muslims fast the day of ‘Ashura’ and they place much importance in fasting it due to what they

hear from the Islamic propagators of stressing and encouraging it. So, why are the people not directed to seek the new moon of Muharram so that the Muslims will know that along with its announcement or publicizing in the media?

 Fasting the day of 'Ashura' is Sunnah and it is recommended to fast it. The Prophet ﷺ fasted it, the Companions fasted it and Musa (Moses) fasted it before that as thanks to Allâh, the Mighty and Majestic. This is also because it is the day in which Allâh saved Musa and his people, and He destroyed Fir'awn (Pharaoh) and his people. Therefore, Musa and the Children of Israel fasted it as thanks to Allâh, the Mighty and Majestic. Then, the Prophet ﷺ fasted it as thanks to Allâh, the Mighty and Majestic, and following the Prophet of Allâh, Musa. The people of the days of pre-Islamic ignorance used to fast it also, and the Prophet ﷺ stressed it upon the Ummah. Then, when Allâh made Ramadhan obligatory, he (the Prophet ﷺ) said:

«مَنْ شَاءَ صَامَ وَمَنْ شَاءَ تَرَكَ»

*"Whoever wishes, he may fast it; and whoever wishes, he may leave it."*<sup>[1]</sup>

He also informed that due to a person's fasting it, Allâh will expiate (his sins during) the year before it. It is better that a day be fasted before it or after it, in order to contradict the Jews. This is due to the Prophet's statement:

«صُومُوا يَوْمًا قَبْلَهُ أَوْ يَوْمًا بَعْدَهُ»

*"Fast a day before it or a day after it."*<sup>[2]</sup>

In another wording he said:

«صُومُوا يَوْمًا قَبْلَهُ وَيَوْمًا بَعْدَهُ»

[1] Al-Bukhari no. 2001

[2] Ahmad no. 1:241, Al-Bayhaqi 4:287 and Ibn Khuzaymah no. 2095.



“Fast a day before it and a day after it.”<sup>[1]</sup>

So, if the person fasts a day before it or a day after it, or he fasts the day before it and the day after it, meaning he fasts 3 days, then all of that is good. It also contains an opposition to the enemies of Allâh, the Jews.

In reference to seeking the night of ‘Ashura’, this is a matter that is not necessary, because it is voluntary and not obligatory. Therefore, it is not necessary to make a call to seek the new moon, because even if the believer errors concerning it and he fasts a day after it and a day before it, that does not harm him, and he will receive a great reward. For this reason, it is not obligatory to place great concern on the entry of the month for this purpose, because it is only voluntary.

Ash-Shaykh Ibn Baz

### The ruling on fasting the Day of ‘Ashura’

**Q** What is the ruling on fasting the day of ‘Ashura’? Is it better to fast the day before it or the day after it or all of these days (i.e., 3 days) or the day of ‘Ashura’ only? We hope for some clarification concerning that, and may Allâh reward you with good.

**A** Fasting the day of ‘Ashura’ is *Sunnah*. This is due to what is confirmed in the authentic *Hadiths* from the Messenger of Allâh ﷺ which prove that. This is also because it was a day that the Jews fasted because Allâh saved Musa and his people during it, and He destroyed Fir‘awn (Pharaoh) and his people. Thus, our Prophet Muhammad ﷺ fasted it as thanks to Allâh and he ordered that it be fasted. He legislated for us to fast a day before it or a day after it, and fasting the 9th along with the 10th is better. If the person fasts the 10th along with the 11th, that is sufficient for opposing the Jews. If the person fasts them both

[1] Ahmad no. 1:241, Al-Bayhaqi 4:287 and Ibn Khuzaymah no. 2095.

(i.e., the 9th and the 11th) along with the 10th, there is no harm in that due to what has been related in some of the narrations:


«صُومُوا يَوْمًا قَبْلَهُ وَيَوْمًا بَعْدَهُ»


“Fast a day before it and a day after it.”<sup>[1]</sup>


As far as fasting it (the 10th) alone, that is disliked. And Allâh is the Giver of success.


Ash-Shaykh Ibn Baz

### A *Fatwa* about fasting the Day of ‘Ashura’

 Whoever fasts the 9th and the 10th, then it becomes clear to him afterwards that he actually fasted the 8th and the 9th, what is the ruling? Does he have to make that up for?

 He does not have to make up for the fast and he receives the complete reward, if Allâh wills, based upon his intention, because he thought that it was the 9th and the 10th according to the calendars. Therefore, he gets his reward, if Allâh wills. He does not have to make up for the fast and he gets the reward of fasting the two days.

 If it becomes clear to him on the 9th day that the next day will be the 10th (i.e., he thought the 9th was the 10th), should he continue fasting for three days?

 It is better for him to continue fasting until he is certain that he fasted the 10th. This is what is best. If he does not fast, there is no harm, and he has missed fasting the 10th.

Ash-Shaykh Ibn Baz

[1] Ahmad no. 1:241, Al-Bayhaqi 4:287 and Ibn Khuzaymah no. 2095.

## Riba, Loans and Working in Banks

### From the Decisions of the *Fiqh* Academy regarding Paper Currency

All praise is due to Allâh alone, and may blessings and peace be upon him whom there will be no Prophet after him - our leader, Muhammad - and his family and his Companions, with an abundance of peace. To proceed:

Indeed the meeting of the Council of the Islamic *Fiqh* Academy reviewed the research that was sent to it concerning the matter of paper currency and its laws in reference to the Islamic law. After debate and discussion among its members, the assembly decided the following:

**First:** Indeed it (paper currency) is established upon the fact that the basis in cash is gold and silver, and that the reason for *Riba* applying to these two currencies is absolutely value-related according to the most correct of the opinions among the *Fiqh* scholars of the Islamic law.

Also, it is a given that value is not limited to gold and silver only, according to the *Fiqh* scholars, even though their source is the basis.

It is also a given that paper currency has become valuable and it takes the place of gold and silver in dealings with it. Things are carried out with it in these times due to the lack of dealings in gold and silver. The souls are satisfied in receiving it as wealth and saving it, and payment and general compensation is carried out with it, even though its value is not in it itself (i.e., the paper). Its value is only in something other than it. Trust is also

achieved with it, like a mediator in the circulation of money and exchange. That is the secret of its connection with value.

Since the reality regarding that which causes *Riba* to apply to gold and silver is absolutely value, and it is also manifest in paper money, and so is in all the cases, the meeting of the Council of the Islamic *Fiqh* Academy has decided that paper money is currency that is independent. It has the same ruling as the two currencies, gold and silver. Thus, it is obligatory to pay *Az-Zakah* on it, and *Riba* applies to it in both of its types — *Fadhl* and *Nasi'ah* — just as it applies to gold and silver, exactly. This is due to the consideration of value in paper money based upon an analogous comparison between it and gold and silver. Therefore, paper money takes the laws of cash in all of the requirements that the Islamic law has obligated concerning it.

**Second:** Paper money is considered independent cash just as the established cash value in gold, silver and other valuable items. Likewise, paper money is considered to be of different types that are as numerous as the amount of sources of its production in the various lands. This means that the paper money of Saudi Arabia is a type, and the paper money of America is a type, and so forth. Every paper currency is considered an independent type of currency. Based on this, *Riba* applies to it in both of its forms - *Fadhl* and *Nasi'ah* - just as it applies in both of its forms to the two currencies of gold and silver and other valuable items. All of this necessitates the following:

1. It is absolutely not permissible to sell paper money for paper money or for other than it from the other types of cash, such as gold and silver or other than them, for delayed payment (*Nasi'ah*). Thus, it is not permissible, for example, to sell a Saudi riyal for another currency of different value, to be paid later without exchange taking place on the spot.

2. It is not permissible to sell one type of paper money for more of the same type of different value (amount), regardless of whether it is for delayed payment or payment made up front.

For example, it is not permissible to sell 10 Saudi riyals in paper money for 11 Saudi riyals in paper money, whether it (the 11 riyals) is to be paid later or it is paid up front.

3. It is absolutely permissible to sell some of it (paper money) for some of it of another type, as long as it is paid on the spot. Thus, it is permissible to sell the Syrian or Lebanese lira for the Saudi riyal, whether it (the riyal) is in paper money or silver, and it makes no difference if it is more or less. It is permissible to sell the American dollar for three Saudi riyals, or less than that or more than that, as long as all of this is paid up front. The same permissibility applies to selling the silver Saudi riyal for three Saudi riyals of paper money, or less than that or more than that, as long as it is paid on the spot. This (selling Saudi riyals of silver for paper Saudi riyals) is because it is considered selling one type of currency for another type, and them simply sharing the same name (riyal) has no effect while they are not the same in reality.

**Third:** It is obligatory to pay *Az-Zakah* on paper money if its value reaches the least of the either of the two minimum amount (*Nisab*) for *Az-Zakah* on gold or silver or if it reaches that amount along with other valuables and items meant kept for sale.

**Fourth:** It is permissible to make paper money the capital sum of wealth in the sale of *As-Salam* (payment given in advance for receipt of the merchandise later) and partnerships.

Allâh knows best and success is from Allâh. May Allâh send blessings and peace upon our leader, Muhammad, and upon his family and Companions.

### Writing *Riba* Transactions



I am an accountant with a business company and this company is forced to take loans based on *Riba* from the bank. A copy of the loan contract comes to me to confirm the

company's indebtedness in its books. Am I considered "a writer of *Riba*" and is it not permissible for me to work with this company? Meaning, am I considered a sinner by registering the contract without actually ratifying it? Please give us a beneficial answer and may Allâh reward you with good.



It is not permissible to cooperate with the mentioned company in *Riba* transactions, because the Prophet ﷺ cursed the one who devours (i.e., takes) *Riba*, the person who gives it, the person who writes it and its witnesses. Then, he said:

«هُم سَوَاءٌ»

"They are (all) the same (i.e., in sin)."

This was recorded by Muslim. This is also due to Allâh's Statement:

﴿وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

"And do not cooperate in sin and transgression." [1]

The Permanent Committee

### He wrote a Check for *Riba* unknowingly



A man on the street said to my brother, "Please fill out this check in the name of so-an-so," and he told him his name. The man who was speaking to my brother informed him that this money was a loan for the Face of Allâh. However, after that, my brother discovered that this money was *Riba* money. Then, my brother regretted what he had done. We hope from Allâh that we find a beneficial answer from your Eminence.




If the matter is as you have mentioned, in that your brother did not know it was *Riba* at the time of writing the check, there is no sin on him. He is not included in the threat


[1] *Al-Ma'idah* 5:2.

that is reported concerning the curse of the one who devours (i.e., takes) *Riba*, the one who gives it, the one who writes it and its witnesses.

The Permanent Committee

### Plotting to indulge in *Riba*

 I needed a sum of money to complete the building of my house in one of the cities of the Kingdom (of Saudi Arabia). So, I went to a person and requested him to give me a loan of whatever he could of money. He said to me, "I want to give you a car - we'll say that I sold a car to you." So, he gave me 12,000 riyals and he recorded it with him as 21,000 riyals. I did not see the car, nor do I know its color. He only recorded it on paper and he said, "You will pay 1,000 riyals every month." Since I was pleased with this deal at that time when I was in dire need of the money, and now I have paid only 8,500 riyals and 12,500 is the remaining balance, am I required to pay the amount of increase above his capital sum of money? I hope for a beneficial answer. May Allâh reward you with good.

 If the matter is as the questioner mentioned, then this transaction is invalid and indeed it contains a combination of *Riba Al-Fadh'l* and *Riba An-Nasi'ah*. The person who paid the cash to you only gets the capital sum of his money, which is 12,000 riyals, because he did not give you the car nor did he sell it to you, based upon what you have mentioned. He only gave you cash for cash (in return), and this is an obvious evil and it is clearly *Riba*. Thus, you both must repent to Allâh from this and not repeat this act again. We ask Allâh to accept your repentance.

Ash-Shaykh Ibn Baz

## Another *Fatwa* regarding plotting to indulge in *Riba*

**Q** I have a number of bags of rice and they are in a storage facility that we have. People come to me and buy it from me for its price in the market and they loan it (the rice) to other people. Then when it becomes the possession of the debtor, I take it (the rice) back from him for one riyal less than what it was bought for from me. Then, some other people like them come after the rice is back with me and they buy it from me, and so forth. All the while, the rice is in one place, but they are considered to have received it while it is in its same place. Is this method sinful or not? Please give us a beneficial answer. May Allâh reward you with good.

**A** Yes, this method is a scheme to indulge in *Riba*. It is compounded *Riba* that combines between delayed payment and different commodities, meaning it combines between *Riba Al-Fadhl* and *Riba An-Nasi'ah*. This is because loaner is using this as a means of getting 12 for 10, for example. Sometimes the loaner and the debtor agree to this before they come to the owner of the shop. They agree that the loaner will loan him such-and-such amount of cash — like 10 for payment of 12 or more or less - then they come to this merchant to carry out this trickery with him. Shaykhul-Islam Ibn Taimiyyah called this *Al-Heelah Ath-Thalathiyah* (the Threesome Scheme). It is no doubt a scheme to practice *Riba* — *Riba An-Nasi'ah* and *Riba Al-Fadhl* - and thus it is forbidden and it is among the major sins. This is because the forbidden does not change to being allowed by scheming to carry it out. Rather, scheming to perform it increases it in wickedness and it increases it in sin. For this reason it has been mentioned from Ayyub As-Sakhtiyani that he said concerning these schemers: “Verily, they seek to deceive Allâh just as they seek to deceive children. If they did the act forthright, it would have been lesser in sin.” And what he said is true, may Allâh have mercy on him. For verily, the schemer is in the position of the hypocrite who presents himself as a believer



while he is actually a disbeliever. This person is scheming to practice *Riba* while making it seem as though his sale is a correct and lawful sale.

Ash-Shaykh Ibn 'Uthaimin

### He sold the Product for more than its Price for payment to be received later

**Q** I bought a car for 12,100 riyals and I sold it for 14,100 riyals to be paid after a period of 5 months to give the buyer time. I would like a ruling as to whether this sale is included in the ruling of *Riba* or is it outside of what is considered *Riba*.

**A** If the matter is as you have mentioned, then your selling this car is permissible if the sale occurred after you took possession of the car from the person who sold it to you. This is due to Allâh's Statement:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَدَايَنْتُمْ بِدِينٍ إِلَىٰ أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ﴾

"O you who believe! When you contract a debt for a fixed period, write it down."<sup>[1]</sup>

This is also due to what is confirmed in the Two *Sahihs* from 'A'ishah رضي الله عنها that the Messenger of Allâh ﷺ bought some food from a Jew for a delayed payment and he gave him a coat of armor of steel as collateral. There is no *Riba* in this, if Allâh wills, even if the price of the sold product is more than its equivalent price at the time of sale.

The Permanent Committee

[1] *Al-Baqarah* 2:282.

## The ruling on the Worker taking a Percentage of the Profit

**Q** I have a friend who opened a small business and he recruited a worker from outside of the Kingdom (of Saudi Arabia) to work in it. He agreed with the worker on a monthly salary of 1,000 riyals and when the worker arrived in the Kingdom both parties canceled the first agreement and made a second agreement. The second agreement was that the owner of the shop would supply it products and items and everything that it would need would be specifically up to him to pay for, and the worker would work in the shop and take half of the profit. The capital wealth, meaning the shop with its items, would remain in the possession of the owner. With this, the income of the worker rose to 1,500 riyals (monthly). Is this legal Islamically?

**A** There is no harm in this last agreement, which is that the worker takes a designated share of the profit, like half and so forth, and the remainder is for the owner of the shop along with the original possessions and wealth.

Ash-Shaykh Ibn Baz

## Do not sell what you do not have

**Q** What is the ruling on selling loans by way of buying and selling products while they are in their place? This method is followed by some of the people in their loan transactions in the current times.

**A** It is not permissible for the Muslim to sell a product for cash payment or delayed payment, unless the person owns the product and he actually possesses it. This is due to the statement of the Prophet ﷺ to Hakeem bin Hizam:

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

“Do not sell what you do not have.”<sup>[1]</sup>

This is also due to his statement in a *Hadith* of ‘Abdullah bin ‘Amr bin Al-‘Aas رضي الله عنه:

لَا يَحِلُّ سَلْفٌ وَبَيْعٌ، وَلَا بَيْعٌ مَا لَيْسَ عِنْدَكَ

“It is not permissible to make a loan and a sale (in one transaction), nor selling what you do not have.”<sup>[2]</sup>

This was recorded by the Five with an authentic chain of narration. Likewise, the one who bought the product may not sell it until he also has it in his possession due to the two mentioned *Hadiths*. This is also due to what Imam Ahmad and Abu Dawud recorded, and Ibn Hibban and Al-Hakim graded it authentic, on the authority of Zaid bin Thabit رضي الله عنه. He (Zaid) said, “The Messenger of Allāh ﷺ prohibited that products be sold where they are bought until the merchants (who bought them) move them to their places.” Likewise, Al-Bukhari recorded in his *Sahih* from Ibn ‘Umar رضي الله عنه that he said, “Verily I saw the people in the time of the Messenger of Allāh ﷺ buying food and they were prevented from selling it in its place (of purchase) until they transported it to their places.”

The *Hadiths* with this same meaning are numerous.

Ash-Shaykh Ibn Baz

### This Contract is correct

**Q** A person took a sum of 10,000 from another person with an agreement that he would buy a car for him and this was to be done a year after his receiving the mentioned 10,000. Is this contract permissible or not?

**A** If the matter is as mentioned, and the car’s characteristics were known, and the 10,000 was the total price, and the appointed time was known, then the contract is correct.

The Permanent Committee

[1] Abu Dawud no. 3503.

[2] Abu Dawud no. 3504.

## The ruling on taking a Down Payment

**Q** What is the ruling on the seller taking a down payment if the sale has not been finalized? The way this takes place is that two people will enter a sale, and if the sale is finalized, the complete price is paid. If the sale is not finalized, the seller takes a down payment, which he does not return to the buyer.

**A** There is no harm in taking a down payment according to the most correct opinion of the scholars, if the seller and buyer agree to that and the sale has not been finalized.

