

school is that a verse of the Qur'an cannot be abrogated (cancelled) by a singular (aaHaad) hadith; something legislated in the Qur'an can only be modified by mass-narrated (mutawatir) hadith which leave no room for uncertainty. However, in this case, the hadith about reciting the fatihah have been claimed to be at the level of mutawatir. (See al-Kittani's "Nazm al-Mutanathir min al-Hadith al-Mutawatir" for example.)

The Hanafi response is that even if the ahadith are mutawatir, they are still not absolutely definitive and conclusive, because they do not necessarily mean that the Fatihah is Fard. The hadith quoted earlier, for example, could mean 'the prayer of the one who did not recite the Fatihah is deficient and lacking.' This is acceptable Arabic diction, and in the same light do we interpret the hadith "The fornicator is not a believer while he fornicates", i.e. his faith is not perfect, not that he is a kafir, for by consensus he enters Heaven eventually, even if he dies in the very act of fornication, provided he maintains the correct doctrine. Another example, which serves to illustrate the issue is that which has been reported about the Prophet, that he said, "There is no wudu for the one who did not mention the name of Allah over it". Again, the majority of scholars have agreed that the "Bismillah" at the start of wudu is sunnah rather than farD.

[NOTE: Generally, if a hadith is mutawatir, it is not permissible to depart from the primary/literal meanings of the words. However, in this instance, such interpretation is made in the light of conflict with another mutawatir evidence, namely the verse of the Qur'an already cited.]

In fact, some Hanafi scholars have even ventured to say that the Fatihah is wajib not because of the ahadith alone (for as mentioned already, they do not suffice to establish a fard in this case); rather, it is wajib because of the Prophet's persistent and continuous practice of never omitting it in a prayer, so that it would very likely be considered wajib even in the absence of the hadith "There is no prayer for the one who does not recite the Fatihah".

For reference, we may mention that the wajib constituents of the salah are at least 12 in number:

1. Recitation of the Fatihah in every rak`ah of every prayer (this is the safer position, arrived at by latter Hanafi scholars, and is in accordance with the other 3 schools, although Imam Abu Hanifah himself, as well as his two Companions (Abu Yusuf and Muhammad ibn al-Hasan), considered recitation in the last two rak`ahs of the Fard prayer to be only sunnah. Nevertheless, our example is the Prophet, and there is no report of the Prophet ever having left out the Fatihah in any rak`ah, and therefore we should follow this, especially since there is a risk of the prayer becoming void if the Fatihah is not recited, whereas there is no harm (and in fact it is preferable) even

according to Imam Abu Hanifah, if the fatihah is recited even in the last 2 rak`ahs of the fard prayer.)

2. Recitation of an additional portion of the Qur'an in every rak`ah of every prayer, except for the last two rak`ahs of the fard prayers.
3. Standing up from ruku`. This is a point often neglected by people.
4. Sitting calmly between the 2 sajdah (prostrations), as opposed to rushing the sitting in a manner reminiscent of a pecking rooster.
5. Sitting (for tashahhud) after two rak`ah of a prayer which is more than 2 rak`ah. (The final sitting is fard).
6. To perform the constituents of the prayer in their correct sequence. This refers only to forgetfulness, so that if a person forgot to make the second sajdah of the first rak`ah, and remembered while he was performing the sajdah of the second rak`ah, he can make up the missed sajdah. Otherwise, to perform the actions in order within a single rak`ah is fard.
7. To perform all the constituents of the Salah with tranquility and calmness, and not to rush.
8. To recite the tashahhud in the final sitting
9. To end the prayer with at least one (verbal) Tasleem.
10. To recite Du`a Qunoot in Witr.
11. To perform the additional takbeers in the Prayers of the 2 Eids.
12. To recite aloud in the first 2 rak`ahs of the the Fajr, Maghrib and `Isha prayers, and to recite softly in all others. This is for the imam. As for the individual worshipper, it is wajib for him not to recite aloud in the Zuhr and `Asr prayers, the last rak`ah of the Maghrib prayer, and the last 2 rak`ahs of the `Isha prayer.
13. To perform sujood-as-sawh (Prostrations of Forgetfulness) if any of the wajibs other than #7 are omitted unintentionally.
14. Some have included among the wajibs: To pronounce takbeer before the Du`a Qunoot of Witr.

