

Sisters' Class - Fiqh-us-Sunnah: Fiqh from a hadith perspective

An Introduction to Fiqh-us-Sunnah

What is Fiqh-us-Sunnah? (1)

- When we normally study fiqh, we take an issue then we look at the statements of the scholars about that issue, and their proofs, and so come to a conclusion about which opinion is correct
- In fiqh-us-sunnah, we don't start with an issue, we start with a hadith
- From that hadith, we look at all of the rulings which relate to that hadith, and all of the issues for which that hadith is used as a proof

What is Fiqh-us-Sunnah? (2)

- Neither method is better than the other, but without using both, you can lose out
 - If you only use the normal 'fiqh' method, you tend to move away from the importance of the proof, and its authenticity
 - If you only use the 'fiqh-us-sunnah' method, you miss those issues for which there is no hadith relating to them, and you often don't get a general picture of the opinions of the scholars
- Normally we concentrate on a book of hadith which was written for this purpose
 - The book will be ordered according to fiqh topics, normally starting with the book of purification, then the book of prayer, then the rest of the acts of worship, then chapters which relate to dealings with others
 - There are many books ordered in this way, one of the most famous is Buloogh-ul-Maraam, by Al-Haafidh Ibn Hajar Al-Asqalaani (may Allah have mercy on him)

What do you need to know for every hadith you study

- Normally we try to extract the following information, when we study a hadith in fiqh-us-sunnah:
 - Where the hadith can be found
 - Any words which are not understood from the text
 - The authenticity of the hadith, and the opinions of the scholars of hadith about it, including any weaknesses in it
 - Any differences in wording found in different books
 - The fiqh rulings found in the hadith

- Issues which the scholars of fiqh dealt with, that relate to the topic of the hadith, including differences in opinion amongst the scholars
- Further points of benefit from the hadith

What we are studying today

- We are studying from the book 'Al-Muharrar' by Ibn 'Abdil-Haady
- The book is almost identical to Buloogh-ul-Maraam, which many of you will have easy access to
- Al-Muharrar is better for a student of hadith, because it contains a lot of information about the authenticity of each hadith
- Al-Muharrar was summarised from the book: Al-Ilmaam by Ibn Daqeeq Al-'Eed, a famous scholar of fiqh and hadith
- I have selected for this lesson: the book of prayer, the chapter of the description of the prayer

An Introduction to the book of prayer

The Book of prayer: The Chapter of the Description of the Prayer

- The original meaning of "Salaah" in Arabic is Du'aa
- The technical meaning of "Salaah" is "Statements and actions, beginning with takbeer (Allahu Akbar) and ending with tasleem (Assalaamu alaykum warahmatullah), performed in a specific manner"
- The description of the prayer is very important, as we find in the hadith of the Prophet (peace be upon him): "Pray as you see me pray", so the companions spent a great amount of time and effort to record the exact way the Prophet (peace be upon him) prayed

A brief introduction to the prayer and its ruling (1)

- Praying five times every day is a pillar of Islam, and is fard (obligatory) upon every sane Muslim, who has reached puberty.
- The proof for this is in the Qur'aan, the Sunnah and Ijmaa' (consensus)
- As for the Qur'aan, Allah says:

﴿ إِنَّ الصَّلَاةَ كَانَتْ عَلَى الْمُؤْمِنِينَ كِتَابًا مَّوْقُوتًا ۝١٠٣﴾

- "Indeed, prayer has been decreed upon the believers a decree of specified times." An-Nisaa' 4:103

A brief introduction to the prayer and its ruling (2)

- From the Sunnah:
 - It is narrated in Saheeh Muslim and others, from Talha ibn 'Ubaidillah (may Allah be pleased with him), that a person with dishevelled hair, one of the people of Najd, came to the Messenger of Allah (may peace be upon him). We heard the humming of his voice but could not understand what he was saying, until he came near to the Messenger of Allah (may peace be upon him). It was then (we realised) that he was asking about Islam. The Messenger of Allah (may peace be upon him) said: "Five prayers during the day and the night. " The man said: "Am I obliged to perform any other (prayer) besides these?" The Prophet (peace be upon him) replied: "No, except what you observe voluntarily..."

