

1. When [death] approaches a man, he is turned towards the qiblah on his right side, and the Two Testifications are suggested to him.
2. Then, when he dies, they tie his jaws [shut] and close his eyes.
3. When they want to wash him, they put him on a dais, place a cloth over his nakedness and remove his clothes. They perform wudu' for him, but do not rinse his mouth, nor his nostrils [unless he was in janabah]. Then, they pour water over him. The dais is perfumed thrice with incense. The water is boiled with lote-leaves, or with saltwort, but if there is none then pure water [is used]. His head and beard are washed with marsh mallow. Then, he is made to lie on his left side, and is then washed with water and lote until it is seen that the water has reached to that [part] of [the body] adjacent to the dais. Then, he is made to lie on his right side, and then washed with water and lote until it is seen that the water has reached to that [part] of [the body] adjacent to the dais. Then [the washer] makes him sit up, and to lean against him, and he wipes his stomach with a gentle stroke. Then, if anything emerges from him, he washes [that area], but does not repeat his ghusl.
4. Then, he wipes him with a cloth and puts him in his shrouding garments. He puts hunut on his head and his beard, and camphor on the places of prostration.
5. Any [fetus] that produces a sound after birth is prayed over. If it did not produce a sound, it is wrapped in a cloth, and it is not prayed over.

8.2 Shrouding

1. The sunnah is that a man be shrouded in three shrouds : a waist-wrapper (*izar*), an upper garment (*qamis*) and a wrapper (*lifafah*), but if they restrict [it] to two shrouds, it is permissible. When they desire to wrap the wrapper around him, they begin with the left side, putting [the shroud] over it, then the right side. If they fear the shroud may unfold from him, they tie it.
2. A woman is shrouded in five garments : a waist-wrapper, an upper-garment, a scarf, a piece of cloth with which her breasts are tied, and a wrapper. If they restrict [it] to three shrouds, it is permissible. The scarf should be on top of the upper-garment under the wrapper. Her hair is placed on her chest.
3. The deceased's hair is not combed, nor his beard, nor are his nails cut, nor is his hair braided.
4. The shrouds are perfumed with incense an odd number of times before he is inserted into them.
5. When they are done with this, they pray over him.

8.3 The Funeral Prayer

1. The most worthy of people to pray over him is the ruler if he is present. But, if he is not present then it is recommended to send ahead the imam of his locality, then the waliyy. If [someone] other than the waliyy or the ruler prayed over him, the waliyy repeats [the prayer], but if the waliyy prayed then it is not permissible for anyone to pray after him.
2. The prayer should not be performed over the deceased in a group prayer] mosque.
3. The prayer is :
 - ✦ that one pronounce a takbir, extolling Allah, the Exalted, and it,
 - ✦ then, one pronounces a takbir, and [then] sends salutations to the Prophet (may Allah bless him and grant him peace),
 - ✦ then one pronounces a takbir, supplicating therein for him: for the deceased and for the Muslims.
 - ✦ then one pronounces a fourth takbir and pronounces tasleem.
4. If he was buried without the prayer being performed over him, it should be performed over his grave.

8.4 Burial

1. Then, when they carry him on his dais, they hold its four 'legs', walk with it swiftly [but] without racing.
2. Then, when they reach his grave, it is disliked for people to sit before it is let down from the men's shoulders.
3. The grave is dug and an incision is made in the qiblah-side wall.
4. The deceased should be entered from [the side] adjacent to the qiblah. When he is placed in the incision, the one placing him says *Bismillah wa-`ala millati Rasulillah*, and faces him to the qiblah. He unties the knot, and arranges unbaked bricks in [the incision]. It is disliked to use baked bricks and wood. There is no harm in [using straw [in addition]].
5. Then, the soil is piled on. The grave is raised like a camel's hump and not flattened.

8.5 The Martyr

1. The martyr (shahid) is someone whom the pagans killed, or who was found in the battle-field with the mark of wounding on him, who was killed wrongfully by the Muslims and for whose death blood-money did not become due [initially].
 - ✦ One who is killed in a prescribed punishment, or retaliatory execution, is washed and prayed over.
 - ✦ Those rebels and highway robbers who are killed are not prayed over.