Ash-Shaykh Ibn Baz

## There is no Sin on you due to your ignorance of the ruling

**Q** I work in Saudi Arabia and I transfer sums of money to my country, Sudan, by way of a person who gives me Saudi riyals, and I give him a piece of paper for my customer in Sudan so that he will give him in return Sudanese *Junayhs*. Thus, both of us benefit from the difference in the currencies. Then, I send the riyals to the National Bank in America and after that we transfer it to Sudan. By this method the dollar gets a return of two dollars. What should I do after finding out that this is forbidden, especially since I got married from this money and I have business projects and real estate properties from it?

**A** It is correct that this transaction is from those things that are prohibited, because from the condition of money exchange is that it must be hand to hand (i.e., paid up front). So, if you want to exchange Saudi riyals for Sudanese *Junayhs* and then send the *Junayhs* to Sudan, then you should take the riyals and give the *Junayhs* (on the spot), then send the riyals to the customer or you should send the riyals to Sudan and let

them be exchanged for Sudanese *Junayhs* therewith on the spot exchange taking place. However, you take the riyals here and give a piece of paper (for payment later) to the customer, so mutual exchange is not achieved. Also, the price could change during this period of time. Also, there is the *Riba* transaction that occurs with the bank of the United States, which is one of the *Riba* banks, as you get a profitable increase in it (due to interest on the account), as mentioned in the question. There is no doubt that this increase is from the clearly forbidden *Riba*. However, with all of this, what is obligatory is that you repent from this action, leave it and replace it with permissible transactions in which there is no doubt or suspicion. In reference to the wealth that you earned by this method while you were ignorant of the ruling, there is no problem in acquiring it and you own whatever you got from it of real estate, payment of the bridal dowry and expenditures.

Ash-Shaykh Ibn Jibreen

### This Wealth is not from *Riba*

**Q** We are a group and have come from Sudan and we agreed to a contract with a company outside of our country to be workers. When we reached the location of the company we found that the company has contracts with banks and these banks deal in *Riba* with the customers. We worked in security, meaning we were security guards for the welfare of the company that made contracts with the banks. The company would give us a small portion of the amount that it had made the contracts for with the banks. One of our friends said, "Verily this is *Riba*, because the wealth reaches us by way of a middle party, which is the company." We hope that you can inform us as to whether this is *Riba*.



I do not see any problem with that, as your work is only with the company and you have no connection with the bank. So, you all work as security guards for the welfare of the

company, and it is the organization that pays your salaries to you. In reference to its dealing with the banks, the usual case is that all of the companies deal with the banks in depositing, guaranteeing, seeking and borrowing money and so forth. The sin in this is on the owners of the company.

Ash-Shaykh Ibn Jibreen

### The ruling on selling Dollars on installment payments

**Q** I want to buy 10,000 American dollars from a specific person at the price of 40,000 Saudi riyals. The payment (of the riyals) will be in monthly installment payments. Each payment will be 1,000 riyals. I want to sell these dollars in the market for 37,500 riyals. What is the ruling concerning that, knowing that I need this money?

**A** The ruling regarding this is that it is forbidden. It is forbidden for a person when he exchanges currency to leave from the place of making the agreement with the seller until after the two parties receive their exchange money. This question does not contain receipt of the second return currency, which is the value of the dollars. Based upon this, it is corrupt and invalid.

If the transaction has already been carried out now, it is obligatory on this person who took the dollars to pay it back in dollars and it is not permissible to base anything on the first agreement, because it is corrupt.

Indeed it has been confirmed from the Prophet ﷺ that he said:


«كُلُّ شَرْطٍ لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ وَإِنْ كَانَ مِائَةً شَرْطٍ، فَضَاءَ اللَّهُ أَحَقُّ، وَشَرْطُ اللَّهِ أَوْثَقُ»


*“Every condition that is not in the Book of Allâh, then it is invalid, even if it were 100 conditions. The Decision of Allâh has*

*the most right and the Condition of Allâh is most binding.*”<sup>[1]</sup>

Ash-Shaykh Ibn ‘Uthaimin

## The ruling on selling Food for its same type, but of different Qualities, like Wheat and similar things

 Our land produces grain and the currency with us is in grains due to the small amount of cash available. So, when the time of seeds comes, we buy from the merchants with the *Sa’* being equivalent to a riyal. Then, when the harvest time comes and the grains have been dried, we give two *Sa’*’s of them to the merchants for one riyal, for example. This is because the price at the time of harvest is cheaper than it is at the time of seeding. Is this transaction permissible?


 There is a difference of opinion among the scholars regarding this practice. Many of them hold the view that it is not permissible, because it is a means to selling wheat and other than it for its same type with differing qualities and delayed payment. That is exactly *Riba* from two aspects: the aspect of the differing qualities (*Al-Fadhl*) and the aspect of delayed payment (*An-Nasi’ah*). Another group of the people of knowledge has gone with the view that this is permissible, if the seller and the buyer do not secretly conspire to giving the wheat instead of cash, and they did not stipulate that in the contractual agreement. These are the statements of the people of knowledge concerning this issue. This dealing of you appears to contain a secret agreement to give more grain in exchange for less grain, because money is scarce. This is not permissible. Thus, it is obligatory upon the farmers in this type of situation to sell the grains to others besides the merchants who bought the seeds from them. Then, they should pay the merchants their due in cash. This is the safe and secure path, and it is in keeping


[1] Al-Bukhari no. 2168.

away from *Riba*. If the sale occurs among the merchants and the farmers with cash, then the farmers end up paying with grains without any previously planned dealing and no condition, then most likely that is correct, as a group of the scholars has said. Especially since the farmer is poor and the merchant fears that if he does not take the grain from him as the price in place of the money that he owes, he will not get what is due to him and he will not receive anything. This is because the farmer will pay with grains to someone else and leave him or he will use it - the grain - on some other needs. This often happens with many of the poor farmers and the right of the merchants is lost. However, if the merchants and the farmers have a previously understood agreement to give grain after the harvest instead of cash, then the first sale is not correct due to the mentioned understood agreement. The merchant is not entitled to anything except what is equal to the grain that he gave to the farmer without any increase, which makes the matter like a loan, as it is not correct to sell with a secretly understood agreement to take more grain.

Ash-Shaykh Ibn Baz

### The ruling on selling a Sheep that is present for two or three Sheep to be given later

 Is it permissible to sell a sheep for two or three sheep to be given later after a period of 20 years or more, for example?


 It is permissible, according to the most correct opinion of the scholars, to sell a specified animal that is present, whether one or more, to be paid later at a designated time, whether it is sooner or later or in installments. As long as the price is specified and the descriptions that make the animal distinct are known, this is lawful. It makes no difference whether that animal is from the type that is sold or any other type. This is because it has been confirmed from the Prophet ﷺ




that he bought one camel for two camels (to be given later) to add to the camels of charity. This was recorded by Al-Hakim and Al-Bayhaqi and its narrators are reliable.

Ash-Shaykh Ibn Baz


### The ruling on exchanging a Meter for two Meters of Garments


 Is it permissible to trade garments by exchanging a meter for two meters or one article for two articles?

 It is permissible to trade some garments with others with equal trading or an increase in some over others. It makes no difference whether they are of one type or more, and it makes no difference if that is done up front or for delayed payment. This is because fabric is not from the kinds of things in which *Riba* is included.

The Permanent Committee

### How to expiate the Sin of the Person who indulged in *Riba* Dealings

 A relative of mine died while he was dealing in *Riba* and now we want to expiate his sin for him. So, what is the legislated method of doing that?

 It is legislated for the heirs to seek to find out the amount of the *Riba* that he took and to give it away in charity on his behalf while also supplicating for forgiveness and pardon for him. We ask Allâh to pardon him, and us and every Muslim.

Ash-Shaykh Ibn Baz

## The ruling on the Son using the Wealth of his Father who indulges in *Riba* Transactions

**Q** Is it permissible for the son to use some of the wealth of his father who indulges in *Riba* transactions?

**A** *Riba* is forbidden according to the Book, the Sunnah and the consensus (*Ijma'*) of the scholars. If your father indulges in *Riba* transactions, it is obligatory on you to advise him by explaining *Riba*, its ruling and what Allâh has prepared for its people of torment. It is not permissible for you to take from the wealth of your father as long as you know that it is *Riba* that has entered into his possession by way of dealing with *Riba*. You must seek sustenance from Allâh and exhaust the legislated means that Allâh has given for seeking sustenance.

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا ۖ وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ﴾

“And whoever fears Allâh, He will make a way out for him (of his problems) and He will provide for him from where he does not reckon.” [1]

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا﴾

“And whoever fears Allâh, He will give him ease in his affair.” [2]

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

[1] At-Talaq 65:2-3.

[2] At-Talaq 65:4.

## Issues Regarding Selling Gold

### Selling Gold for Gold, Silver for Silver, hand to hand and the same for the same

**Q** Verily, I sell and buy gold jewelry and someone told me that it is not permissible to sell it unless it is for cash given hand to hand (i.e., paid up front). So, I said to him that this (the jewelry) is not currency like the Saudi *Junayh*, because it is jewelry in the form of trinkets and adornments. Among them are items that are 21 carats and 18 carats, and they contain mixed copper for their modification. There is also silver that is 21 carats and 18 carats. The money that I bought this jewelry with, was cash and it was not gold. This gold is jewelry. Thus, I doubted concerning this and I have sent this letter to you so that you can give us a ruling. May Allâh reward you with good. If you say that it is obligatory to make the complete payment and exchange at the place of the transaction, is it the *Riba* of the people, whom Allâh said concerning them:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَيْمَنِ﴾

*“Those who eat Riba will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaytan (Satan) leading him to insanity.”*<sup>[1]</sup>

**It is not permissible to sell gold for gold or silver for silver, except like for like (i.e., in weight and measure) and hand to hand (i.e., paid on the spot). It makes no difference whether the two exchange items are from jewelry or cash, or if one of them is jewelry and the other is cash. It also makes no difference whether the two exchange items are paper bank notes or if one**

[1] *Al-Baqarah* 2:275.

of them is a paper bank note and the other is jewelry or cash.

If one of the two exchange items is gold jewelry or cash and the other is silver jewelry or cash, it is permissible for them to differ in amount, but the payment must be made before the parties separate from the place of the agreement. Whatever is opposed to this in this issue, then it is *Riba* and its practitioner is included in the generality of Allâh's Statement:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَيْمَنِ﴾

*"Those who devour Riba will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaytan (Satan) leading him to insanity."*<sup>[1]</sup>

The Permanent Committee

### There must be mutual Exchange in selling Gold

**Q** A man sells and buys gold ingots by way of the banks without him receiving this gold or even seeing it with his eye. When we informed him that this is not permissible, he said that he does not have a safe place to keep it and he fears that it may be stolen. So, what is the ruling concerning this business of his?

**A** If he is not able to take the gold due to the lack of a safe place to keep it, it is not permissible for him to deal in this transaction, because it is obligatory to avoid the forbidden now while he is presently able to avoid it. This is because he is not required to practice this type of business. It is obligatory on him either to implement what the *Shari'ah* requires of taking the gold or he must leave this business practice.

Ash-Shaykh Ibn 'Uthaimin

[1] *Al-Baqarah* 2:275.

## The ruling on selling used Gold for new Gold while paying the difference

**Q** A man works by selling and buying jewelry. So, a person will come to him with used gold and he will buy it from him while its value is known in riyals. Then, before paying the price at that place and time, the person who sold the used gold to him will buy new gold that has a known value. Then, the buyer will pay the remaining balance to him. Is this permissible or is it mandatory to pay the first price completely to the seller, the (initial) seller gives the price of what he wants to buy of new gold from that money or other money?

**A** In this type of situation it is obligatory to pay the value of the used gold. Then, the seller has the choice after receiving the price. If he wants to buy new gold from the one he sold to, he may, and if he wants he may buy from someone else. If he buys from him, he returns his money to him or some other money for the price of the new gold. This is so that the Muslim does not fall into the forbidden *Riba* by selling a lesser quality type of item that is subject to *Riba* for the same type of item of newer and better quality. This is due to what Al-Bukhari and Muslim recorded, that the Messenger of Allāh ﷺ employed a man to be in charge of Khaybar, the man brought him some fine quality dates. So, he ﷺ said:

«أَكُلُّ تَمْرٍ خَيْرٍ هَكَذَا؟»

“Are all of the dates of Khaybar like this?”

The man said, “No. Verily, we take a *Sa'* of this for two *Sa'*s (of regular dates), and two *Sa'*s of this for three *Sa'*s (of regular dates).” The Prophet ﷺ said:

«لَا تَفْعَلْ بِعِ الْجَمْعِ بِالذَّرَاهِمِ، ثُمَّ ابْتَعْ بِالذَّرَاهِمِ جَنِيًّا»

“Do not do this with the group. Sell the dates that are less than

*this for dirhams (i.e., cash). Then buy the good dates with the dirhams.*"<sup>[1]</sup>

This is also because settling the account (from the balance) in this type of sale, even though it takes place at the time and place of the sale, leads to selling gold for gold of differing qualities, and that is forbidden. This is due to what Muslim recorded from 'Ubadah bin As-Samit ؓ that the Messenger of Allāh ﷺ said:

«الذَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ،  
وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، سَوَاءٌ بِسَوَاءٍ، يَدًا بِيَدٍ فَإِذَا  
اِخْتَلَفَتْ هَذِهِ الْأَصْنَافُ، فَيَبِعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيَدٍ»

*"Gold for gold, silver for silver, wheat for wheat, dates for dates, barley for barley, salt for salt, like for like, the same for the same, and hand to hand (i.e., paid on the spot). If these types of items differ, then sell however you wish, as long as it is hand to hand (i.e., paid on the spot)."*<sup>[2]</sup>

In another report from Ibn Sa'id, he (the Prophet ﷺ) said:

«مَنْ زَادَ أَوْ اسْتَرَادَ فَقَدْ أَبِي، الْآخِذُ وَالْمُعْطِي فِيهِ سَوَاءٌ»

*"So, whoever increases or seeks an increase, then indeed he has indulged in Riba, the taker and the giver alike."*<sup>[3]</sup>

The Permanent Committee


## He bought Jewelry and borrowed its Price from the Seller

**Q** A person took some gold jewelry from me and the price of the jewelry was 1,000 riyals. So, I said to him, "It is not permissible unless you give me cash." He then said, "Loan me 1,000 riyals." So, I loaned him 1,000 riyals and he gave it to me (to pay for the jewelry). Is this permissible?

[1] Al-Bukhari no. 4244 and 4245.


[2] Muslim no. 1587.


[3] Muslim no. 82/1584.

 This is not permissible, because it is a scheme to practice *Riba* and it is combining two sales contracts (in one) — the contract of a loan and the contract of a sale — which is also prohibited.

The Permanent Committee


### The ruling on giving raw Gold to the Jeweler to have it changed into Jewelry

 A man gave an ingot of gold to a jeweler and said to him, “Make this ingot into a bracelet for me.” And he said, “Add copper to the ingot that will change the gold from 24 carats to 21 carats and I will give you the weight of the copper and the gold for an intricate bracelet.” Then, the jeweler took the price of the work. So, is this permissible or not?

 If he gave him the gold by weight to change it into jewelry or something else, and the jeweler returns it to him, there is no harm in that, if Allâh wills, if it is done for a fee that they agree on. However, if he takes the ingot and gives him another gold bracelet, then that is not permissible, except under the condition that both of them are equal in weight in the amount of gold and copper. And there is no harm in taking a fee in compensation for workmanship.

The Permanent Committee

### The ruling on doing Business with Gold

 What is the ruling of someone who does business with gold, meaning he buys gold when its price goes down and he sells it when it increases? For example, he buys an *Uqiyah* of gold for 30 riyals and when its price goes up, he sells it for 50 riyals. Please give us a beneficial answer regarding the Islamic ruling concerning this. Does it have the same ruling of selling cash for cash?



There is no harm in selling gold for gold, as long as it is like for like, weight for weight, the same for the same (in measure) and hand to hand (i.e., paid up front). It makes no difference if the gold is new or old, or if one of them is new and the other is old.

Likewise, there is no harm in selling gold for silver or for paper money, as long as it is paid on the spot. This is due to the Prophet's statement:

«الذَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ،  
وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، سَوَاءٌ بِسَوَاءٍ، يَدًا بِيَدٍ فَإِذَا  
اِخْتَلَفَتْ هَذِهِ الْأَصْنَافُ، فَيَبْعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيَدٍ»

*“Gold for gold, silver for silver, wheat for wheat, dates for dates, barley for barley, salt for salt, like for like, the same for the same, weight for weight and hand to hand (i.e., paid on the spot). If these types of items differ, then sell however you wish, as long as it is hand to hand (i.e., paid on the spot).”*<sup>[1]</sup>

This was recorded by Muslim in his *Sahih*.

This is also due to his ﷺ statement in the *Hadith* of Abu Sa'īd رضي الله عنه:

«لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إِلَّا مِثْلًا بِمِثْلٍ وَلَا تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ،  
وَلَا تَبِيعُوا الْوَرِقَ بِالْوَرِقِ إِلَّا مِثْلًا بِمِثْلٍ وَلَا تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ،  
وَلَا تَبِيعُوا مِنْهَا غَائِبًا بِنَاجِزٍ»

*“Do not sell gold for gold, except like for like (in measure), and do not prefer some of it over others (i.e., selling the same items of different qualities). And do not sell silver for silver, except like for like (in measure), and do not prefer some of it over others (i.e., selling the same items of different qualities). And do not sell either of them by exchanging an absent thing with what is given in full.”*<sup>[2]</sup>

[1] Muslim no. 1587 and 1588.

[2] Muslim no. 75/1584.



The authenticity of this *Hadith* is agreed upon.

These two authentic *Hadiths* prove that there is no difference between buying gold for gold for acquisition or for the purpose of profit after the change in prices if the buying and selling are in the manner mentioned in the two *Hadiths*. And success is from Allâh.