Finally, we may point out that unintentional omission of a wajib of salah does not invalidate the prayer, according to the Hanafi school. However, it is wajib to compensate it by performing sujood-as-sawh at the end of the prayer. If the sujood as-sawh is deliberately omitted, the prayer is defective and the person potentially liable to sin. Deliberate omission of any wajib has the same effect according to one of the positions of the school. (i.e. the obligation (fard) of the prayer is discharged, but the person is fasiq - liable to Divine according to one of the positions of the school. (i.e. the obligation (fard) of the prayer is discharged, but the person is fasiq - liable to Divine Punishment). Others have ventured that deliberate omission of a wajib invalidates the prayer, and this is also the view of the Hanbalis (yes, although I am no expert on the Hanbali madhhab, my understanding is that they also have a concept of wajib vs. fard

in salah. Certainly, the Shafi`is and Hanbalis, in addition to the Hanafis, (I don't know about the Malikis) make the fard vs. wajib distinction in Hajj, where unintentional omission of a wajib necessitates sacrifice of an animal.)

This article has already turned out to be longer than I intended, so I will stop here without touching on the evidences as to why omission of a wajib may incur a sin, or deprive one of the Intercession of the Prophet (may Allah bless him and grant him peace).

Everything correct is from Allah. Any errors are from myself and Satan.

O Allah! Teach us that which benefits us, and benefit us by what You have taught us, O Most Merciful of the merciful!

And may Allah grant blessings and peace to our prophet, Muhammad, and to all his Household and Companions.

Dealing with Non-Muslims

Dealing with Non-Muslim

We know that Islam give us guidelines for how to interact with people, as well as how to communicate with Allah. Part of this is how we deal with non-Muslims, and this is an important topic, especially for people who are living in the midst of a non-Muslim society. It becomes even more important to be clear on the fundamental points regarding this when we find people sometimes going to an extreme. On one extreme, some people claim that there is no difference between a Muslim and a follower of another religion, and that all religions are equal. This is in clear contradiction to the Qur'an and sunnah, and hence is kufr. On the other extreme, some may incline towards stripping non-Muslims of all rights and humanity, and being totally biased and hateful against them. This position, too, overlooks important Qur'anic guidelines. A Muslim is not supposed to have unjustified, closed-minded or unreasonable hate towards people as a preconceived rule.

1. Good character and respect for fundamental rights

A Muslim is supposed to deal with people kindly and justly, unless they are open enemies to Islam and/or Muslims.

"Allah does not prohibit you from being kind and just to those who have not fought you on account of religion, nor expelled you from your homes. Allah loves those who are just. Allah only prohibits you from being intimate friends with those who have fought you on account of religion, and expelled you from your homes, and assisted others in your expulsion. Whoever befriends them is a wrongdoer." [Surah al-Hujurat (60), 8-9]

"Treat people with good character." [Narrated by Tirmidhi, who said it is a good hadith]

Hence, traits such as truthfulness, justice, kindness, honesty should be part of the Muslim's character whether he is dealing with Muslims or non-Muslims. Lying to non-Muslims, cheating them and backbiting them might become permissible in certain circumstances of war, as may killing them, but generally, when one has entered their lands under a 'peaceful' agreement (such as a visa), he is

expected to abide by common standards of decency as long as it does not violate any injunctions of Islam. In fact, even in war, the Prophet gave some limits:

"The Messenger of Allah, when sending out dispatchments, would say, "Go forth in the name of Allah, fighting in the path of Allah those who disbelieve in Allah. Do not behave treacherously, nor mutilate, nor kill children or those [secluded] in hermitages." [Ahmad. Thanwi graded it as hasan in I`la al-Sunan, 12/354]

If a warrior is not supposed to be treacherous, then even more so one who enters on a peaceful agreement.

"The treacherous one will have a banner hoisted for him on the day of Resurrection." [Abu Dawud, Bukhari, Muslim, Nasa'i]

In a narration with al-Hakim, which he graded authentic, and Dhahabi corroborated him, "When a man has confidence in another man, and then he kills him after he had confidence in him, a banner of treachery will be hoisted for him on the Day of Resurrection."

A Muslim is supposed to respect the human rights not only of Muslims, but even of dhimmis (non-Muslim subjects of the Islamic state). According to some ahadith, severe warning is reported for violating the property or lives of dhimmis.