2. [The martyr] is shrouded and prayed over, but he is not washed. One in janabah was martyred, [then] according to Abu Hanifah [he is] washed. Similar [is the case with] the child. Abu Yusuf and Muhammad said : they are not washed. The martyr's blood is not washed off him, nor are his clothes removed, but furs, khuffs, padded garments and weapons are removed from him.
3. One who lingered [in dying] is washed. Lingered is :
 - ✦ that he eat, or drink,
 - ✦ or receive medical treatment,
 - ✦ or remain alive until the time of one salah passes over him while he is conscious,
 - ✦ or that he be transported from the battle-field alive.

Purifying Charity (Zakah)

PURIFYING CHARITY (ZAKAH)

(According to the Qur'an and Sunnah, as extracted and inferred by scholars of the Hanafi school.)

From "*Mukhtasar al-Quduri*", a matn of Hanafi fiqh

- ✚ Obligation
- ✚ Silver
- ✚ Gold
- ✚ Trade Goods
- ✚ Recipients
- ✚ Sadaqat al-Fitr

1.0 OBLIGATION

1. Zakat is obligatory on
 - ✚ the free, adult sane Muslim,
 - ✚ when he possesses the nisab with complete possession, and
 - ✚ a [lunar] year has passed over it.

There is no zakat [obligatory] upon a child, nor an insane person nor a mukatib.

There is no zakat [obligatory] upon anyone who has a [due] debt encompassing his money. But, if his money is more than the debt, he pays zakat on the excess if it reaches nisab.

If one advance-pays the zakat before the year [has passed over] and he possesses nisab, it is valid.

If wealth is destroyed after the obligation of zakat [has become due], it is waived.

2. [Zakat due (in various proportions) on : gold silver cash trade-goods freely-grazing livestock kept for milk, breeding or fattening camels, cows, sheep and goats. produce (excluding firewood, re

and grass). buried treasures and metals.]

There is no zakat [obligatory] on:

- ✦ residential homes,
- ✦ body clothes,
- ✦ household furniture,
- ✦ riding-beasts,
- ✦ slaves in service,
- ✦ weapons of use.

3. It is not valid to offer zakat without an intention coinciding with payment, or coinciding with the setting-aside of the obligatory portion.

One who gave all of his wealth in charity, without intending zakat its obligation is waived from him.

2.0 ZAKAT ON SILVER

1. There is no charity [obligatory] on any [silver] less than 200 dirhams.
[200 dirhams corresponds to 19.69 troy oz and 612.36g.]
2. Then, if it is 200 dirhams, and a [lunar] year passes over it, 5 dirhams are due for it.
3. There is nothing due on the excess until it reaches 40 dirhams, then 1 dirham is due for it.
[Similarly] for every 40 dirhams, there is 1 dirham [due].
Abu Yusuf and Muhammad said : Whatever exceeds 200 [dirham] its zakat is in proportion.
4. If the silver is dominant in silver coins, then their ruling is that of silver. But, if alloy is dominant then their ruling is that of trade goods, and its reaching nisab is taken into account.

3.0 ZAKAT ON GOLD

1. There is no zakat [obligatory] on any gold less than 20 mithqal.
[20 mithqal corresponds to 2.81 troy oz and 87.48g.]
2. Then, if it is 20 mithqal, and a [lunar] year passes over it, then a mithqal is due for it.
3. Then, for every 4 mithqal, 2 qirat [are due].
There is no charity [obligatory] on any [gold] less than 4 mithqal according to Abu Hanifah.
4. There is zakat due on raw gold and silver, [as well as on] jewelry and vessels [made] of them.