Ash-Shaykh Ibn Baz

## Holding Shares in Companies

### The ruling on holding Shares in Companies that deal in *Riba*

By his Eminence, Ash-Shaykh ‘Abdul-‘Aziz bin Baz

All praise is due to Allâh and may blessings and peace be upon the servant of Allâh and His Messenger, our Prophet Muhammad, and upon his family and Companions. To proceed:

Indeed it has reached me that some companies deal in *Riba*, both in taking it and giving it. The questioners have become numerous among the shareholders and the others concerning the ruling on profits that they get that result from dealings in *Riba*. Due to what Allâh has obligated of advising the Muslims and due to the obligation of cooperating in righteousness and piety, I decided to inform that whoever does this, it is forbidden and from the major sins. This is as Allâh said:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ﴿١٧٥﴾ يَمْحَقُ اللَّهُ الرِّبَا وَيُرِي الضَّعْفَتِ وَاللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَتِيمٍ ﴿١٧٦﴾﴾

“Those who devour *Riba* will not stand (on the Day of Resurrection) except like the standing of a person beaten by

*Shaytan (Satan) leading him to insanity. That is because they say: 'Selling is only like Riba, whereas Allâh has permitted selling and forbidden Riba. So, whosoever receives an admonition from his Lord and stops eating Riba, he shall not be punished for the past; his case is for Allâh (to judge); but whosoever returns (to Riba), such are the dwellers of the Fire - they will abide therein forever. Allâh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.). And Allâh does not like every disbelieving sinner.'*"<sup>[1]</sup>

Indeed Allâh made that a form of waging war against Him and His Messenger ﷺ, as He said:

﴿يَأْتِيهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنْتُمْ مُؤْمِنِينَ ﴿١٧٨﴾  
فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَالِكُمْ لَا  
تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿١٧٩﴾﴾

*"O you who believe! Fear Allâh and give up what remains (due to you) from Riba (from now on), if you are (really) believers. And if you do not do it, then take a notice of war from Allâh and His Messenger. But if you repent, you shall have your capital sums. Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums)."*<sup>[2]</sup>

It has been confirmed from the Prophet ﷺ that he cursed the person who devours *Riba*, the person who gives it, its writer and its witnesses, and he said:

«هُمْ سَوَاءٌ»

*"They are the same (in sin)."*<sup>[3]</sup>

And the Verses and *Hadiths* concerning the warning against *Riba* and explaining its disastrous punishment are extremely numer-

[1] Al-Baqarah 2:275-276.

[2] Al-Baqarah 2:278-279.

[3] Muslim no. 1598.

ous. Thus, what is obligatory upon everyone who practices this from the companies and others is to repent to Allâh from this and leave off dealing with it in the future out of obedience to Allâh and His Messenger ﷺ. They should beware of its punishments that result as a consequence of it. They should avoid falling into what Allâh has forbidden, acting according to Allâh's Statement:

﴿وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَ الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ﴾

*"And repent to Allâh all of you, O believers, so that perhaps you will be successful."* [1]


And His Statement:

﴿يَأْتِيهَا الَّذِينَ ءَامَنُوا تُوبُوا إِلَى اللَّهِ تَوْبَةً نَّصُوحًا عَسَىٰ رَبُّكُمْ أَن يُكَفِّرَ عَنْكُمْ سَيِّئَاتِكُمْ وَيُدْخِلَكُم جَنَّاتٍ تَجْرِي مِن تَحْتِهَا الْأَنْهَارُ﴾

*"O you who believe! Repent to Allâh in sincere repentance. It may be that your Lord will expiate your sins for you and enter you into Gardens (of Paradise) with rivers flowing beneath them."* [2]

I ask Allâh to help all of the Muslims and us to repent to Him from all sins, and that He protects us all from the evils of our souls and the wrongdoings of our actions. I ask Him to correct all of our affairs. Indeed He is Most Generous, Most Noble. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.


## The ruling on holding Shares in Business Companies and Insurance Companies

 I am a resident of Kuwait and we have shareholding companies that are specifically for business dealings, farming, banks, insurance companies and petroleum. The

[1] An-Nur 24:31.


[2] At-Tahrim 66:8.


citizen (of Kuwait) has the right to hold shares — both him and the individuals of his families. So, we would like a beneficial answer regarding the ruling of the Islamic law concerning the likes of these companies.

 It is permissible for the person to hold shares in these companies if they do not deal with *Riba*. If they deal in *Riba* it is not permissible. This is due to confirmation of the forbiddance of dealing with *Riba* in the Book, the Sunnah and the consensus (*Ijma'*) of the scholars. Likewise, it is not permissible for the person to hold shares in commercial insurance companies, because the insurance contracts contain deceit, purchase of what is unknown, and *Riba*. The contracts that contain deceit, purchase of what is unknown and *Riba* are forbidden in the Islamic law.

The Permanent Committee

### The ruling on taking an increase more than the Capital Sum in Real Estate Shareholdings

 A man bought a number of real estate shares. Then he went to get his money back and the owner of the company gave him his money and added 40% to it. So, is that considered *Riba* or not?

 If the matter is like what was mentioned, that the owner of the company gave the shareholder his capital sum and added a percentage to it from the capital sum, then the increase is permissible. This is if the shares of the company were evaluated on the day he gave the money and the percentage of profit for every share. Thus, the owner of the company gives him from the profit the amount that is specifically for his shares. Thus, the 40% is from his capital sum (i.e., it is the increased value of the shares). This is permissible and it is not *Riba*. There is no sale of an unknown product involved, nor is there any deception. Likewise, this increase is permissible if he buys his shares of real estate from the owner of the company and he gets

40% increase of profit due to his shares. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

## **The Riba Banks**

**The ruling on dealing with them, working in them, depositing Money in them and holding Shares in them, and the ruling on their Earnings**

### **Firstly: The Decision of the *Fiqh* Academy**

Verily, the meeting of the Council of the Islamic *Fiqh* Academy in its 9th session was held in the building of the Muslim World League in Makkah Al-Mukarramah during the period from Saturday, the 12th of Rajab, in the year 1406 AH, to Saturday, the 29th of Rajab, in the year 1406 AH. The matter of the spread of *Riba* transactions, and the people dealing in them, and the lack of abundant substitutes for them, was looked into. This is the matter that was sent to the Committee by his Excellency, the Doctor, the Secretary General and the Assistant of the President of the Committee.

The Committee listened to the statement of the leading members concerning this dangerous issue that is a commission of that which is clearly forbidden, and its forbiddance is confirmed by the Book, the Sunnah and the consensus (*Ijma'*) of the scholars.

Indeed the modern economical researchers have confirmed that *Riba* is a danger to the economy of the world, its politics, its mannerisms and its security, and it (*Riba*) is behind many of the crises that the world is facing. There is no salvation from this except by uprooting this wicked disease that Islam has prohibited since 14 centuries. Then, the blessed course of action is to establish Islamic sources of exchange that are free of

*Riba* and abolish the dealings that are prohibited by the Islamic law.

With this is rejected the call of the secularists and the victims of the educational attack who claimed that applying the Islamic law in the area of economics these days is impossible. They claim this saying that there can be no economy without banks, and no banks without interest gains (i.e., *Riba*). Likewise what was reported in the decision is the following:

**Firstly:** It is obligatory upon all of the Muslims to avoid what Allâh has prohibited of dealing in *Riba*, whether it is taking it or giving it. They must avoid assisting it in any form or fashion.

**Secondly:** The Committee looked with a pleasing eye at establishing Islamic sources of exchange as a legislated substitute for the sources of exchange that deal with *Riba*. The Committee thinks that it is necessary to spend on establishing these sources of exchange in all of the Islamic lands and wherever the Muslims have societies outside of the Islamic lands. This is so that a strong net can be made from these sources of exchange that will be in the form of a complete Islamic economy.

**Thirdly:** It is forbidden for every Muslim who is able to deal with the Islamic source of exchange to deal with the *Riba* based sources of exchange, whether inside the Islamic lands or outside of them. This is because there is no excuse for him in dealing with them after the Islamic substitute is present. It is obligatory upon him to seek to exchange the evil with the good, and suffice himself with the lawful instead of the forbidden.

**Fourthly:** The Committee invites those responsible in the Islamic lands and those in charge of the *Riba* based sources of exchange in the Islamic lands to make serious haste to purify the Islamic lands from the filth of *Riba*.

**Fifthly:** All wealth that comes by way of *Riba* (interest) gains is Islamically forbidden wealth. It is not permissible for the giver (the person who deposited the money) to benefit from it for

himself or anyone else from those who are under his dependency in any of the matters. It is obligatory that he should use this money (leftover interest) for the public benefits of the Muslims, such as schools, hospitals and so forth. This is not from the matter of charity (*Sadaqah*). Rather, it is only from the matter of purifying the wealth from what is forbidden.

It is not permissible in any case to leave these interest sums for the *Riba* banks to become stronger with, and the sin increases in that in reference to the banks that are outside of the Islamic lands, for usually they give this extra money to the Christian missionary and Jewish establishments. In this way the wealth of the Muslims nourishes the weapons of war against the Muslims and the misguiding of their children away from their beliefs. This while knowing that it is not permissible to continue dealing with these *Riba* banks, whether there is an interest gain or not.

Likewise, Committee requests those in charge of the Islamic sources of exchange to select righteous Muslim elements to work with them in the area of explaining and informing of the laws of Islam and its etiquettes so that their dealings and transactions will be in agreement with those laws.

Allâh gives success and He is the Guide to the right path.

*Ad-Da'wah* Magazine, no. 1037

## **Dealing with Riba Banks**

### **The ruling on dealing with *Riba* Banks**



What is the Islamic ruling regarding all of the following:

- The one who places his money in the bank, and then when it has been in there a year it gains interest.
- The one takes out a loan from the bank to be repaid later with interest.

- The one who deposits his money in these banks, but he does not get any interest.
- The worker who works in these banks, regardless of whether he is a manager or other than that.
- The real estate owner who rents his properties to these banks?



It is not permissible to deposit money in the banks for interest or to take loans with interest. This is because all of that are clearly forms of *Riba*. It is also not permissible to deposit money anywhere else other than the bank if there is interest gained. Likewise, it is not permissible to borrow money from anyone with interest. Rather, that is forbidden according to all of the people of knowledge. This is because Allâh says:

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾

“And Allâh has allowed selling and forbidden *Riba*.” [1]

And He says:

﴿يَمْحُو اللَّهُ الرِّبَا وَيُزِيهِ الصَّدَقَاتِ﴾

“Allâh will destroy *Riba* and will give increase for *Sadaqat* (deeds of charity, alms, etc.).” [2]

And He says:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنْتُمْ مُؤْمِنِينَ ﴿٢٧٨﴾ فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٩﴾﴾

“O you who believe! Fear Allâh and give up what remains (due to you) from *Riba* (from now on), if you are (really) believers. And if you do not do it, then take a notice of war from Allâh and His Messenger. But if you repent, you shall have your capital sums.

[1] Al-Baqarah 2:275.

[2] Al-Baqarah 2:276.



*Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums)."*<sup>[1]</sup>

Then, after all of this He says:

﴿وَإِنْ كَانَ ذُو عُسْرٍ فَآتِرُهُ إِلَىٰ مِيسْرٍ﴾

*"And if the debtor is having a hard time (has no money), then grant him time till it is easy for him to repay."*<sup>[2]</sup>

Allâh informs His servants of this because it is not permissible to demand the person in difficult circumstances to pay what is due on him of a debt (if he does not have resources to pay it), nor to burden him with an increase of money due to giving him time to pay. Rather, it is obligatory to give him time until it is easy for him to pay without any increase due to his inability to pay. That is from the mercy of Allâh for His servants, His gentleness with them and His protecting them from oppression and greed that harms them and does not benefit them.

In reference to depositing money in the banks without gaining interest, there is no harm in it if the Muslim is forced to do so. In reference to working in the banks that deal in *Riba*, it is not permissible, regardless of whether the person is a manager, a secretary, an accountant or anything else. This is due to Allâh's Statement:

﴿وَتَعَاوَنُوا عَلَىٰ الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَىٰ الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾

*"And cooperate in righteousness and piety and do not cooperate in sin and transgression. And fear Allâh. Verily, Allâh is severe in punishment."*<sup>[3]</sup>

This is also due to what is confirmed from the Prophet ﷺ that

[1] *Al-Baqarah* 2: 278-279.

[2] *Al-Baqarah* 2:280.

[3] *Al-Ma'idah* 5:2.

he cursed the person who devours *Riba*, the person who gives it, the person who writes it and its witnesses, and he said:

«هُمْ سَوَاءٌ»

“They are the same (in sin).”<sup>[1]</sup>

This was recorded by Imam Muslim in his *Sahih*.

The Verses and *Hadiths* are many that prove the forbiddance of assistance in the commissioning of acts of disobedience (i.e., sins). Likewise, renting out real estate properties to owners of banks that deal in *Riba* is not permissible due to the mentioned evidences. This is also due to what that contains of assisting them in their acts of *Riba*.

We ask Allâh to bless everyone with guidance and to give all the Muslims success, both the rulers and the subjects, in waging war against *Riba*, avoiding it and being sufficed with what Allâh and His Messenger ﷺ have allowed of legal transactions. Verily, He has control over that and He is capable of doing it.

Ash-Shaykh Ibn Baz

## The ruling on investing Wealth in Banks with Interest

**Q** What is the ruling on investing wealth in banks, while knowing that these banks give interest for placing money in them?

**A** From what is well-known with the people of knowledge of the Islamic law is that investing wealth in banks with *Riba* based profit is Islamically forbidden, and it is among the major sins. It is declaring war against Allâh and His Messenger ﷺ, as Allâh said:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ

[1] Muslim no. 1598.

جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ﴿٢٧٥﴾ يَسْحَقُ اللَّهُ الرِّبَا وَيُزِيهِ الصَّدَقَاتِ وَاللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَثِيمٍ ﴿٢٧٦﴾

“Those who devour Riba will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaytan (Satan) leading him to insanity. That is because they say: ‘Selling is only like Riba,’ whereas Allâh has permitted selling and forbidden Riba. So, whosoever receives an admonition from his Lord and stops eating Riba, he shall not be punished for the past; his case is for Allâh (to judge); but whosoever returns (to Riba), such are the dwellers of the Fire - they will abide therein forever. Allâh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.). And Allâh does not like the disbelieving sinners.”<sup>[1]</sup>

And He said:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنْتُمْ مُؤْمِنِينَ ﴿٢٧٧﴾ فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتِغُوا فَكَلِمَةٌ رُّءُوسٌ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٨﴾﴾

“O you who believe! Fear Allâh and give up what remains (due to you) from Riba (from now on), if you are (really) believers. And if you do it, then take a notice of war from Allâh and His Messenger. But if you repent, you shall have your capital sums. Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).”<sup>[2]</sup>

And it has been authenticated from the Messenger of Allâh ﷺ that he cursed the person who devours Riba, the person who gives it, the person who writes it and its witnesses, and he said:

[1] Al-Baqarah 2:275-276.

[2] Al-Baqarah 2: 278-279.

«هُم سَوَاءٌ»

“They are the same (in sin).”<sup>[1]</sup>

This was recorded by Muslim in his *Sahih*.

Al-Bukhari recorded in his *Sahih* from Abu Juhayfah ؓ that the Prophet ﷺ cursed whoever devours *Riba* and whoever gives it, and he cursed the maker of pictures. In the Two *Sahihs*, it is recorded from Abu Hurairah ؓ that the Prophet ﷺ said:

«اجْتَنِبُوا السَّبْعَ الْمُوبِقَاتِ»

“Avoid the seven destructive sins.”

We (the Companions) said: “And what are they, O Messenger of Allâh?” He said:

«الشِّرْكَ بِاللَّهِ، وَالسَّحْرُ، وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ، وَأَكْلُ  
مَالِ الْيَتِيمِ، وَأَكْلُ الرِّبَا، وَالتَّوَلَّى يَوْمَ الزَّحْفِ، وَقَذْفُ الْمُحْصَنَاتِ  
الْعَافِلَاتِ الْمُؤْمِنَاتِ»

“Associating partners with Allâh, magic, killing the soul that Allâh has made sacred, except with a right to do so, devouring *Riba*, devouring the wealth of the orphan, turning in flight on the day of battle, and wrongfully accusing the chaste believing women who do not think of committing lewd acts.”<sup>[2]</sup>

The Verses and *Hadiths* with this meaning - which is the forbiddance of *Riba* and the warning against it - are numerous. Thus, it is obligatory upon all of the Muslims to leave it, beware of it and advise others to leave it. And it is obligatory upon the authorities among the Muslims to prevent from this (*Riba*) those who are in charge of the banks in their countries, and to require them to adhere to the pure Islamic law. This is in carrying out the Law of Allâh and avoiding His punishment. Allâh said:

[1] Muslim no. 1598.

[2] Al-Bukhari no. 2766 and Muslim no. 89.

﴿لُعِنَ الَّذِينَ كَفَرُوا مِنْ بَنِي إِسْرَائِيلَ عَلَى لِسَانِ دَاوُدَ وَعِيسَى ابْنِ مَرْيَمَ ذَلِكَ بِمَا عَصَوْا وَكَانُوا يَعْتَدُونَ ﴿٧٨﴾ كَانُوا لَا يَتَنَاهَوْنَ عَنْ مُنْكَرٍ فَعَلُوهُ لَبِئْسَ مَا كَانُوا يَفْعَلُونَ ﴿٧٩﴾﴾

*“Those who disbelieved from the Children of Israel were cursed upon the tongue of Dawud (David) and ‘Isa (Jesus), the son of Maryam (Mary). That was because they committed acts of disobedience (sins) and they used to transgress. They would not prevent each other from the evil that they did, so indeed how evil it is what they were doing.” [1]*

And He said:

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ﴾

*“And the believing men and the believing women are Awliya’ (friends, supporters and protectors) of one another. They command the good and forbid the evil.” [2]*

The Prophet ﷺ said:

﴿إِنَّ النَّاسَ إِذَا رَأَوْا الْمُنْكَرَ، فَلَمْ يُعَيِّرُوهُ أَوْشَكَ أَنْ يَعْمَهُمُ اللَّهُ بِعِقَابِهِ﴾

*“Verily, when the people see evil and they do not change it, it is likely that Allâh will cover them with His torment.” [3]*

The Verses and the *Hadiths* concerning the obligation of commanding the good and forbidding the evil are numerous and well-known. So, we ask Allâh for all the Mùslims - the rulers, the subjects, the scholars and the common people - success in adhering to His Islamic law and standing firm upon it, and being aware of everything that opposes it. Verily, He is the Best Who is asked.