"Whoever unjustly kills a person of the covenant of dhimmah, Allah has prohibited Heaven for him." [Abu Dawud, Nasa'i; Bukhari, Ibn Majah, Ahmad, Tirmidhi(hs), Darimi]

However, the Muslim is not to lose sight of Islamic injunctions in his/her dealings either. Clearly, one may not be nice to people at the expense of compromising Islamic principles.

2. Universality of the Islamic message

In particular, the Muslim realizes that Islam is Allah's final revelation for all of mankind. Muhammad (peace and blessings be upon him and his Household) was sent to Arab and non-Arab, to black and white, to pagans as well as those who may have received some scripture before, to people of his time as well as to all thereafter until the day of Judgment.

"The religion before Allah is Islam." [Surah Aal-`Imran(3), 19]

"Whoever desires a religion other than Islam, it will never be accepted from him, and in the hereafter he will be among the losers" [Surah Aal-`Imran(3), 85]

"And whoever disobeys Allah and His Messenger, for him there is the fire of Jahannam. There they will remain forever." [Surah al-Jinn (72), 23]

"Say, 'O mankind! I am the messenger of Allah to you all.'" [Surah al-A`raf (7), 158]

The Prophet (peace and blessings be upon him and his Household) has said that even if Moses were alive on the earth today, he (Moses) would have no option but to follow him (Muhammad) [Reported by Abu Dawud and Bazzar]

"By [Allah] in Whose Hand is my soul! There is no one of this ummah who hears about me, Jew, or Christian, and then dies without having believed in that with which I have been sent, except that he is among the Companions of the Fire." [Muslim]

3. Wala' and Bara'

Just as the Muslim loves Islam, and loves Allah and the Prophet, he will naturally feel a special affinity for other Muslims. Similarly, he will feel a revulsion for all beliefs which are contradictory to Islam. This is the sense in which the Muslim hates non-Muslims - he does not hate them intrinsically or as people, but rather he hates the falsehood they are following and their evil deeds and disobedience to Allah.

"Indeed, there was an excellent example for you in Abraham and those with him, when they said to their people, 'Indeed, we have nothing to do with you, nor with that which you worship besides Allah. We reject you, and there has appeared between us and you enmity and hatred until you believe in Allah alone.'" [Qur'an, 60:4]

As a consequence, the Muslim distances himself from the ways and deeds of unbelief.

"And incline not toward those who do wrong lest the Fire touch you, and you have no protecting friends against Allah, and afterward you would not be helped." [Surah Hud(11), 113]

The scholars of tafsir have said that "inclination" comprises love, attachment of the heart and feeling pleasure in their actions, and to feel honor and respect for them. Ibn Abbas said that ``inclining" towards the disbelievers means being favorably disposed towards them.

In the same vein, the Prophet has said,

"Do not say "Master" to the hypocrite, for if he is indeed your

master, then you have displeased your Lord, the Mighty, the Majestic." [Reported by Abu Dawud with an authentic chain, as extracted in Riyadh al-Salihin, #1725.]

The same prohibition clearly applies, by analogy, to every innovator, sinner and unbeliever: to show honor to them stemming from or implying approval of their evil or unbelief - is unbelief.

Imitation is another sign of love and attachment.

"Whoever imitates a people is one of them." [Abu Dawud, Ahmad, Bukhari, also Tabarani and Bazzar]

In another hadith, it is attributed to the Prophet that he said,

"Every soul will be gathered according to what he loved. So, whoever loved unbelief will be with the unbelievers, and his good deeds will not benefit him at all." [Tabarani]

4. Interactions

Having established these general principles, we go on now to mention some specific guidelines.

Justice and kindness

Hating the unbelievers clearly not mean that the Muslim treats all of their deeds as automatically bad. He will acknowledge what is good, and in fact that good provides a basis for da`wah.

"You will find people to be mineral-ores, the best of them in Jahiliyyah are the best of them in Islam, when they acquire knowledge." [Bukhari, Muslim, Ahmad, Darimi; See: Fath al-Bari, 6/610]

He may also benefit from their knowledge in worldly matters in which they have expertise. In such a case, he should feel obliged to invite them to Islam as a kind of gratitude for whatever help they have given him. And his hate for their unbelief should not lead him to be unjust, or to lose sight of the need to try to bring them out of their unbelief and onto the path to eternal happiness.