4.0 ZAKAT ON GOODS

1. Zakat is obligatory on trade goods, whatever they may be, if their value reaches the nisab of gold or silver; one assesses it based on whichever of the two is more beneficial for the poor and destitute.
2. If the nisab is complete at the two ends of the [lunar] year, then its dropping in between that does not waive the zakat.
3. The value of goods is added to gold and silver. Similarly, gold is added to silver in value in order to reach the nisab, according to Abu Hanifah. Abu Yusuf and Muhammad said : Gold is not added to silver by value, but it is added by parts.

5.0 THOSE TO WHOM IT IS AND IS NOT ALLOWED TO GIVE ZAKAT

5.1 Those Who May Receive Zakat

Allah, the Exalted, says, (translated),

"Alms are only for the poor, the destitute, those who collect them, those whose hearts are to be reconciled, for [mukatib] slaves, debtors, and in the Path of Allah, and the wayfarer. An [ordained] obligation from Allah. And Allah is Knowing, Wise." [Qur'an, 9:60]

These, then, are eight categories, out of which 'those whose hearts are to be reconciled' have dropped, because Allah has granted honor to Islam and has freed [it] of need of them.

The Poor : is one who has the least of things.

The Destitute : is one who has nothing.

The [Zakat-]Worker : is paid by the imam in proportion to his work, if he worked.

Slaves : the mukatibun are assisted in freeing themselves.

The Debtor : is one on whom a debt is incumbent.

In the Path of Allah : are the stranded fighters.

The Wayfarer : is one who has money in his home-land, but is in a place in which he has nothing.

These, then are the sections of zakat.

The possessor may pay [some] to each of them, or he may restrict himself to one category.

5.2 Causes Not Eligible for Receipt of Zakat

1. It is not permissible for one to give zakat to a dhimmi,
2. Nor may a mosque be built with it,
3. Nor may a dead person be shrouded with it,
4. Nor may a slave be bought with it to free,
5. Nor may it be payed to a rich person.

5.3 Relationships Making One Ineligible to Receive Zakat

1. Nor may the payer of zakat pay it to his father, nor his grandfather even if higher [up in ascendancy],
2. Nor to his child, nor his child's child, even if lower [down in descendancy],
3. Nor to his wife.
A woman may not pay [her zakat] to her husband, according to Abu Hanifah. Abu Yusuf and Muhammad said : she may pay [it] to him.
4. One may not pay [one's zakat] to one's mukatib or slave, nor to the slave of a wealthy person, nor to the child of a wealthy person if he is a minor.
5. It may not be paid to Banu Hashim, and they are : the Household of `Ali, the Household of `Abbas, the Household of Ja`far, the Household of Harith ibn `Abd al-Muttalib; nor to their freed slaves.

5.4 Miscellaneous Regulations

1. Abu Hanifah and Muhammad said : If one pays zakat to a man whom one thinks to be poor, and then it transpires that he is rich, or Hashimi, or an unbeliever, or [if] one paid [it] in darkness to a poor person, and then it transpired that he was his father or his son, then repeating it is not [obligatory] upon him.
Abu Yusuf said : Repetition is [obligatory] upon him.
If one paid [it] to a person, and then he learned that he is his slave or mukatib, it is not valid according to the verdict of them all.
2. It is not permissible to pay zakat to anyone who possesses the nisab of whatever type of wealth it may be. It is permissible to pay it to anyone who possesses less than that, even if he is healthy and earning.
3. It is disliked to transfer zakat from one land to another; rather the alms of each people should be distributed amongst them, unless a person transfers it to his relatives, or to a people who are more in need than the people of his land.

6.0 SADAQAT AL-FITR

6.1 Obligation

1. Sadaqat al-Fitr is wajib on the free Muslim, if he is in possession of the quantity of nisab in excess of his dwelling, clothing, furnishings, horse, weapons and service slaves.
2. He gives it out on behalf of himself, his minor children and his slaves.
He does not pay [it] on behalf of his wife, nor his adult children, even if they are in his household.
He does not give it out on behalf of his mukatib, nor his slaves [who were acquired] for trade.
There is no fitrah due on either of the two [masters] of a slave [co-owned] between two partners.
A Muslim master pays the fitrah on behalf of his unbelieving slave.
3. The obligation of the fitrah is attached to the rise of the dawn on the Day of [ʿId al-] Fitr. So, whoever dies before that, his fitrah has not become wajib. Whoever accepts Islam, or is born, after the rise of the dawn, his fitrah has not become wajib.