Ash-Shaykh Ibn Baz

[1] *Al-Ma'idah* 5:78-79.

[2] *At-Tawbah* 9:71.

[3] Ibn Majah no. 4005, Abu Dawud no. 4338, At-Tirmithi no. 3057 and Ahmad 1:2.

## The ruling on depositing Money in Banks with a specified Profit

**Q** What is the ruling on depositing money in the banks with a specified profit?

**A** Depositing money into the bank with a specified profit is not permissible, because this agreement contains *Riba*. Indeed Allâh said:

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾

“And Allâh has allowed selling and forbidden Riba.”<sup>[1]</sup>

And He said:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنتُمْ مُّؤْمِنِينَ ﴿١٧٨﴾  
فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتِغُوا فَلَئِمَّ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿١٧٩﴾﴾

“O you who believe! Fear Allâh and give up what remains (due to you) from Riba (from now on), if you are (really) believers. And if you do not do it, then take a notice of war from Allâh and His Messenger. But if you repent, you shall have your capital sums. Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).”<sup>[2]</sup>

This amount (of interest) that the person who makes the deposit takes for the deposit contains no blessing. Allâh, the Most High said:

﴿يَمْحُؤُ اللَّهُ الرِّبَا وَيُرِي الصَّدَقَاتِ﴾

“Allâh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.).”<sup>[3]</sup>

[1] Al-Baqarah 2:275.

[2] Al-Baqarah 2:278-279.

[3] Al-Baqarah 2:276.

This type of transaction is a type of *Riba An-Nasi'ah* and *Riba Al-Fadhl*, because the person who deposits the money pays his cash to the bank under the condition that it will remain for a fixed period of time for a fixed amount of profit (i.e., interest).

The Permanent Committee

### The ruling on securing Money in Banks that deal with *Riba*

**Q** The person who has a sum of money and he places it in one of the banks with the intent of keeping it in a safe place and paying the *Zakah* due on it when a year passes on it, is that permissible or not? Please give us a beneficial answer. May Allâh reward you with good.

**A** It is not permissible to secure money in banks that deal with *Riba*, even if one does not take any interest. This is due to what that contains of assisting them in sin and transgression, and Allâh has prohibited that. However, if a person is forced to do that and he cannot find any other place to keep his money safely other than the banks that deal in *Riba*, there is no sin in that, if Allâh wills, due to the necessity. Allâh says:

﴿وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرِرْتُمْ إِلَيْهِ﴾

“Indeed He has explained for you what He has forbidden for you, except what you are forced to do (due to dire necessity).”<sup>[1]</sup>

Whenever there is an Islamic bank present or a safe place that does not contain any aiding in sin and transgression, the person should deposit his money in it and it is not permissible for him to deposit his money in the bank that deals in *Riba*.

Ash-Shaykh Ibn Baz

[1] *Al-An'am* 6:119.

## The ruling on depositing Money in Banks that deal with *Riba* without taking any Profit

**Q** What is the ruling of Islam concerning those who work in the banks and those who place money in them without taking *Riba* based profits?

**A** There is no doubt that working in banks that deal with *Riba* is not permissible, because that is assisting them in sin and transgression. Indeed Allâh said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾<sup>[1]</sup>

*“And cooperate in righteousness and piety, and do not cooperate in sin and transgression. And fear Allâh. Indeed Allâh is severe in punishment.”*<sup>[1]</sup>

It has been confirmed from the Prophet ﷺ that he cursed the person who devours *Riba*, the person who gives it, the person who writes it and its witnesses, and he said:

«هُمُ سَوَاءٌ»

*“They are the same (in sin).”*<sup>[2]</sup>

This was recorded by Muslim in his *Sahih*.

In reference to placing money in the banks while taking monthly or yearly interest, that is a form of *Riba* that is forbidden by the consensus (*Ijma'*) of the scholars. In reference to the person placing the money (in the banks) without taking any interest, it is safer to avoid doing this, except in the cases of necessity if the bank deals with *Riba*. This is because placing the money in the bank, even if there is no interest in it, is assisting the bank in its *Riba* dealings. It is feared that the person who does this will be

[1] *Al-Ma'idah* 5:2

[2] Muslim no. 1598.



considered among those who assist in sin and transgression, even though he does not mean to do that. Thus, it is obligatory to beware of what Allâh has forbidden and seek safe methods of saving money and spending it. May Allâh give the Muslims success in doing that which contains their happiness, their might and their salvation. May He make it easy for them to quickly establish Islamic banks that are safe from the dealings of *Riba*. Verily, He has is in control of that and He is capable of doing it.

Ash-Shaykh Ibn Baz

### The ruling on transferring Money through Banks

**Q** Is it permissible for the Muslim to deal with the current banks that give extra money on top of the capital sum or increase the amount to be paid by one who takes out a loan from them?

**A** It is not permissible for the person to deposit his money in the bank and the bank to give him a guaranteed yearly increase, for example. It is also not permissible for him to take a loan from the bank under the condition that he will pay the bank an increase at the time that they agree upon for the person to pay back the borrowed money. For example, like him paying back 5% more when he pays back the loan. These two forms of transaction are included in the generality of evidences regarding the forbiddance of *Riba* from the Book, the Sunnah and the consensus (*Ijma'*) of the scholars. This is clear, and all the praise is due to Allâh.

In reference to dealing with the banks for securing money without taking interest and transfers of money, if the person is not forced by necessity to put his money in the bank, then it is not permissible to put it in it. This is due to what that contains of assisting the owners of the banks in using it in *Riba*. Indeed Allâh said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالنَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“And cooperate in righteousness and piety, and do not cooperate in sin and transgression.”<sup>[1]</sup>

If there is a need that calls for that, then we do not know of any harm in it, if Allâh wills. Regarding transferring money from one bank to another, even if it is for some increase that the transferring bank takes (as payment for the service), then that is permissible. This is because the increase that the bank takes is a fee that it gets in return for the job of transferring the money.

The Permanent Committee

### This “Contribution” is exactly *Riba*

**Q** One of the banks made an offer to those responsible for a students’ savings fund to keep the money of the students’ savings fund in return for what the bank calls a “contribution”. This is an expression for a sum of money that is given (by the bank) without any act in return other than keeping the money in the bank. The bank in return uses this money (i.e., the students’ savings fund money) and invests it. Therefore, is it permissible to deposit the sum of money into that bank?

**A** This act is not permissible, because it is exactly *Riba*. The reality of it is that the bank uses the money of the fund for a specified amount of interest that it gives to the fund. The bank has only called it a “contribution” as a means of deception and treachery and as a cover — up for *Riba*. *Riba* is *Riba*, regardless of what the people may call it. And Allâh is the One Who is requested for help.

Ash-Shaykh Ibn Baz

[1] *Al-Ma'idah* 5:2

## The ruling on selling Bills of Exchange to the Banks for Profits

**Q** A man buys merchandise from a merchant and he agrees with him on the time for paying, which will be a month or two. Then, the buyer signs a piece of paper for the merchant that is called a bill of exchange, which contains specifics regarding the price of the sale, the time for payment and the name of the buyer. After that, the merchant sells the bill of exchange to the bank and the bank pays the price of the bill of exchange in return for some profit that it takes from the merchant. Is this lawful or forbidden?

**A** Buying merchandise for payment to be made later at a designated time for a specified price is permissible. Writing the price is desired Islamically due to the generality of Allâh's Statement:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَدَايَنْتُمْ بِدِينٍ إِلَىٰ أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ﴾

*"O you who believe! When you contract a debt for a fixed period, write it down."*<sup>[1]</sup>

In reference to selling the sales draft to the bank in return for its paying the sum and the bank taking responsibility for paying what is on the sales draft from the person who bought the product, this is forbidden because it is *Riba*.

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

[1] *Al-Enqarah* 2:282.

## Holding Shares in Banks

### The ruling on holding Shares in Banks that deal with *Riba*

**Q** Is it permissible to hold shares with banks that operate in the Kingdom (of Saudi Arabia), like the Saudi American Bank and the United Saudi Business Bank, that are now offering their shares for public subscription, and other banks? Please give us a beneficial answer. May Allâh reward you from us a thousand blessings of good.

**A** It is not permissible to hold shares in banks that deal with *Riba*. Likewise, *Riba* transactions with banks or anyone else are not permissible, because that is cooperating in sin and transgression. Allâh says:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“And cooperate in righteousness and piety, and do not cooperate in sin and transgression.”<sup>[1]</sup>

Ash-Shaykh Ibn Baz

### The ruling on buying Shares of Banks

**Q** What is the ruling on buying shares of banks and selling them after a period of time, where 1,000 become 3,000 for example? Is that considered a form of *Riba*?

**A** It is not permissible to sell shares of banks or buy them, because it is selling money for money without stipulating any equivalency and on the spot exchange. This is also because they (the banks) are *Riba* establishments. It is not permissible to cooperate with them, whether it is by buying or selling. This is due to the Statement of Allâh:

[1] *Al-Ma'idah* 5:2

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“Cooperate in righteousness and piety, and do not cooperate in sin and transgression.” [1]

This is also due to what is confirmed from the Prophet ﷺ that he cursed the person who devours *Riba*, the person who gives it, the person who writes it and its witnesses, and he said:

«هُمُ سَوَاءٌ»

“They are the same (in sin).”[2]

This was recorded by Imam Muslim in his *Sahih*. You do not get anything other than the capital sum of your money.

My advice to you and to others beside you among the Muslims is to beware of all *Riba* transactions, warn others against them and repent to Allâh from whatever you previously did of that. Because *Riba* transactions are a form of waging war against Allâh and His Messenger ﷺ, and they are from the causes of Allâh’s anger and His punishment, as Allâh said:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَٰئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ﴿١٧٥﴾ يَمْحَقُ اللَّهُ الرِّبَا وَيُرِي الضَّعْفَتِ وَاللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَتَمِّ ﴿١٧٦﴾﴾

“Those who devour *Riba* will not stand (on the Day of Resurrection) except like the standing of a person beaten by Satan leading him to insanity. That is because they say: ‘Selling is only like *Riba*,’ whereas Allâh has permitted selling and forbidden *Riba*. So whosoever receives an admonition from his Lord and stops eating *Riba*, he shall not be punished for the past;

[1] Al-Ma’idah 5:2

[2] Muslim no. 1598.

his case is for Allāh (to judge); but whosoever returns (to Riba), such are the dwellers of the Fire - they will abide therein forever. Allāh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.). And Allāh does not like every disbelieving sinner.”<sup>[1]</sup>

And He said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنتُمْ مُؤْمِنِينَ ﴿٢٧٨﴾  
 فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتِغُوا فَلَئِمَّ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٩﴾﴾

“O you who believe! Fear Allāh and give up what remains (due to you) from Riba (from now on), if you are (really) believers. And if you do not do it, then take a notice of war from Allāh and His Messenger. But if you repent, you shall have your capital sums. Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).”<sup>[2]</sup>

This is also due to what preceded from the noble *Hadith*.

Ash-Shaykh Ibn Baz

## Working in Banks

### The ruling on working in *Riba* Banks

**Q** I am just about to graduate and I intend to work in one of the banks that are present in my city. What is the opinion of his Eminence, the Shaykh, concerning this? Is working in the banks included in what is mentioned in the noble *Hadith* about *Riba*?

**A** I advise you not to work in the *Riba* banks due to what that contains of assisting those who run them in what

[1] *Al-Baqarah* 2:275-276.

[2] *Al-Baqarah* 2:279-278.

Allâh has forbidden of *Riba*. Indeed Allâh said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْمُدُونِ وَأَتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾

“And cooperate in righteousness and piety, and do not cooperate in sin and transgression. And fear Allâh. Verily, Allâh is severe in punishment.” [1]

This is also because the Prophet ﷺ cursed the person who devours *Riba*, the person who gives it, the person who writes it and its witnesses, and he said:

«هُمْ سَوَاءٌ»

“They are the same (in sin).” [2]

This was recorded by Muslim in his *Sahih* on the authority of Jabir bin ‘Abdullah رضي الله عنه. I ask Allâh to help those who are in charge of the banks to adhere to the Islamic law and leave off what Allâh has forbidden for them of *Riba*. I also ask Him to help the authorities in preventing them from this (*Riba*) so that they (the bankers) may adhere to the Law of Allâh and avoid what opposes it. Verily, He is the Best Who is asked.

Ash-Shaykh Ibn Baz

### Working in *Riba* Banks is assisting them in Sin

**Q** I have a cousin who works in one of the banks as a secretary. Some scholars gave him a ruling that he should not remain there and that he search for another job other than the bank. Please benefit us concerning this — may Allâh reward you with good — as to whether it is permissible or not.




Whoever gave him the mentioned ruling did well, because working in *Riba* banks is not permissible. This is because

[1] *Al-Ma'idah* 5:2.

[2] Muslim no. 1598.

that is a form of assisting them in sin and transgression. Allâh says:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْمُدُونِ وَأَتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾  


“And cooperate in righteousness and piety, and do not cooperate in sin and transgression. And fear Allâh. Verily, Allâh is severe in punishment.”<sup>[1]</sup>

Indeed it has been authenticated from the Messenger of Allâh ﷺ that he cursed the person who devours *Riba*, the person who gives it, the one who writes it and its witnesses, and he said:

«هُمْ سَوَاءٌ»

“They are the same (in sin).”<sup>[2]</sup>

This was recorded by Muslim in his *Sahih*.

Ash-Shaykh Ibn Baz

## The ruling on working in the *Riba* Establishments

**Q** Is it permissible to work in a *Riba* establishment, like as a driver or a security guard?

**A** It is not permissible to work in the *Riba* establishments, even if the person is a driver or security guard. That is because his entering into a job with *Riba* establishments necessitates his approval of it. This is because whoever rejects something it is not possible for him to work for its benefit. Thus, if he works for its benefit, then verily he is approving of it. And the one who approves of something that is forbidden gets some of its sin. However, whoever deals directly with the recording, writing, sending, depositing and things similar to that, then there is no doubt that he is directly involved with the forbidden.

[1] *Al-Ma'idah* 5:2.

[2] Muslim no. 1598.



Indeed it has been confirmed from the Prophet ﷺ that he said, or rather it is confirmed from a *Hadith* of Jabir ؓ that the Prophet ﷺ cursed the person who devours *Riba*, the person who gives it, its witnesses and its writer, and he said:

«هُمْ سَوَاءٌ»

“They are the same (in sin).”<sup>[1]</sup>

Ash-Shaykh Ibn ‘Uthaimin

### The ruling on working in the security of Banks

**Q** A man works in one of the banks and he has been doing so for a period of 10 years. He knows that working in banks is not permissible. He works as a night guard and he has no connection with the transactions. Should he continue in the work or leave it?

**A** It is not permissible for the Muslim to be a guard for the banks that deal with *Riba*, because this is a form of cooperating in sin and transgression, and indeed Allâh prohibited that in His Statement:

﴿وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“And do not cooperate in sin and transgression.”<sup>[2]</sup>

Usually, the situation with the banks is that they deal in *Riba*. Therefore, you should search for a lawful way of seeking sustenance other than this method. And success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

[1] Muslim no. 1598.

[2] *Al-Ma'idah* 5:2.

## The ruling of whoever works in the Banks due to Ignorance and then he repents, and the ruling on the Wages that he took from them

**Q** I inform you that I used to work in one of the banks and it is called the Saudi-Holland Bank. It is one of the banks that are widespread throughout Saudi Arabia. I worked at this bank starting from a year after my graduation from high school and for a period of 6 or 7 months. Then, one of my friends informed me that working in the bank was forbidden since it dealt with *Riba* in some of its accounts. Therefore, I joined Saudi Airlines as a student and I left the bank. What I would like to ask is concerning the wages that I received during the 7 months, were they forbidden since I only worked as an employee, and I would take a salary for my work and my effort? Am I required to give all of what I received before of wages and monies in charity, or is it sufficient that I quit working at the bank?

**A** If the matter is as you mentioned, that after you were informed that it was not permissible to work in the bank (you quit), there is no sin on you for what you took from the bank in return for your work there for the mentioned period of months. You are not required to give it away in charity. It suffices that you made repentance from that. May Allâh pardon you and us. And success comes from Allâh. May Allâh send blessings and peace upon His servant and Messenger, Muhammad, and upon his family and his Companions.

The Permanent Committee

### Working in *Riba* Banks is not permissible

**Q** I was in Egypt working in one of the government banks and the important occupation of this bank was giving loans to farmers and others with easy payment conditions for a period of time that would be between a number of months

to years. These loans and mortgages of cash and commodities were supported by interest gains and late fees that were set by the bank when giving the loans and mortgages, for example, it may be 3% or 7% or more than that of increase added to the principle of the loan. When the time of paying the loan comes, the bank seeks the return of the original sum of the loan, plus the interest gains and fees in cash. If the customer delays in paying at the designated time, the bank adds interest fees for tardiness to the loan for every day the person is late past the date of payment.

Based upon this, the goals of this bank are to collect the interest fees on loans and late fees for whoever does not adhere to his payment at the appointed times. From these sums of money the employees of the bank are paid their wages. I have been working at this bank for 20 years. I got married from the salary of the bank, I live on it, I take care of my children with it and I give charity. I do not have any other work besides it. So, what is the ruling of the Islamic law concerning this?



The work of this bank in taking basic interest gains and other interest gains due to late payments, all of that is *Riba* and it is not permissible to work in places like this bank. This is because working in it is a form of cooperating in sin and transgression. Indeed Allâh said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالْتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾

*“And cooperate in righteousness and piety, and do not cooperate in sin and transgression. And fear Allâh. Verily, Allâh is severe in punishment.”* <sup>[1]</sup>

In the *Sahih*, it is reported from Jabir bin ‘Abdullah رضي الله عنه that the Prophet ﷺ cursed the person who devours *Riba*, the person who gives it, its writer and its witnesses, and he said:

<sup>[1]</sup> *Al-Ma'idah* 5:2.