"Let not your malice for a people lead you to not be just. Be just; it is closer to piety." [Qur'an, 5:8]

Da`wah

Hence, the Muslim should be trying to make da`wah to non-

Muslims with whom he interacts - in as wise and beneficial a way as possible.

"Call unto the way of thy Lord with wisdom and fair exhortation, and reason with them in the better way. Lo! Your Lord is Best Aware of him who strays from His way, and He is Best Aware of those who go aright." [Qur'an, 16:125]

One who rejects the message of Islam is a kafir. There is some difference of opinion among scholars as to whether a person is accountable for monotheism merely through reasoning, without having received the message. Regardless, however, our obligation is to present the message to non-Muslims in the hope they will accept Islam. This should not merely be for the sake of personal gratification, or furthering one's own agenda, or defeating someone else's arguments, but in obedience to Allah and the Prophet, and out of compassion, and desire for the eternal well-being of people.

Interfaith discussions, if they are intended as a form of da`wah, are then clearly recommended, provided those engaging in them have sufficient knowledge of Islam, and especially of Islamic doctrine (`aqidah). However, if they are used as a means of 'unifying' religions, or if lies are told about Islam in an effort to placate the non-Muslims, and/or out of ignorance, then their prohibition does not need any clarification.

Bara'

Prohibition of taking as awliya' Q[5:51-8]

The friendship prohibited here clearly does not refer to amicable and just dealings with those who have not shown themselves as enemies of Islam. Rather, it refers to taking unbelievers as intimate friends to whom one divulges all his secrets (Bitanah: see Q [3:118]), in whom one confides and places trust, or whom one takes as allies and protectors, especially if they are being preferred over Muslims. Such intimacy is prohibited, for it may confuse the landmarks of Islam, making the distinction between Islam and unbelief unclear to others, and also affecting the Muslim himself in his practice of Islam, for he may start to become accustomed to unbelief and evil, and perhaps even to approve and love it. A Muslim who associates with non-Muslims in that way is revealing a grave deficiency in faith, and is approaching unbelief if he has not completely entered it.

"Whoever among you takes them as awliya' is one of them."

Such as person, though, we are assured, will not be able to harm Islam.

"O you who believe! Whoever among you turns back from your

religion, [let him know] Allah will bring a people who love Him and whom [Allah] loves, soft towards the believers, hard against the unbelievers, striving/performing jihad in the path of Allah, not fearing the blame of any blamer."

This verse gives the characteristics of the true believer; he loves Allah, is gentle with the believers, respecting their rights, and making personal concessions for his brothers and sisters, while hard with the unbelievers - in the sense of standing strong in iman, not compromising his religion, and fighting the enemies of Islam - and not being concerned with people's criticisms as long as he knows he is acting Islamically.

Enjoining right and forbidding wrong (not compromising, and not accommodating or honoring evil)

Finally, we should keep in mind that while associating with non-Muslims, we may not participate in any Islamically prohibited activities.

"And it has already been revealed to you in the Scripture that when you hear the signs of Allah being rejected and made fun of, then do not sit with them, for then you would be like them." Q[4:140]:

Approval of kufr is kufr, and clearly, to participate in activities of kufr - such as non-Muslim religious festivals - is kufr. Similarly, if people are telling jokes which make fun of Allah or a prophet or angel or Heaven or Hell or any other aspect of Islam - which is quite common even among supposedly religious Christians - a Muslim may not remain there if he does not try to stop it. To tell such jokes or approve of them is clear kufr, by the explicit text of the Qur'an. [Surah al-Tawbah]

Similarly, if wine is being drunk, one may not be a part of that gathering.

"Whoever believes in Allah and the last day should not sit on a table at which wine is being partaken of." [Ibn Kathir]

Summary of Interactions with non-Muslims

- condescending to and approving of their kufr, or loving and respecting them because of it, is kufr
- not approving of their wrongdoing, but rather showing repugnance, but not leaving either is fisq (transgression) when there is no religious justification for being present.
- for some worldly need, when there is no kufr or haram activity involved is allowed
- to make da`wah to them is a form of `ibadah.
- out of genuine helplessness, such as if one is captured as a prisoner: this is excusable, inshaAllah, as long as the person's

heart remains firm, and he does his best to resist and/or
change the evil around him.

w'Allahu a` lam