6.2 Payment

1. The fitrah is :
half a sa` of wheat, OR
one sa` of [dried] dates or raisins or barley.
The sa` according to Abu Hanifah and Muhammad is 8 Iraqi ratl.
Abu Yusuf said : [it is] $5\frac{1}{3}$ ratl.
[1 sa` is a volume of 2.03 litres, and corresponds to approximately 3,149.28g.
1 sa` ~ 4 mudd; 1 mudd ~ 2 ratl; 1 ratl ~ 20 istar; 1 istar ~ 4½ mithqal {Radd al-Muhtar}]
2. It is recommended for people to give out the fitrah on the Day of Fitr before going out to the prayer place. If they advance-pay it before the Day of Fitr, it is valid. But, if they delayed it beyond the Day of Fitr, it is not waived, and it is [still an obligation] upon them to give it out.

Fasting (Siyam)

FASTING (SIYAM)

(According to the Qur'an and Sunnah, as extracted and inferred by scholars of the Hanafi school.)

From "*Mukhtasar al-Quduri*", a matn of Hanafi fiqh

- ✦ The Obligation of Fasting
- ✦ The Intention
- ✦ Sighting the Crescent
 - ✦ For Ramadan
 - ✦ For `Id
- ✦ Actions of the Fasting Person
 - ✦ Things that do not break the fast
 - ✦ Things that are disliked for the fastiung person
 - ✦ Things that break the fast and require a makeup
 - ✦ Things that break the fast, and require makeup and expiation
- ✦ Excuses
 - ✦ Those who may postpone fasting
 - ✦ Making up missed fasts
 - ✦ Fidyah
- ✦ Seclusion

1.0 THE OBLIGATION OF FASTING

1. The time for fasting is from the rising of the second dawn until the setting of the sun.
2. Fasting is : abstention from eating, drinking and sexual intercourse by day with the intention.
3. If in Ramadan a child reached adulthood, or an unbeliever accepted Islam, they abstain [from things which invalidate fasting] for the remainder of that day, and fast that which comes thereafter. They do not make up what passed.
4. If a traveller arrives [at his place of residence], or a [menstruating] woman attains purity with part of the day

[remaining], they abstain [from those things which invalidate fasting] for the rest of that day.

2.0 THE INTENTION

Fasting is of two sorts : obligatory and supererogatory (nafl).

1. The obligatory is of two sorts : among it is that which is attached to a specific time, such as the fast of ramadan, and a specified vow. The fasting of [this category] is valid with an intention from the night, but if one did not intend until the morning, the intention suffices him between [dawn] and {the middle of the day}. The second sort is that which becomes obligatory to fulfil, such as the make-up [fasts] of Ramadan, unrestricted vows, and atonements. These are not valid without an intention from the night.
2. All of the nafl is valid with an intention before {the middle of the day}.

3.0 SIGHTING THE CRESCENT

3.1 *For Ramadan*

1. It is imperative for the people to seek the new crescent on the twenty-ninth day of Sha`ban. Then, if they see it, they fast [the following day], but if it is obscured from them, they complete the counting of Sha`ban as thirty days and then fast [after that].
2. Whoever sights the new crescent of Ramadan alone fasts, even if the imam does not accept his testimony.
3. If there is some obstruction in the sky, the imam accepts the testimony of one upright [Muslim] - be that male or female, free-man or slave - for the sighting of the crescent. But, if there is no obstruction in the sky, [one individual's] testimony is not accepted until a large multitude sight it, by whose report [certain] knowledge is attained.

3.2 *For `Id*

1. Someone who alone sights the crescent for ending the fast does not stop fasting.
2. When there is some obstruction in the sky, only the testimony of two men, or one man and two women, is accepted for [sighting of] the crescent for ending the fast. But, if there is no obstruction in the sky, only the testimony of a large