«هُم سَوَاءٌ»

“They are the same (in sin).”<sup>[1]</sup>

Muslim recorded this. In reference to the wages that you took, they are lawful for you if you were ignorant of the Islamic ruling. This is due to Allâh’s Statement:

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ﴿٢٧٥﴾  
يَمْحَقُ اللَّهُ الرِّبَا وَيُرِي الصَّدَقَتِ وَاللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَثِيمٍ ﴿٢٧٦﴾﴾

“And Allâh has permitted selling and forbidden Riba. So, whosoever receives an admonition from his Lord and stops eating Riba, he shall not be punished for the past; his case is for Allâh (to judge); but whosoever returns (to Riba), such are the dwellers of the Fire - they will abide therein forever. Allâh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.). And Allâh does not like the disbelieving sinners.”<sup>[2]</sup>

However, if you knew that this work was not permissible for you, whatever you took of wages you must spend in charitable projects and giving to the poor while repenting to Allâh. Whoever sincerely repents to Allâh, Allâh accepts his repentance and forgives his sins, as Allâh said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا تُوبُوا إِلَى اللَّهِ تَوْبَةً نَصُوحًا عَسَىٰ رَبُّكُمْ أَن يُكَفِّرَ عَنْكُمْ سَيِّئَاتِكُمْ وَيُدْخِلَكُم جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ﴾

“O you who believe! Turn to Allâh in sincere repentance. Perhaps your Lord will expiate your sins for you and enter you into Gardens (of Paradise) with rivers flowing beneath them.”<sup>[3]</sup>

And He said:

[1] Muslim no. 1598.

[2] Al-Baqarah 2:275-276.

[3] At-Tahrim 66:8

﴿وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَا الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ﴾

“And all of you repent to Allâh, O believers, so that perhaps you may be successful.”<sup>[1]</sup>

Ash-Shaykh Ibn Baz

## Salaries of the Employees of the Banks

**Q** Are the salaries that the bank employees receive in general and the Arab Bank in particular, lawful or forbidden? I asked this because I heard that they (these salaries) are forbidden, as the banks deal with *Riba* in some of their transactions. I hope for a beneficial answer since I would like to work in one of the banks.

**A** It is not permissible to work in the banks that deal with *Riba* because that involves assisting them in sin and transgression. Indeed Allâh said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالْإِتْقَانِ وَلَا تَعَاوَنُوا عَلَى الْإِنِّ وَالْعُدْوَانِ﴾

“And cooperate in righteousness and piety, and do not cooperate in sin and transgression.”<sup>[2]</sup>

It has been authenticated from the Prophet ﷺ that he cursed the person who devours *Riba*, the person who gives it, the person who writes it and its witnesses, and he said:

«هُمْ سَوَاءٌ»

“They are the same (in sin).”<sup>[3]</sup>

This was recorded by Muslim in his *Sahih*.

Ash-Shaykh Ibn Baz

[1] *An-Nur* 24:31.

[2] *Al-Ma'idah* 5:2.

[3] Muslim no. 1598.

## Interest of the Banks

### The ruling on the Interest that the Banks pay

**Q** Some banks give profit earning to the sums of money that are placed with them by people who make deposits and we do not know the ruling on these interest earnings. Are they *Riba* or are they permissible earnings that are permissible for the Muslim to take? Are there any banks in the Arab world that deal with the people according to the Islamic law?

**A** Firstly, the profits that the bank pays to those who make deposits, adding them to the sums of money that the people deposit in it, are considered *Riba*. It is not permissible for the person to benefit from these profits. He must repent to Allâh for depositing money into these *Riba* banks. He must also withdraw the money that he deposited and its *Riba* profit. Then, he keeps the capital sum and he spends whatever is more than that in the ways of righteousness, such as on the poor, the needy, helping to make the public utilities better and so forth.

Secondly, he must search for a place that does not deal in *Riba*, even if it is a shop, and the money should be put in it as a method of doing shared business. This should be a known designated portion of the profit, like a third for example. He may also put the money in the place as a means of securing it without any profit. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The ruling on the Profits of the Banks

**Q** Is the profit that the banks specify for the capital sums of money lawful or forbidden? Should we take these profits or refuse them?



This profit is exactly *Riba*, because it is paying money and taking more than it of its same type, as the banks do not define an amount for the profit of this wealth itself. Rather, they mix it with other money. So, the profit gained may be a lot and there may also be losses. Therefore, it is *Riba* and deception. However, some of the scholars have allowed taking it and spending it in the way of righteousness, such as on the poor and the beneficial projects so that it does not remain for someone who will use it in disobedience.

Ash-Shaykh Ibn Jibreen

### The ruling on taking Interests of the Banks and spending them on charitable Projects

**Q** We are Turkish workers who work in the Kingdom of Saudi Arabia. Our country, Turkey, as you know, is a country established on secularism in its law and system. *Riba* is widespread in the country in a very strange way, so much so that the percentage may reach 50% in one year. Here we are forced to send money to our families in Turkey through the banks that are the sources of the *Riba* and its birthplace. Likewise, we put money into the banks due to fear of stealing, loss and some other dangers. With this consideration, we present to your Eminence two important questions in relation to us. Please give us a ruling concerning this matter of ours. May Allâh reward you with the best of rewards from us.

**Firstly:** Is it permissible for us to take *Riba* from these banks and give it in charity to the poor and establish acts of goodness instead of leaving it for them to use?

**Secondly:** If this is not permissible, is it permissible to place the money in these banks due to the excuse of the need to protect it from stealing and loss without receiving the *Riba*, while knowing

that the bank uses it as long as it is in it?

May Allâh guide your steps, bring benefit through you, and direct you to what He loves.



If the need calls for transferring money by way of *Riba* banks, there is no harm in that, if Allâh wills, due to Allâh's Statement:

﴿وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرِرْتُمْ إِلَيْهِ﴾

*"Indeed He has explained to you what He has made forbidden for you, except what you are forced (by necessity) to do."* [1]

And there is no doubt that transferring money through the banks is among the general necessities in this time. Likewise is the case of depositing money in them due to necessity without stipulating interest gain. If any interest is paid to the person without any condition being stipulated or any agreement being made, there is no harm in taking it and spending it on charitable projects, like helping the poor, those in debt and so forth. It should not be kept for personal possession or benefit. Rather, it has the ruling of wealth that is harmful for the Muslims to leave (in the banks), while it is from the impermissible earnings. Thus, spending it on what will benefit the Muslims is better than leaving it for the disbelievers to use it in what Allâh has forbidden. If it is possible to transfer money by way of Islamic banks or some lawful means, it is not permissible to transfer it by way of *Riba* banks. Likewise is the case of depositing money. If this can be done in Islamic banks or Islamic businesses, it is not permissible to deposit the money in *Riba* banks, as the necessity has been removed. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

[1] *Al-An'am* 6:119.



## Another ruling concerning taking Interest and spending it on charitable Projects

**Q** We are in a country whose people are not Muslims. In this country Allâh has blessed us with an abundance of wealth that we are required to keep in one of the American banks. We Muslims put our money in these banks without taking any *Riba* (interest) gains. They (the banks) are pleased with that and they think that we are foolish because we leave money for them that helps them in spreading Christianity with the wealth of the Muslims. My question is why don't we benefit from these interest earnings and help the poor Muslims with it or build *Masjids* with it and Islamic schools? Is the Muslim blameworthy if he takes these interest gains and spends them in the way of Allâh, like donating to the *Mujahidin* (Muslim soldiers who fight in *Jihad* against the enemies of Islam) and other things?

**A** It is not permissible to put money into *Riba* banks, regardless of whether those who run them are Muslims or non-Muslims due to what that contains of assisting them in sin and transgression, even if that is without taking *interest*. However, if the person is forced by necessity to do that in order to keep his money safe without taking interest, there is no harm in that, if Allâh wills. This is due to Allâh's Statement:

﴿وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرِرْتُمْ إِلَيْهِ﴾

"Indeed He (Allâh) has explained to you what He has forbidden for you, except what you are forced by necessity to do."<sup>[1]</sup>

In reference to their being a condition (in the agreement) of interest, then the sin is even greater, because *Riba* is among the major sins. Indeed Allâh forbade it in His Noble Book and upon the tongue of His Trustworthy Messenger. He informed that it

[1] *Al-An'am* 6:119.

is destroyed and that whoever indulges in it, then he has declared war against Allâh and His Messenger. It is possible for the owners of the money to spend from it in the ways of righteousness and goodness, and in helping the *Mujahidin*, and Allâh will reward them for that and replace that money for them. This is as He said:

﴿الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ بِاللَّيْلِ وَالنَّهَارِ سِرًّا وَعَلَانِيَةً فَلَهُمْ أَجْرُهُمْ  
عِنْدَ رَبِّهِمْ وَلَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ﴾ (١٧٤)

“Those who spend their wealth (in charity, in the way of Allâh, for the cause of Islam, etc.), night and day, secretly and publicly, they will have their reward with their Lord, and no fear shall be upon them, nor shall they grieve.”<sup>[1]</sup>

And He said:

﴿وَمَا أَنْفَقْتُمْ مِنْ شَيْءٍ فَهُوَ يُخْلِفُهُ وَهُوَ خَيْرُ الرَّازِقِينَ﴾ (١٧٥)

“And whatever you spend of anything, He (Allâh) will replace it, and He is the Best of providers.”<sup>[2]</sup>

This includes *Az-Zakah* and other things as well. It has been authenticated from the Messenger of Allâh ﷺ that he said:

«مَا نَقَصَتْ صَدَقَةٌ مِنْ مَالٍ، وَمَا زَادَ اللَّهُ عَبْدًا بِعَفْوٍ إِلَّا عِزًّا، وَمَا تَوَاضَعُ  
أَحَدٌ لِلَّهِ إِلَّا رَفَعَهُ اللَّهُ»

“Wealth does not decrease from (giving) charity, and Allâh does not increase a servant with (the characteristic of) pardoning except in honor, and no one humbles himself for Allâh except that Allâh elevates him.”<sup>[3]</sup>

It has also been authenticated from him that he ﷺ said:

«مَا مِنْ يَوْمٍ يُصْبِحُ فِيهِ النَّاسُ إِلَّا وَيَنْزِلُ فِيهِ مَلَكَانِ أَحَدُهُمَا يَقُولُ اللَّهُمَّ

[1] *Al-Baqarah* 2:274.

[2] *Saba* 34:39.

[3] Muslim no. 2588.

أَعْطِ مُنْفِقًا خَلْفًا وَالثَّانِي يَقُولُ اللَّهُمَّ أَعْطِ مُمْسِكًا تَلْفًا»

*“There is not a day that the people enter its morning except that two angels descend during it. One of them says, ‘O Allâh, give replacement to the person who spends,’ and the other says, ‘O Allâh, give loss to the person who withholds.’”*<sup>[1]</sup>

The Verses and *Hadiths* are numerous concerning the virtue of spending in the ways of goodness and charity on those who have needs. However, if the owner of the wealth took *Riba* (interest) ignorantly from the bank or he did so due to being lax about the ruling, but Allâh guided him afterward to what is correct, then he should spend it in ways of goodness and righteous deeds. He should not leave that *Riba* interest in his wealth, because *Riba* destroys whatever mixes with it, as Allâh said:

﴿يَمْحُ اللَّهُ الرِّبَا وَيُرِي الضَّادِقَاتِ﴾

*“Allâh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.).”*<sup>[2]</sup>

And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

### The ruling on whoever takes this Interest ignorantly

**Q** If I had a sum of money, and I put it into a bank, and a period of time passes on that money - let's say a year or more. Then, I received the money with an increase of 10%, and I did not know that this was a type of *Riba* or dealing that is not legislated. I spent the entire amount, meaning the increase that I gained, and the rest remained in the bank. Can I give this same amount (in charity) from any amount that I own from my lawful earnings, and is it permissible for me to travel to give it to my female cousins who are married and in

[1] Al-Bukhari 1442 and Muslim no. 1010.

[2] Al-Bukhari 2:276.

need? This is while knowing that they live in an area that is far away from us.



You must repent from what you devoured (i.e., used) of that *Riba* that the bank gave to you in the name of “interest”. You do not have to pay any fine or charity. Rather, this is from that which Allâh pardons due to His Statement:

﴿فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ﴾

“So, to whomever an admonition comes from his Lord and he desists (from *Riba* dealings), then for him is whatever passed (that he took of *Riba* before) and his matter is left to Allâh.” [1]

So, if you took this *Riba* after that (i.e., knowing it was *Riba*), then you should spend it in charity on whoever deserves charity among your relatives or non-relatives. This is so that you can clear yourself of the sin of devouring *Riba*.

Ash-Shaykh Ibn Jibreen

### The manner of getting rid of *Riba* (Interest)



If I took from the bank some wealth that I owned, and it had been there for more than a year, and I got some extra profit (from the bank, i.e., interest) with it, is it permissible for me to give it away in charity or return it to the bank? What should I do?



It is obligatory upon you to pay its *Zakah* every time a year passes on it, regardless of whether it was in the bank or somewhere else, as long as it was the minimum amount required for *Zakah* (i.e., *Nisab*). In reference to what the bank gave you of extra profit, do not return it to the bank and do not use it for yourself. Rather, spend it in the ways of righteousness, like giving charity to the poor, fixing up the restrooms, and helping those in debt who are unable to pay off their debts. It is not

[1] Al-Baqarah 2:275.

permissible for you to deal with the bank in *Riba* or any place other than the bank, because *Riba* is among the most horrible sins. Indeed, Allâh said in His Noble Book:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ﴿٢٧٥﴾﴾  
يُحِبُّ كُلَّ كَفَّارٍ أَثِيمٍ ﴿٢٧٦﴾﴾

*“Those who devour Riba will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaytan (Satan) leading him to insanity. That is because they say: ‘Selling is only like Riba,’ whereas Allâh has permitted selling and forbidden Riba. So, whosoever receives an admonition from his Lord and stops eating Riba, he shall not be punished for the past; his case is for Allâh (to judge); but whosoever returns (to Riba), such are the dwellers of the Fire - they will abide therein forever. Allâh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.). And Allâh does not like the disbelieving sinners.”*<sup>[1]</sup>

Then, He continues to where He says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنْتُمْ مُؤْمِنِينَ ﴿٢٧٨﴾﴾  
فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتِغُوا فَلَئِمَّ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٩﴾﴾

*“O you who believe! Fear Allâh and give up what remains (due to you) from Riba (from now on), if you are (really) believers. And if you do not do it, then take a notice of war from Allâh and His Messenger. But if you repent, you shall have your capital sums. Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than*

[1] Al-Baqarah 2:275-276.

*your capital sums).*"<sup>[1]</sup>

So, all these noble Verses prove the severe forbiddance of *Riba* and that it is among the major sins. Thus, whoever persists in indulging in it, then he is under the threat of remaining in the Fire (of Hell). We ask Allâh for safety from that. This remaining (in the Fire) is apparently like the remaining of the disbelievers (in Hell forever) and it is eternal, having no end, if the person was someone who considered *Riba* to be lawful.

In reference to the person who knew that *Riba* was forbidden and he believed that, but he just continued indulging in it, the mentioned threat applies to him as well. However, his remaining in the Fire, if he enters it, is not like the remaining of the disbelievers (in the Fire). Rather, it is a period of remaining that has an end, as the *Salaf* of the *Ummah* and its Imams have broken this down into degrees. This is opposite of the *Khawarij* (Kharijites) and the *Mu'tazilah* (Mu'tazilites). The same applies to the remaining (in the Fire) of the person who commits suicide, and the person who murdered someone else intentionally and in transgression, and the remaining (in the Fire) of the person who committed fornication or adultery. All of this is from this matter. Whoever among these people considers these sins to be lawful, then he has disbelieved and he will remain in the Fire as the disbelievers will remain in the Fire (forever). We seek refuge with Allâh from that.

In reference to those who do not consider these things lawful, and he only does them due to obedience to his desires and Satan, then he will not remain in the Fire forever — if he enters it — like the disbelievers will remain. However, he will remain in the Fire for a time that will end. This is because the Arabs in their language express any lengthy stay with the term *Khilud* (forever) and the Qur'an was revealed in their language. This is a tremendous issue that must be given careful attention. It should be known that there is a difference between the disbelievers

[1] *Al-Baqarah* 2:278-279.

remaining in the Fire and the disobedient (sinners among the Muslims) remaining in the Fire. Due to the ignorance of these two forms of remaining in the Fire, the *Khawarij* and the *Mu'tazilah* fell into a tremendous evil and corrupt belief. That is their ruling that the disobedient (sinners among the Muslims) would remain in the Fire eternally and forever just like the disbelievers. The people of the Sunnah (*Ahlus-Sunnah*) opposed them in that and explained the falsehood of their position with clear evidences from the Book, the Sunnah and the statements of the *Salaf* of the *Ummah*. Indeed it has been authenticated from the Messenger of Allāh ﷺ that he cursed the person who devours *Riba*, the person who gives it, the person who writes it and its witnesses, and he said:

«هُمُ سَوَاءٌ»

“They are the same (in sin).”<sup>[1]</sup>

This was recorded by Imam Muslim in his *Sahih* from Jabir bin ‘Abdullah ؓ. Al-Bukhari recorded in his *Sahih* from Juhayfah ؓ that the Prophet ﷺ cursed the person who devours *Riba*, the person who gives it, the woman who practices tattooing, the woman who seeks to get herself tattooed, and the maker of pictures.

Thus, it is obligatory upon all of the Muslims to beware of *Riba* dealings and cooperating in that with those people who deal in *Riba*. This is due to the two mentioned *Hadiths* and Allāh’s Saying:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾

“And cooperate in righteousness and piety, and do not cooperate in sin and transgression. And fear Allāh. Verily, Allāh is severe in punishment.”<sup>[2]</sup>

[1] Muslim no. 1598.

[2] *Al-Ma'idah* 5:2.

We ask Allâh for success for all of the Muslims and us in doing that which pleases Him and being safe from the causes of His anger. Verily, He is the Best Who is asked.

Ash-Shaykh Ibn Baz

### The ruling on taking *Riba* Profits and spending it in Charity on the Poor

**Q** What is the method of dealing with interest profits from the banks? Should they be left for the bank or should the person take it and spend it in charity due to fear of the matter of *Riba*?

**A** I prefer that it should be taken and spent in charity on the poor Muslims and there is no sin on the person, if Allâh wills, as long as he does not devour it (i.e., use it for himself). It does not become *Riba* on the poor people. Rather, it is money that its owner gets in a forbidden way, thus he must give it away in charity, just like that which is stolen and that which is taken by force, when it is not expected that its owner will be found. The same applies to dealing with forbidden wealth when repenting from it, like prostitution money, the price paid for a dog and so forth.

Ash-Shaykh Ibn Jibreen

### The ruling on taking Interest Earnings and giving it to the *Mujahidin*

**Q** Is it permissible Islamically that I deposit my wealth (in a bank) and take the interest that it earns and give it to the *Mujahidin*, for example?

**A** Since it is known that these banks deal in *Riba*, depositing money with them involves assisting them in sin and transgression. We advise that the banks should not be dealt with. However, if the person is forced by necessity to do that



and he does not find financial institution or bank that is Islamic, there is no harm in depositing the money with the banks (that deal in *Riba*). It is permissible for him to take this money that they pay him as a profit or interest, but he should not include it in his wealth. Rather, he should spend it in the ways of goodness, such as on the poor, the needy, the *Mujahidin* and others like them. That is better than him leaving it for someone who will spend it on churches and missionaries who call to disbelief and deterring others away from Islam.

Ash-Shaykh Ibn Jibreen

### The *Riba* Profits should be spent in the Ways of Goodness



How can I get rid of the *Riba* profits Islamically?



I think and I feel that it is better to take it from the banks and spend it in the ways of goodness and the charitable deeds, such as on *Masjids* and free schools in the Islamic lands that need that. This is better than the people of the bank devouring it while it came from them, and thus the person would be included in the *Hadith* of Allâh's curse being upon the person who devours *Riba* and the person who gives it (to be devoured by others).

Ash-Shaykh Ibn Jibreen

**Comments of the Eminent Shaykh concerning what  
was published in the Magazine, *Manarul-Islam*, that  
a small amount of Profit is permissible as an  
exception**

All praise is due to Allâh, the Lord of the worlds, and may blessings and peace be upon His servant, Messenger and Chosen One among His creation, our Prophet Muhammad bin

'Abdullah and upon his family, Companions and whoever traverses upon their path and follows their guidance until the Last Day. Thus, to proceed:

Indeed, I came across what was published in its third issue of the magazine, *Manarul-Islam*, that is produced in Abu Dhabi by the Ministry of Justice and Religious Affairs. It came out in Rabi'ul-Awwal in the year 1404 AH. This was the ninth year and it came about from an announcement of one of the departments of the unified Supreme Court in the United Arab Emirates concerning some of principles particularly related to banking profits. The decision concerning this matter was made before the courts and the essence of it was that a small amount of interest for a loan is permissible as an exception from the basic prohibition of *Riba*. This is if there is a need that calls for it and there is a benefit that necessitates it. This is in consideration of the banks in their present situation and in agreement with the systems of the world that the needs of the servants (mankind) require. The benefits of their lives could not be fulfilled except with these needs. Also, the courts cannot impose prohibition on interest earnings by saying that the Islamic law forbids interest. Likewise, in the situation of agreed upon interest, the judge may only rule according to it. Finally, the statement was given that a slight amount of interest is permissible as long as it is below 12% for business and 9% for other things. They considered that these interest rates in these situations do not contradict the Islamic law that Muslim Emirates (UAE) adheres to.

Verily, I am extremely amazed at this bold step in announcing these strange principles that carry a disgrace to the sacred laws of Allâh and the kind teachings of His Law. These teachings are well-known in the religion of Islam from the clear texts of the Qur'an and the authentic *Hadiths* of the Messenger of Allâh ﷺ. This is especially strange that this was announced under the shade of a Muslim country that is led by a Muslim man. In this dangerous and hasty announcement is a falsification against

Islam and a declaration of being lawful that which is from the worst of the forbidden things in the Law of Allâh. This has been clarified by his Eminence, the President of Islamic Judiciary in the Arab Emirates (UAE), in his refutation of these principles, and his clarification was a presentation of the truth.

It is known that Allâh, the Most High has forbidden *Riba* in all of its forms and colors in His Noble Book. This can be found in numerous Verses. Among them is His Statement:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ يَأْتِيهِمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلَ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ﴿٢٧٥﴾ يَمْحَقُ اللَّهُ الرِّبَا وَيُزِيلُ الصُّدُقَاتِ وَاللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَثِيمٍ ﴿٢٧٦﴾﴾

*“Those who devour Riba will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaytan (Satan) leading him to insanity. That is because they say: ‘Selling is only like Riba,’ whereas Allâh has permitted selling and forbidden Riba. So, whosoever receives an admonition from his Lord and stops eating Riba, he shall not be punished for the past; his case is for Allâh (to judge); but whosoever returns (to Riba), such are the dwellers of the Fire - they will abide therein forever. Allâh will destroy Riba and will give increase for Sadaqat (deeds of charity, alms, etc.). And Allâh does not like every disbelieving sinner.”*<sup>[1]</sup>

And He said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا الرِّبَا أَضْعَافًا مُضَاعَفَةً وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ ﴿١٣٠﴾﴾

*“O you who believe! Eat not Riba doubled and multiplied, but fear Allâh so that you may be successful.”*<sup>[2]</sup>

[1] Al-Baqarah 2:275-276.

[2] Aal-Imran 3:130.

And He said:

﴿وَمَا آتَيْتُمْ مِنْ رَبِّا لِيَرْبُوا فِيْ أَمْوَالِ النَّاسِ فَلَا يَرْبُوا عِنْدَ اللَّهِ﴾

*“And whatever you gave of Riba so that it would increase in the wealth of the people, it does not increase with Allāh.” [1]*

And He said:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنْتُمْ مُؤْمِنِينَ ﴿٢٧٨﴾ فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٩﴾﴾

*“O you who believe! Fear Allāh and give up what remains (due to you) from Riba (from now on), if you are (really) believers. And if you do not do it, then take a notice of war from Allāh and His Messenger. But if you repent, you shall have your capital sums. Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).” [2]*

This harsh manner (of addressing Riba) proves that Riba is among the major crimes and the hideous of them, and that it is among the worst of the major sins that bring about the anger of Allāh and cause his punishments to occur in this life and the Hereafter. Allāh said:

﴿فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ ﴿٦٣﴾﴾

*“Let those who oppose his (Prophet Muhammad’s) command beware, lest they be afflicted by a Fitnah (evil trial) or they be afflicted by a painful torment.” [3]*

The Prophet ﷺ said:

[1] Ar-Rum 30:39

[2] Al-Baqarah 2:278-279.

[3] An-Nur 24:63.

«اجْتَنِبُوا السَّعَ الْمُؤَبِّقَاتِ»

“Avoid the seven Muwbiqat sins.”

They (the Companions) said: “O Messenger of Allâh, what are they?” He said:

«الشُّرْكُ بِاللَّهِ، وَالسَّحْرُ، وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ اللهُ إِلَّا بِالْحَقِّ، وَأَكْلُ  
الرِّبَا، وَأَكْلُ مَالِ الْيَتِيمِ، وَالتَّوَلَّى يَوْمَ الرَّحْفِ، وَقَذْفُ الْمُحْصَنَاتِ  
الْعَافِيَاتِ الْمُؤْمِنَاتِ»

“Associating partners with Allâh, magic, killing the soul that Allâh has made sacred except with a right to do so, devouring Riba, devouring the wealth of the orphan, turning in flight on the day of battle, and falsely accusing the chaste, believing women who do not think of committing any indecent act.”<sup>[1]</sup>

Muwbiqat means things that destroy. He ﷺ also said:

«الرِّبَا إِنْثَانٍ وَسَبْعُونَ بَابًا، أَدْنَاهَا مِثْلُ إِيْتَانِ الرَّجُلِ أُمَّهُ»

“Riba has 72 doors. The least of them (in sin) is like a man having sex with his mother (i.e., incest).”<sup>[2]</sup>

Indeed it has been authenticated from him that he ﷺ cursed the person who devours Riba, the person who gives it, the person who writes it and its witnesses, and he said:

«هُمُ سَوَاءٌ»

“They are the same (in sin).”<sup>[3]</sup>

And he ﷺ said:

«الذَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ، وَالسَّعِيرُ بِالسَّعِيرِ،  
وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، يَدًا بِيَدٍ، فَمَنْ زَادَ أَوْ اسْتَزَادَ

[1] Al-Bukhari no. 2766. and Muslim no. 89.

[2] Awsat for Tabarani 8/73-74. no. 7147.

[3] Muslim no. 82/1584.

فَقَدْ أَرَبَى الْأَخِذُ وَالْمُعْطَى فِيهِ سَوَاءٌ»

“Gold for gold, silver for silver, wheat for wheat, dates for dates, barley for barley, salt for salt, like for like (in measure), and hand to hand (paid for on the spot). So, whoever gives more or seeks to get more, then he has indeed committed *Riba*. The taker and the giver are the same in it.”<sup>[1]</sup>

This was recorded by Muslim. So, these Verses and *Hadiths*, as well as others besides them, affirm the forbiddance of *Riba*, whether it is in small amounts or large amounts, and they clarify its danger for the individual and the society. These texts explain that whoever deals with *Riba* or indulges in it, then he has become someone who wages war against Allâh and His Messenger. Among all of the people of knowledge there is no difference of opinion concerning the forbiddance of that due to the clarity of the texts concerning it.

How can the Muslim permit this who is anxious about his religion’s honor, who believes that this great religion of Islam came as a complete and perfect religion that contains the beneficial things and repels the evils? It is a religion that is suitable for application in all times and places. How can the Muslim allow himself to permit *Riba* and deal with it?

Verily, these principles that were announced by one of the departments of the unified Supreme Court in the country of the Emirates with the argument that there is now a need for it, in order to declare permissible what Allâh and His Messenger have forbidden, contains an offense against Allâh. It is an opposition to Allâh’s laws and an act of speaking about Him without knowledge. The need of the people for currency exchange institutions can only be achieved by those institutions traversing upon the fundamentals of the Islamic law. This is by declaring lawful what Allâh has made lawful and declaring forbidden that which Allâh has forbidden. If the matter is

[1] Muslim no. 1587.

contrary to this, then it is evil and corrupt. The laws of Allâh's religion are confirmed and absolute, because they have come from One Who is Most Mighty and Most Wise, Who knows the affairs of His servants and what is befitting of their conditions. It is not permissible for us to judge according to opinion or desires or whatever is similar to them in declaring lawful what is forbidden or declaring forbidden what is lawful.

This is in carrying out the command of Allâh and His Messenger concerning the obligation of mutual advising between the Muslims, This is also fulfilling what is obligatory upon someone like me of clarifying and warning about what Allâh and His Messenger have forbidden. The writing of this brief statement has been carried out, and I ask Allâh to give all of the Muslims and us success in properly understanding His religion and staying firm upon it. May He help us to be sincere to Allâh and His servants, and beware of everything that opposes His pure Law. Indeed He is Most Generous, Most Noble. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The General President  
For the Administrations of Scientific Researches,  
Religious Verdicts, Preaching and Guidance  
'Abdul-'Aziz bin 'Abdullah bin Baz

## Loans

### The ruling on banks that give loans with yearly interest

All praise is due to Allâh alone. To proceed:

The Permanent Committee for Scientific Researches and Religious Verdicts reviewed the current request from the General Secretariat of Senior Scholars Board for a ruling particularly regarding the question of a questioner about two issues. One of them is what he mentioned concerning a bank that was established in their country and it gives those who hold shares in it loans with yearly interest at the rate of 6% until the loan is repaid. The questioner asks about the correctness of that. The second question is concerning the ruling of circumcising girls and whether it is recommended or disliked.

After the Committee's study of the request for a ruling, it responded to the first question by saying that the transaction with the bank that is mentioned in the question is a forbidden transaction. It combines *Riba Al-Fadhl* and *Riba An-Nasi'ah*. It is *Riba Al-Fadhl* because the person takes 1,000 from the bank, for example, and he gives the bank 1,060 in return. It is *Riba An-Nasi'ah* in that he takes 1,000 from the bank today and he gives the bank 1,060, for example, after a year. This is based upon what Ahmad and Muslim recorded from 'Ubadah bin As-Samit ؓ that the Prophet ﷺ said:

«الذَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ،  
وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، يَدًا بِيَدٍ، فَإِذَا اِخْتَلَفَ هَذِهِ  
الْأَصْنَافُ فَبِيعُوا كَيْفَ شِئْتُمْ إِذَا كَانَ يَدًا بِيَدٍ»

“Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, like for like (in measure), and hand to hand (i.e., paid on the spot). If these types of items differ then sell however you wish, as long as it is hand to hand (i.e., paid on the



spot).”<sup>[1]</sup>

The point of proof in this that proves the forbiddance of these transactions and that it combines *Riba Al-Fadhil* and *Riba An-Nasi'ah* is that the bank gives the borrower a type of money and stipulates a condition upon him that it must be returned after a period of time with an increase. This increase is subject to the period of time that precedes its payment. The Messenger of Allâh ﷺ said, “Like for like (in measure) and hand to hand (i.e., paid on the spot).” Thus, this transaction is opposed to his command concerning that. Ibn Al-Munthir mentioned that there is a consensus (*Ijma'*) among the people of knowledge that if the person gives a loan and stipulates an increase or gift on the borrower, then this is a type of *Riba*.

The Committee responded to the second question by saying that circumcising women is legislated for them as something that is recommended. This is due to what Al-Khallal recorded with his chain of narration back to Shaddad bin Aws ؓ that the Prophet ﷺ said:

«الْخِتَانُ سُنَّةٌ لِلرِّجَالِ وَمَكْرَمَةٌ لِلنِّسَاءِ»

“Circumcision is a Sunnah for the men and an honor for the women.”<sup>[2]</sup>

And success if from Allâh. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

## The ruling on the Loan with Interest



Is dealing with the bank *Riba* or permissible, because many of the citizens take loans from them.



It is forbidden for the Muslim to take a loan from anyone, whether it is gold, silver or paper money, under the


[1] Muslim no. 1587.


[2] Ahmad no. 5:75.

condition that he will return more than it. It makes no difference whether the lender is a bank or other than a bank. This is because it is *Riba*, which is among the greatest of the major sins. Whichever of the banks deals in this type of transaction, then it is a *Riba* bank. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The Loan with Interest is not permissible

 I am an employee who makes a salary of about 3,048 riyals (monthly) and I have been married for about a year. I have debts that are 53,000 riyals and the people, who I owe the debts to, often press me for payment, but I do not have the money to pay them back. Is it permissible for me to take out a loan from one of the banks that give loans while taking interest? This is while knowing that the loan will not cover half of my debts. Please benefit me with an answer. May Allâh reward you with good.

 It is not permissible for the Muslim to take out a loan from the bank or anywhere else that is a loan with interest. This is because that is from the greatest forms of *Riba*. He must take the permissible means in seeking sustenance and paying off debt.

In what Allâh has allowed of transactions and types of earnings is what will suffice the Muslim from dealing with what Allâh has forbidden for him.

What is obligatory upon the people to whom the debt is owed is that they give you time until you are able to pay if they know that you are in difficult circumstances (i.e., unable to pay). This is due to Allâh's Statement:

﴿وَإِنْ كَانَتْ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ وَأَنْ تَصَدَّقُوا خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ



*“And if the debtor is in hard time (has no money), then grant him time till it is easy for him to repay; but if you remit it by way of charity, that is better for you if you did but know.”<sup>[1]</sup>*

It has been authenticated from the Messenger of Allāh ﷺ that he said:

«مَنْ أَنْظَرَ مُعْسِرًا، أَظَلَّهُ اللهُ فِي ظِلِّهِ يَوْمَ لَا ظِلَّ إِلَّا ظِلُّهُ»

*“Whoever gives time (for payment) to someone in difficult circumstances (i.e., he is not able to repay), Allāh will shade him in His Shade on a day in which there will be no shade except His Shade.”<sup>[2]</sup>*

And he ﷺ said:

«مَنْ يَسَّرَ عَلَى مُعْسِرٍ، يَسَّرَ اللهُ عَلَيْهِ فِي الدُّنْيَا وَالْآخِرَةِ»

*“Whoever makes matters easy for someone in difficult circumstances (i.e., if he has no money), Allāh will make matters easy for him in this life and in the Hereafter.”<sup>[3]</sup>*

And Allāh is the Giver of success.

Ash-Shaykh Ibn Baz

## The ruling on taking a Loan from a Real Estate Development Fund for someone who is wealthy

**Q** I am a man who borrowed some money from a real estate expansion fund to build a villa, and my situations are good - and all praise is due to Allāh. After building it I still remain in good condition financially. Then, after a period of time I rented it out to someone. The question is, is there any

[1] Al-Baqarah 2:280.

[2] Ahmad 3/427.

[3] Muslim no. 2699.

sin on me for what I did, and is there any *Zakah* due on the rental money?



Since the government - may Allâh give it success - opened this Real Estate Fund, and the intention of it was to relieve the housing crisis and what occurs sometimes of hardships, the government allowed every (Saudi) citizen to borrow from it under well-known conditions. They did not make any distinction between a wealthy person and a poor person. It makes no difference whether the borrower built the house for living in or renting. Thus, there is no harm in that and this person's dealing is correct, if Allâh wills. In reference to *Az-Zakah*, it is not due on the houses and buildings themselves. It is only due on the rent money if it remains with the owner until a year passes with it in his possession. So, if he spent it or used it to pay off a debt, there is no *Zakah* due on it.

Ash-Shaykh Ibn Jibreen

### The ruling on Employees collecting Money


**Q** A group of the teachers collect a sum of money at the end of each month from their salaries and it is given to a specific person among them. Then, the next month it is given to another person and so forth until all of them have taken their share. Some people call this a *Jam'iyah* (club, organization). So, what is the ruling of the Islamic law concerning that?




There is no harm in that. It is a loan that does not have any stipulation of increased benefit for anyone. The Senior Scholars Board looked into that and decided by a majority decision that this is permissible due to what it contains of benefit for everyone without any harm. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

## It is not permissible to sell a Loan except for the same Price at the time of demanding Payment

 My brother in Allâh's religion (Hasan M.) loaned me 2,000 Tunisian dinars. We wrote a contract for that in which we mentioned the amount of the money in German currency. After the time of the loan passed, which was a year, the value of the German currency went up. So, if I gave him what was in the contract I would be giving him 300 Tunisian dinars more than what I borrowed from him. So, is it permissible for my lender to take the increase or is it considered *Riba*? Especially since he wants to be paid in German currency so that he can buy a car from Germany.

 The lender (Hasan M.) may not take anything other than the amount that he lent you, which was 2,000 Tunisian dinars, unless you permit the increase (of your own freewill), then there is no problem with that. This is due to the Prophet's saying:

«إِنَّ خِيَارَ النَّاسِ أَحْسَنُهُمْ قَضَاءً»

“Verily, the best of the people are the best of them in repaying (debts, loans, etc.).”<sup>[1]</sup>

This was recorded by Muslim in his *Sahih*. Al-Bukhari recorded it with the wording:

«إِنَّ مِنْ خِيَارِ النَّاسِ أَحْسَنُهُمْ قَضَاءً»

“Verily, from the best of the people are the best of them in repaying (debts, loans, etc.).”<sup>[2]</sup>

In reference to the mentioned contract, it is not acted by and nothing is necessitated by it, as it is a contract that is not Islamically legislated. Indeed the legislative texts prove that it is not permissible to sell a loan except for the same price at the


[1] Muslim no. 1600


[2] Al-Bukhari no. 2392.

time of demanding payment, unless the person who owes the debt permits the increase as an act of kindness and reciprocity. This is due to the authentic *Hadith* that was previously mentioned.

Ash-Shaykh Ibn Baz

### Whoever borrows Money in one Currency, can he repay it with another Currency?

 One of my relatives who lives in Cairo requested a loan from me of 2,500 Egyptian pounds. I sent him the amount of 2,000 dollars, which he sold and got 2,490 Egyptian pounds. Now he wants to repay the debt, while knowing that we did not agree on a set time for repayment and how the money should be repaid. The question is do I take from him 2,490 Egyptian pounds, which is equivalent now to 1,800 American dollars (which is less than the amount that I paid to him in dollars), or do I get 2,000 dollars? This is while knowing that he will have to buy the dollars for about 2,800 Egyptian pounds (which is 300 Egyptian pounds more than the amount he got).

 What is obligatory is that he returns to you what you lent him in dollars, because this was the loan that he took from you for himself. However, along with that, if you both agree that he give you Egyptian pounds, there is no harm in that. Ibn 'Umar رضي الله عنه said: "We used to sell camels at Al-Baqi' for dirhams and we would take dinars for them. Then, we would sell the dinars and take dirhams for them. So, the Prophet ﷺ said:

«لَا بَأْسَ أَنْ تَأْخُذَهَا بِسِعْرِ يَوْمِهَا مَا لَمْ تَفْتَرِقَا وَيَيْنُكَمَا شِئْتُمْ»

*There is no harm if you take them for their price on that day, as long as you (the two dealers) do not separate with something (owed) between you.*"<sup>[1]</sup>

[1] Abu Dawud no. 3304 and An-Nasa'i no. 4586.

So, this is selling cash for another type of cash, which is similar to what selling gold for silver is. Thus, if he and you agree that he gives you Egyptian pounds instead of dollars, under the condition that you do not take from him more pounds than what the loan was equal to at the time of agreeing to the change (of currency), there is no harm in that. For example, if 2,000 dollars now equals 2,800 pounds, it is not permissible for you to take 3,000 pounds from him. But it is only permissible for you to take 2,800 pounds and it is permissible for you to take 2,000 dollars. This means that you take according to today's price or less, meaning you do not take more, because if you took more, you have taken profit in what was not included in that which you were guaranteed. Indeed the Prophet ﷺ prohibited any profit on that which was not guaranteed. However, if you took less, then this is taking some of your right and relinquishing the rest, and there is no harm in that.

Ash-Shaykh Ibn 'Uthaimin

### Every Loan that brings some Benefit is *Riba*

**Q** A man borrowed some money from another man, but the lender stipulated a condition that he takes a piece of farmland from the borrower as collateral for the sum of money. Then he (the lender) began planting on the land and taking its complete yield or half of it, and he would leave the other half for the owner of the land until he repaid the entire loan as he took it. At that time the lender would return the land to him that was under his control. What is the Islamic ruling in your view concerning this stipulated loan?

**A** Verily, the loan is among the contracts of kindness that has as its objective gentleness with the borrower and kindness to him. It is from the desired matters that are loved by Allâh, because it is an act of kindness to the servants of Allâh. Indeed Allâh said:

﴿وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ﴾

“And do good (i.e., acts of kindness), for verily Allâh loves those who do good.”<sup>[1]</sup>

So, in reference to the lender it is a legislated and recommended act, and in reference to the borrower it is a permissible and allowed act.

Indeed it has been confirmed from the Prophet ﷺ that he borrowed a young camel from a man and he returned one better than it. So, since this contract - meaning the contract of a loan - is from the contracts of gentleness and kindness, it is not permissible to change it to a contract of compensation and profit. When I say profit, I mean worldly material profit. This is because by this it leaves its context and becomes a matter of sale and compensations. For this reason you find a difference in a man saying to another: “I will sell you this dinar for another dinar to be paid after a year,” or: “I will sell you this dinar for another dinar,” and they separate before payment is made. For verily, in both of these situations the sale is forbidden and it is *Riba*. However, if he lend him a dinar and he repaid him after a month or a year, that is permissible as long as the lender does not take the payment until after a year or more or less due to putting the aspect of kindness first.

Based on that, verily if the lender stipulates a condition of material benefit on the borrower, then he has removed the loan from the matter of kindness and therefore it is forbidden.

The well-known principle with the people of knowledge is that every loan that brings some benefit (to the lender) is *Riba*. Based upon this it is not permissible for the lender to stipulate a condition on the borrower that he give him some land to use for planting, even if he gives the borrower a share of the crop. Because that is a form of bringing some benefit to the lender and it removes the loan from its fundamental matter, which is gentleness and kindness.

Ash-Shaykh Ibn ‘Uthaimin

[1] *Al-Baqarah* 2:195.



## The ruling on taking a Loan from forbidden Money

**Q** Is it permissible for me to borrow money from a person whose business is known to be forbidden and he deals in forbidden matters?

**A** My brother, you should not take a loan from this person or deal with him as long as his transactions are in that which is forbidden and he is known for forbidden transactions of *Riba* or anything else. You should not deal with him and you should not take a loan from him. Rather, it is obligatory upon you to stay clear of that and avoid it. However, if he deals with that which is forbidden and that which is not forbidden, meaning his dealings are mixed, containing both good and evil, there is no harm in dealing with him. Yet, it is better to avoid dealing with him due to the Prophet's statement:

«دَعْ مَا يَرِيكَ إِلَى مَا لَا يَرِيكَ»

*“Leave that which causes you to doubt for that which does not cause you to doubt.”*<sup>[1]</sup>

And his statement:

«مَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعِرْضِهِ»

*“Whoever avoids the doubtful matters, then he has made himself blameless in his religion and his honor.”*<sup>[2]</sup>

And his statement:

«الْإِثْمُ مَا حَاكَ فِي نَفْسِكَ وَكَرِهْتَ أَنْ يَطَّلِعَ عَلَيْهِ النَّاسُ»

*“Sin is that which wavers in your soul and you do not like for the people to know about it.”*<sup>[3]</sup>

Thus the believer avoids the doubtful matters. So, if you know

[1] At-Tirmithi no. 2518 and An-Nasa'i no. 5714.

[2] Al-Bukhari no. 52 and Muslim no. 2387.

[3] Muslim no. 2553.

that all of a person's dealings are forbidden and that he does business in that which is forbidden, then this type of person should not be dealt with and money should not be borrowed from him.

Ash-Shaykh Ibn Baz

### **The ruling on selling Currency for another Currency for Payment made later**

**Q** I borrowed a sum of money for necessary reasons from a person who does not practice Islam. This loan was under the condition that I would return the same value of money in a currency that is not the currency of my country and that would be when I returned to my place of work in Saudi Arabia. So, when I returned (to Saudi Arabia) after some time, the value of that foreign currency went up and it became twice the amount that I borrowed. Thus, if I sent him the amount in the foreign currency disregarding the difference in the currency, is that permissible? Or should I only send him the amount that I borrowed from him?

**A** This loan is not correct because in reality it is selling a currency that is present for another currency to be paid later, and this transaction is *Riba*. The reason is that it is not permissible to sell a currency for another currency except hand to hand (i.e., paid on the spot). You must return to him what you borrowed from him only while making sincere repentance for what took place of this *Riba* transaction. And success is from Allāh.

Ash-Shaykh Ibn Baz

### **He borrowed Money from me and did Business with it, so may I request extra money from him?**

**Q** A man borrowed three years ago a sum of money from me which was about 50,000 riyals. He borrowed the money under the condition that he would repay it to me

within 6 months. However, he kept the money with him longer than that and began doing business with it until now. Is it permissible for me to request more than the original sum of my money from him or not?



You only get the capital sum of your money. It is not permissible for you to request an increase, because that is a form of *Riba*. However, if he gave you as a form of generosity from him and not at your request and under no compulsion, some extra along with what was due to you then that is preferred for him and better for you. This is acting according to the authentic *Hadith*, which is the Prophet's statement:

«إِنَّ خَيْرَ النَّاسِ أَحْسَنُهُمْ قَضَاءً»

*“Verily, the best of the people are the best of them in repaying (debts, loans, etc.).”*<sup>[1]</sup>

This is also because that contains a form of compensation for you due to your kindness. Indeed the Prophet ﷺ said:

«مَنْ صَنَعَ إِلَيْكُمْ مَعْرُوفًا فَكَافِئُوهُ، فَإِنْ لَمْ تَجِدُوا مَا تُكَافِئُونَهُ فَادْعُوا لَهُ حَتَّى تَرَوْا أَنَّكُمْ قَدْ كَافَأْتُمُوهُ»

*“Whoever does an act of goodness to you, then compensate him. If you cannot find anything to compensate him with, then supplicate for him until you think that you have compensated him.”*<sup>[2]</sup>

Ash-Shaykh Ibn Baz

**The *Hadith*:** “Every loan that brings some Benefit (to the lender) is *Riba*.”

**Q** What is the ruling on giving a loan to a person under the condition that he returns that loan at a specific time and he gives me a loan of the same amount for the same period of

[1] Al-Bukhari no. 2392 and Muslim no. 1600.

[2] Abu Dawud no. 1672.

time as the first period? Is this included under the *Hadith*:

«كُلُّ قَرْضٍ جَرَّ مَنفَعَةً فَهُوَ رِبَا»

“Every loan that brings some benefit (to the lender) is *Riba*.”

This is while knowing that requesting some increase has not been stipulated.

Please benefit us with an answer. May Allâh reward you with good.



This loan is not permissible because it contains the stipulation of a similar loan to be given to the lender, and that is considered a contract within a contract, which has the same ruling as two sales in one. It is also not permissible because he stipulated a condition of some increased benefit on top of the simple loan, which was that the borrower would loan him a similar loan. Indeed the scholars have come to a consensus that every loan that contains a condition of increased benefit or an understood agreement for it, then it is *Riba*. In reference to the *Hadith*:

«كُلُّ قَرْضٍ جَرَّ مَنفَعَةً فَهُوَ رِبَا»

“Every loan that brings some benefit (to the lender) is *Riba*.”<sup>[1]</sup>

This is a weak *Hadith*. However, that which alludes to its same meaning has been reported from a group of the Companions ﷺ, if that benefit is stipulated as a condition or if has the ruling of a stipulation or debt.

Ash-Shaykh Ibn Baz

[1] *Al-Matalib Al-'Aliyah* 1/411, 1373 and *Irwaul-Ghalil* 5/235, 1398.

## Debt

**He died and he owed a Debt, so does his Soul still remain bound to it?**

**Q** Whoever died and he owed a debt that he was not able to repay due to his poverty, does his soul remain bound and tied to it?

**A** Ahmad, Ibn Majah and At-Tirmithi, all recorded from Abu Hurairah رضي الله عنه that the Messenger of Allâh ﷺ said:

«نَفْسُ الْمُؤْمِنِ مُعَلَّقَةٌ بِدَيْنِهِ حَتَّى يُقْضَى عَنْهُ»

*“The soul of the believer is attached to his debt until it is repaid for him.”<sup>[1]</sup>*

This means that whoever leaves some wealth, his debt should be paid with it. In reference to the person who had no wealth to repay his debt, it is hoped that this *Hadith* does not apply to him. This is due to the Statement of Allâh, the Most High:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

*“Allâh does not burden a soul except with what it can bear.”<sup>[2]</sup>*

And His Statement:

﴿وَإِنْ كَانَ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ﴾

*“And if the debtor is having difficult times (i.e., he has no money), then grant him time until it is easy for him to repay.”<sup>[3]</sup>*

Likewise, it does not apply to the person who had good intentions to repay it when he took the loan, and then he died while he was not able to repay it. This is due to what Al-Bukhari recorded from Abu Hurairah رضي الله عنه that the Messenger of Allâh ﷺ said:

[1] At-Tirmithi no 1079.

[2] Al-Baqarah 2:286.

[3] Al-Baqarah 2:280.

«مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ آدَاءَهَا آدَى اللَّهِ عَنْهُ وَمَنْ أَخَذَ يُرِيدُ إِتْلَافَهَا  
آتَلَفَهُ اللَّهُ»

*“Whoever takes the wealth of the people and he intends to pay it back, Allâh will pay it back for him, and whoever takes it intending to waste it, Allâh will waste him.”<sup>[1]</sup>*

The Permanent Committee

### When is the accountability of the Deceased who is in Debt cleared from the responsibility of the Debt?

**Q** It is known that the Real Estate Development Fund gives loans to the citizens (i.e., Saudi citizens) that have a long term of payment so that they can build homes for themselves. The repayment of the loans is to be completed over a period of 25 years. If the borrower died and he has only paid two of the mentioned payments, and his heirs took up the making of the payments at the appointed times after his death, is the accountability of the deceased freed at that time with this not being included in the *Hadith*:

«نَفْسُ الْمُؤْمِنِ مُعَلَّقَةٌ بِدَيْنِهِ حَتَّى يُقْضَى عَنْهُ»

*“The soul of the believer is attached to his debt until it is repaid for him.”<sup>[2]</sup>*

Or is he bound to this debt until all of the payments are paid off? I hope for a clarification concerning this matter from your Eminence.



If the person died while owing a debt to be paid at a later time, then that debt remains upon him. If the heirs try to repay it and the person who is owed the debt is satisfied with them repaying it or they give a full guarantee or pledge to repay

[1] Al-Bukhari no. 2387.

[2] At-Tirmithi no. 1079.

the debt, by that the deceased will be safe from the responsibility, if Allâh wills.

Ash-Shaykh Ibn Baz

### **It is not necessary to pay up all of the Payments of the Real Estate Bank if the heirs of the deceased or someone else agree to pay off the Loan**

**Q** My father owes a debt to the Real Estate Bank and he died - may Allâh have mercy on him. Are we obligated to pay the entire amount of the money or can we pay it according to the installment payments that the bank agreed to and clear him of the responsibility by that?

**A** It is not necessary to repay all of the payments at once if the heirs or someone else agree to pay it at its times in a way that contains no danger for the one to whom the money is due. This is because the delayed payment is from the rights of the deceased and his inheritors inherit it from him. There is no harm on the deceased in that, if Allâh wills. This is because the debt for delayed payment is not required to be repaid until its times and the heirs take the place of the deceased if they agree to that or someone else agrees to it in a way that contains no danger for the one to whom the money is due, as we mentioned before.

Ash-Shaykh Ibn Baz

### **He died and he did not inform anyone of his Debt**

**Q** A person died while owing a debt and he did not inform anyone of that. So, what is the ruling?

**A** If the deceased owes a debt and he did not inform anyone of it before he died, it is obligatory upon his heirs to repay it from whatever he left if the debt is confirmed by a legal proof that is given precedence over the will and the inheritance.

If the heirs and those who claim to be owed the debt dispute, then the matter is referred to the *Shari'ah* court.

Ash-Shaykh Ibn Baz

## Giving Time to pay to the Person who is having financial difficulties is desired in all Transactions

**Q** Has Islam made a distinction between civil dealings (i.e., between individual persons) and business dealings in the matter of giving time to those who owe debts until they are able to pay?



Allâh, the Most High said:

﴿وَأِنْ تَبْتَدُوا فَلَكُمْ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٩﴾ وَإِنْ كَانَتْ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ﴾

*“But if you repent, you shall have your capital sums. Deal not unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums). And if the debtor is having difficult times (i.e., he has no money), then grant him time until it is easy for him to repay.”*<sup>[1]</sup>

These Verses are discussing the laws of *Riba*. Allâh commanded the person who practices *Riba* to repent from it as the poor person has to bear the burden of the loan because by the passage of time it increases until it becomes doubled and multiplied. He commanded him to limit himself to requesting the original capital sum of his money and to give the poor person time to pay that. He should not make matters hard on him in requesting the money until the person is able to pay that. This generally includes all people who owe a debt, whether it is in business or a debt between individual civilians or a right from the financial rights or some pay that is owed. It is obligatory to give the

[1] *Al-Baqarah* 2:279-280.



person time due to his difficult circumstances until Allâh makes his situation better financially. It is not permissible to lock him up or deal harshly with him, as the *Fiqh* scholars have mentioned in the chapters regarding restricting people from dealings and other things.

Ash-Shaykh Ibn Jibreen

### **The ruling on imprisoning the Debtor who is having financial difficulties**


**Q** I am a man who has been imprisoned because I owe a sum of money. I have been in jail since more than a year and a half. No sponsor will accept my claim. I am a poor man and I have a family. Is it permissible to imprison me?!

**A** We advise you to be patient with what Allâh has destined and decreed, and Allâh will make a way out for you. In reference to the prison, it is not permissible for someone who is confirmed as being poor and he is not able to pay his debt to be imprisoned. However, there are some people who claim to be poor in order to play with the rights of the people or to devour the wealth of the people in falsehood. It is permissible to imprison someone regarding rights until it becomes clear who is truthful in his claim of poverty and who is not poor.

Ash-Shaykh Ibn Jibreen


### **I cannot find the Man to whom the Debt is owed**


**Q** My brother died and he owed many debts. They have been repaid, and all praise is due to Allâh. Only 400 riyals are left to be paid, so I searched for the person to whom it is owed, but I could not find him. So, what should I do with it? Should it be distributed among the poor or should I deposit it into the public treasury of the Muslims?

 If the matter is what has been mentioned, in that you searched for the person to whom the debt is owed and you could not find him, then you should give it away in charity intending that the reward will be for that person. If he comes after that (for his money), inform him of that. If he is satisfied with that, that is sufficient. If he is not satisfied, then pay the money to him and you will get the reward (of the charity), if Allâh wills. And success is from Allâh. May Allâh send blessings and peace upon His servant and Messenger, Muhammad, and upon his family and his Companions.

The Permanent Committee

### He could not find its Owner

 I intended to perform *Hajj* in the year 1398 AH, but my money was short. So, I borrowed a sum of money from a man until I returned to my homeland. Then, when I returned from *Hajj*, I asked about the man whom I borrowed the money from and I was told that he had traveled. From that time until now he has not returned and I do not know his address. I asked about his relatives, but I could not find anyone. So, what does your Eminence think? Should I send the money to the charitable organizations in the Kingdom (of Saudi Arabia) or should I keep it until he returns or should I distribute it among the weak (i.e., poor)? What is your opinion?

 You should search for him some more as much as you are able and use the various means. Ask about his tribe, his land and things that are known about him. If you lose all hope and you do not think that you will be able to find him, it is permissible for you to give the money in charity to the poor and the weak with the intention of a guarantee. Then, whenever you find him, even if it is after 20 years, inform him of what truly happened. If he permits that (the charity), he gets the reward (of the charity) and the matter is ended. If not, then pay it to him so that you will be absolved from the covenant and you will get

the reward (of the charity). And Allâh knows best.

Ash-Shaykh Ibn Jibreen

### He died and I have 3,000 Riyals that I owe him


**Q** I had a Yemeni man as a painter at my house. Then, Allâh's Decree overcame him and he died in a car accident. I owe him the sum of 3,000 riyals and there is no one present to whom I can pay the money for him. I requested from the judge in our land to take the sum of money, but he refused with the argument that I should keep it with me until his heir comes. Now it has been more than a year since he died. I asked some of the Yemenis about him whom he used to live with and they said that he has a brother who will come to take what is due to him of rights. A period of time passed and no one came to take what was due to him. I would like some direction concerning the way to clear myself of responsibility regarding this and get rid of this money that is weighing heavy on my shoulder. May Allâh protect you.


**A** You must look after the dues of this worker that you have until his heir comes, and you are certain that it is the heir and you give the money to him. You should keep it as long as you know that he has a brother who will come to take his brother's right that is with you, even if the time becomes long. You may also invest it for him in business and so forth, and that is good. If you are able to submit to the court in your area what you have that is due to him that will suffice you. If you do this, you should take a legal document (i.e., receipt) from him that he received that from you. That is safer and easier for you. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

## Renting or Hiring

### The ruling on a Contract of Payment for a Deed to be performed from the Deeds of Worship, like Prayer and similar Deeds

 A man died who was generous and had good character, however he did not pray or fast. After his death his family paid a sum of money to another person to perform the prayers that he did not himself offered and fast the fasts that he did not fast. Is this correct Islamically and what is the ruling on taking money for that?

 This man who died while he did not pray and he did not fast, he died upon disbelief — and Allâh's refuge is sought from that. This is because the correct view from the opinions of the people of knowledge and that which is supported by the texts of the Book, the Sunnah and the statements of the Companions ﷺ is that the person who abandons the prayer is a disbeliever (*Kafir*). In reference to the person who rejects the obligation of prayer, then he is a disbeliever even if he prays. The reported texts have only mentioned abandoning the prayer and not rejecting its obligation. Therefore, it is not possible for us to cast aside this description which the Islamic law has given consideration or say that it merely means rejection as some of the people of knowledge have done. They claim that the meaning of the reported texts that declare the disbelief of the one who abandons the prayer is concerning the one who abandons it while rejecting its obligation. Verily, this meaning casts aside the description that the Islamic law has attached the ruling to while considering another description that has not been mentioned.

Also, this meaning is contradictory! This is because the person who rejects the obligation of the prayer is a disbeliever even if he prays — even if he prays in congregation and goes to the *Masjid*. He is a disbeliever if he believes that the five prayers are not

obligatory upon him and he only performs them as a voluntary deed. From this it becomes clear that claiming that the meaning of the texts that allude to the disbelief of the person who abandons the prayer is regarding whoever abandons it while rejecting its necessity is a claim that is not correct and it is misplaced.

In reference to what they (the family) gave to this man, it is not correct, because it is not correct to make a contract of payment for any deed from the deeds of drawing near to Allâh (i.e., worship). It is not appropriate for a person to say to another person: "I will pay you to pray and fast for me." The scholars have only differed concerning *Hajj* (in this matter) and this is not the place to discuss their difference. This money that the man took, he took it without a right to do so. Therefore, what is obligatory upon him is to return it to its people, because he took it without the right to do so. The prayers that he offered do not benefit this deceased person because he was not a Muslim and no deed benefits the non-Muslim. Even his deed that he performs for himself does not benefit him. This is due to Allâh's Statement:

﴿وَمَا مَنَعَهُمْ أَنْ تُقَبَّلَ مِنْهُمْ فَلَقَتْهُمْ إِلَّا أَنَّهُمْ كَفَرُوا بِاللَّهِ وَرَسُولِهِ وَلَا يَأْتُونَ الصَّلَاةَ إِلَّا وَهُمْ كُسَالَىٰ وَلَا يُنْفِقُونَ إِلَّا وَهُمْ كَرِهُونَ ﴿٥١﴾﴾

*"And nothing prevents their contributions from being accepted from them except that they disbelieved in Allâh and in His Messenger (Muhammad ﷺ), and that they came not to As-Salah (the prayer) except in a lazy state, and that they do not offer contributions except unwillingly."*<sup>[1]</sup>

And His Statement:

﴿وَقَدِمْنَا إِلَىٰ مَا عَمِلُوا مِنْ عَمَلٍ فَجَعَلْنَاهُ هَبَاءً مَّنشُورًا ﴿١٣﴾﴾

*"And We shall turn to whatever deeds they (disbelievers,*

[1] At-Tawbah 9:54.

polytheists, sinners) did, and We shall make such deeds as scattered floating particles of dust.”<sup>[1]</sup>

Ash-Shaykh Ibn ‘Uthaimin

### The ruling on harming the Renter so that he will leave

**Q** Some owners of properties make up excuses to evict renters from their property. Maybe he (the owner) will prevent the ground’s keeper from cleaning the home, and on another occasion he will shut off the renter’s water and other similar things from those acts that cause hardships. Does the Islamic law allow him to commit these harms or not?

**A** It is obligatory upon the owner to fulfill the rights of the renter according to what they agreed to, such as turning the place over to him and maintaining the necessities of the legislated conditions that they agreed upon or that the custom dictates. That should be during the time period that is written in the contract, due to the Statement of Allāh:

﴿يَأْتِيهَا الَّذِينَ ءَامَنُوا أَوْفُوا بِالْعُقُودِ﴾

“O you who believe! Fulfill your contracts.” <sup>[2]</sup>

And the Prophet’s statement:

«الْمُؤْمِنُونَ عَلَى شُرُوطِهِمْ، إِلَّا شَرْطًا أَحَلَّ حَرَامًا، أَوْ حَرَّمَ حَلَالًا»

“The believers are bound to their conditions, except a condition that allows something that is forbidden or forbids something that is allowed.”<sup>[3]</sup>

So, when the period of the contract ends, if the two parties agree to renew the period it is obligatory on each of them to fulfill

[1] Al-Furqan 25:23.

[2] Al-Ma’idah 5:1.

[3] At-Tirmithi no. 1352, Ibn Majah no. 2353 and Abu Dawud no. 3594.

what is in it for the other just like what preceded. If the owner refuses to renew the period, it is obligatory upon the renter to turn the place over to him and not harm him by staying in it. For verily, the property of the Muslim is not permissible to take except if he himself is willing to give it.

The Permanent Committee

### The forbidden Rental

**Q** Is it permissible to rent something to a person who deals with lawful and forbidden things? What is the ruling on the rental money (given by this person)? Is it unlawful earning?

**A** That is not permissible due to what it contains of accepting that which is forbidden and assisting those who are disobedient sinners in their acts of disobedience. Indeed Allâh, the Most High said:

﴿وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“And do not cooperate in sin and transgression.”<sup>[1]</sup>

So, everyone who sells something forbidden, like forbidden musical products, lewd and indecent films, and seductive pictures, it is not permissible to rent a house or a shop to him. The same applies to whoever deals in forbidden transactions, such as *Riba*, deception, stealing, cheating in weights and measurements, and so forth. This also applies to whoever uses a house as a place to produce intoxicants (alcohol, illegal drugs, etc.), or for the people to indulge in forbidden forms of entertainment (such as music, etc.) or fornication and adultery or reprehensible gatherings that result in abandoning the prayers or doing forbidden acts. In reference to the earnings and the rent money that is received from such a person, it is doubtful and disliked, but it is not entirely forbidden. And

[1] *Al-Mai'dah* 5:2.

avoiding doubtful things is an obligation upon the Muslim.

Ash-Shaykh Ibn Jibreen

### The ruling on renting Places to *Riba* Banks

**Q** I own a building and one of the banks made an offer to rent it. Since this bank is one of the banks that deal in *Riba*, is it permissible for me to rent the property to this bank and similar organizations that deal in *Riba* or not?

**A** That is not permissible, because the mentioned bank will use this place as an abode to deal in forbidden *Riba*. Renting the place to the bank for this purpose is cooperating with it in doing a forbidden act. Allâh, the Most High said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

*“And cooperate in righteousness and piety, and do not cooperate in sin and transgression.”*<sup>[1]</sup>

And success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

### The ruling on renting Places for selling forbidden Music Tapes

**Q** Is it permissible for a man to rent his shop to someone who will sell tapes of singing and musical instruments?

**A** It is not permissible to rent the shop to someone who will use it in selling what Allâh has forbidden, such as musical products or intoxicants or smokes or so forth. Because this is assisting them in doing what Allâh has forbidden. Indeed Allâh said:

﴿وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

[1] *Al-Ma'idah* 5:2.



*“And do not cooperate in sin and transgression.”*<sup>[1]</sup>

It has been authenticated from the Messenger of Allâh ﷺ that he cursed intoxicants, the one who drinks them, the one who serves them, the one who makes them, the one who seeks to have them made, the one who delivers them, the one to whom they are delivered, the one who sells them, the one who buys them, and the one who devours their price. This is only because the one who serves them, the one who makes them, the one who seeks to have them made, the one who delivers them, and the one who buys them all assist in the sin and transgression.

Ash-Shaykh Ibn Baz

### The ruling on renting Places for selling Videotapes

**Q** I have some shops on a public street. I rented out some of them and some of them remain unused. Some days ago one of the citizens (i.e., a Saudi) came seeking to rent one shop in order to open a place for selling videotapes. However, I am uncertain about renting it to him. Is it permissible for me to rent my shops to become a place that will sell something forbidden, and is there any sin on me in that?

**A** It is not permissible to rent out the shop and similar places to someone who will rent it to sell forbidden items or do forbidden things, like selling cigarettes, forbidden films, shaving beards (like some barbers do) and similar things. Because that is a form of cooperating in sin and transgression, and indeed Allâh said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِنْتِهَاءِ وَالْمَعْدُونَ﴾

*“And cooperate in righteousness and piety, and do not cooperate in sin and transgression.”*<sup>[2]</sup>

Ash-Shaykh Ibn Baz

[1] Al-Ma'idah 5:2.

[2] Al-Ma'idah 5:2.

## The ruling on renting Homes and Buildings to someone who will use them for that which is forbidden and the ruling on what (Money) the Real Estate Office takes for that

**Q** What is the ruling on renting places and storage facilities to someone who will sell forbidden things, like musical items, or places for singing, and grocery stores that sell cigarettes and magazines that are opposed to the Law of Allâh, or the widespread barber shops? What is the ruling on renting buildings and houses to those who gather in them to listen to music and they are lax about the prayer or they abandon it all together? What is the ruling on the wealth that the real estate agency takes in return for renting out these places?



Renting places and storage facilities to someone who will sell or store in them forbidden things is forbidden, because that is cooperating in sin and transgression that Allâh has prohibited in His Statement:

﴿وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“And do not cooperate in sin and transgression.”<sup>[1]</sup>

The same applies to renting places to someone who shaves beards, because shaving of the beards is forbidden. Therefore, in renting out places to be used for that purpose is assisting in that which is forbidden and making a means to achieve it easy.

The same applies to renting out spaces and homes to those who gather in them to do what is forbidden or abandon what is obligatory. In reference to renting out houses to residents if the resident does some sin in it or leaves off some obligation, there is no harm in that, because the renter has not rented the place to be used for this sin or for abandoning the obligatory act. Indeed the Prophet ﷺ said:

﴿إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ﴾

[1] Al-Ma'idah 5:2.

*“Indeed actions are only with intentions and every person will only get what he intended.”*<sup>[1]</sup>

Whenever renting out places or storage facilities or buildings or homes is forbidden, then the rental fee that is taken for that is also forbidden. Whatever the real estate office takes (of money) from the person who uses it for evil is also forbidden. This is due to the statement of the Prophet ﷺ:

«إِنَّ اللَّهَ إِذَا حَرَّمَ شَيْئًا حَرَّمَ ثَمَنَهُ»

*“Verily, when Allâh forbids something, He also forbids its price.”*<sup>[2]</sup>

I ask Allâh, the Most High to guide all of us to His Straight Path, to make our sustenance good, and to make it a means of helping us to obey Him.

Ash-Shaykh Ibn ‘Uthaimin

## **Interceding in the Purchase of Property (Pre-emption)**

### **Interceding in privately owned facilities and in that which it is not possible to divide of Real Estate**

All praise is due to Allâh alone, and may blessings and peace be upon him whom there will be no Prophet after him — Muhammad — and upon his family and Companions. To proceed:

Based upon what was decided in the 7th session of the meeting Council of the Senior Scholars Board that was held in the city of At-Ta’if during the first half of the month of Sha’ban in the year 1395 AH, of bringing the issue of interceding in purchases of privately owned facilities into the scheduled activities of the 8th session, a study of the mentioned issue took place during the 8th session. This session was held during the first half of the

[1] Al-Bukhari no. 1 and Muslim no. 1907.

[2] Abu Dawud no. 3488, Ahmad 1/247 and Daraqutni no. 3/7 no. 2791.

month of Rabi'ul-Awwal in the city of Ar-Riyadh. Likewise, a study of the issue of interceding in the purchase of real estate that cannot be divided took place.

After the Permanent Committee for Scientific Researches and Religious Verdicts reviewed the prepared research concerning that, and after alternate opinions were given, and discussion among the members and the exchange of views took place, the majority of the Committee decided that interceding (by a partner or neighbor) in purchases is a confirmed practice specifically for a shared partnership, like in the ownership of a well, a road, a stream and so forth. Likewise, interceding in purchases is confirmed regarding real estate property that cannot be divided, like a house and a store that is small, and similar things. This is due to the generality of the evidences concerning that. This is also due to this being included under the subject of taking by intercession (i.e., pre-emption), which is a form of repelling harm from the partner regarding what is sold and the right of what is sold. This is also because the legislative texts concerning the legality of intercession (pre-emption) in purchases include that. From these texts is what At-Tirmithi recorded with his chain of narration back to Ibn 'Abbas ؓ that the Prophet ﷺ said:

«الشَّرِيكَ شَفِيعٌ، وَالشُّفَعَةُ فِي كُلِّ شَيْءٍ»

*“The partner is an intercessor (concerning purchases), and intercession in purchases is (valid) in everything.”* [1]

In another narration of At-Tahawi with his chain of narration back to Jabir bin 'Abdullah ؓ, the Prophet ﷺ decreed that intercession (of the partner or neighbor) in purchases was (valid) in everything. Al-Hafiz said: “Concerning the *Hadith* of Jabir, there is no harm in its narration.” This is also due to what Imam Ahmad and the Four (i.e., *Sunan* compilers) recorded with their chains of narration back to Jabir bin 'Abdullah ؓ that the Messenger of Allâh ﷺ said:

«الْجَارُ أَحَقُّ بِشُفَعَةِ جَارِهِ، يَنْتَظِرُ بِهَا، وَإِنْ كَانَ غَائِبًا، إِذَا كَانَ طَرِيقُهُمَا وَاحِدًا»

[1] At-Tirmithi no. 1371.

*“The neighbor has the most right to the pre-emption (interceding with the option of buying neighboring property) of his neighbor. He should wait for its exercise even if he (the neighbor) is not present, if the two properties have one road.”<sup>[1]</sup>*

This is also due to what Al-Bukhari recorded in his *Sahih*, and Abu Dawud and At-Tirmithi both recorded it in their *Sunans* with their chain of narration back to Jabir bin ‘Abdullah رضي الله عنه. He said: “The Messenger of Allâh decreed the right to buy the neighboring property (intercession of pre-emption) as applicable to everything which is not divided, but when boundaries are fixed and separate roads made, there is no option of intercession.” The point of proof in this is what Ibn Al-Qayyim mentioned in his book, *A‘lamul-Muwaqqi‘in*. He said: “Verily, the neighbor who shares with someone else (his neighbor) in some specific partnership, for example they have one shared road or they share in drinking water or a stream or something similar from the specifically shared properties, is not considered a partner in a complete partnership. Rather, he is a partner with his neighbor in some of the rights of his ownership. If their road is one (i.e., they share it), then it does not have specific boundaries. Rather, some of it may be designated and some of it may not be, as boundaries being present at every place necessitates or means that the roads have been separated.”

And success is from Allâh. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Chairman of the Session

‘Abdul-‘Aziz bin ‘Abdullah bin Baz



***This is the end of the 3rd volume,  
and it will be followed by a 4th, Allâh willing.***

[1] Abu Dawud no. 3518 and Ahmad 3/303.