A brief introduction to the prayer and its ruling (3)

- As for Ijmaa' (consensus), all of the scholars, from the first of them until the last of them, are unanimous upon the fact that the prayer is obligatory upon every sane Muslim who has reached puberty
- All of the actions and statements of the prayer fall into one of the following categories:
 - Condition (shart): something which comes before the prayer and without which the prayer is not valid
 - Pillar (rukun): something which is within the prayer, and if it is left out the prayer becomes invalid
 - Obligation (waajib): something which is within the prayer, and if it is left deliberately, makes the prayer invalid, but if by accident, it does not but requires sujood-us-sahw (prostration for forgetfulness)
 - Recommended action (sunnah): something which is within the prayer, which is recommended but the person who doesn't do it is not sinning

The one who leaves the prayer

- The one who leaves the prayer is of two types:
 1. A person who leaves the prayer, believing that it is not obligatory, or that he/she has no need for it, or that it has no benefit – this person is kaafir by ijmaa' (consensus), and if living under Islamic law, should be executed by the ruler as an apostate (no salaam, no marriage, no janaazah etc)
 2. A person who leaves the prayer out of laziness etc, believing that it is obligatory - the scholars differed about this person, but the correct opinion – and Allah knows best – is that they are also kaafir. This was the opinion of Ahmad and others. Even those who said he is not a kaafir, said that he should either be

be upon him), who said: “Go back and pray, for indeed you have not prayed” – [and this happened] three times. The man said: “By the one who sent you with the truth, I do not know any other way, so teach me.”

Hadith 1: The text of the hadith in English (2)

- The Prophet (peace be upon him) said: “When you stand to pray, make wudhu in the most perfect manner, then face the qiblah, and say: “Allahu akbar”, then read what is easy for you from the Qur’aan. Then bow [in rukoo’] until you are tranquil in rukoo’, then rise up, until you are tranquil in standing, then prostrate until you are tranquil in prostration, then rise up until you are tranquil in sitting, then prostrate until you are tranquil in prostration, then rise up until you are tranquil in sitting, then do that in all of the prayer.” Agreed upon, and the wording is that of Al-Bukhari

Hadith 1: Understanding the words of the hadith

- “Abu Hurayrah”: He is the noble companion, the great scholar of Islam, and the first of the people of hadith, Abdur-Rahman bin Sakhr Ad-Dawsee (may Allah be pleased with him). He came to Madinah around the time of the battle of Khaybar 7AH, and died in 58 or 59AH, and he narrated more ahaadeeth than any of the other companions (more than 5000!).
- “make wudhu in the most perfect manner”: This is called isbaagh in Arabic, and refers to washing each body part three times (apart from wiping the head once) and being especially careful when doing so
- “tranquil”: This is known in Arabic as Itmi’naan, and it is explained by Abu Humayd (may Allah be pleased with him) in his description of the Prophet’s prayer: “until every vertebra returns to its place”, or in another narration: “until every bone settles in place”
- “Agreed upon”: This is a term used by scholars of hadith to refer to the fact that both Al-Bukhari and Muslim narrated the hadith in their two saheehs

Hadith 1: Where you can find the hadith

- As the author – may Allah have mercy on him – mentioned, the hadith is narrated by Al-Bukhari and Muslim in their two Saheehs. The hadith is also narrated in the four Sunan (Abu Dawood, At-Tirmidhi, An-Nasaa’i and Ibn Maajah), as well as the musnad of Imam Ahmad
- It is also narrated by Ad-Daarimee in his sunan, Ad-Daarqutnee in his sunan, Ibn Abi Shaybah in his Musannaf, Al-Bayhaqi in As-Sunan-ul-Kubraa, Abdur-Razzaaq in his Musannaf, At-Tabaraani in Al-Mu’jam-ul-Kabeer, Ibn Khuzaymah and Ibn Hibaan in their two Saheehs, and many others

Hadith 1: The authenticity of the hadith

- Because the hadith is narrated by both Al-Bukhari and Muslim, there is no doubt that it is of the highest authenticity.
- There is one area of doubt in the hadith: “then rise up until you are tranquil in sitting.” – after the second prostration
- This would refer to jilsat-ul-istiraahah (a light sitting after each rak’ah), and some scholars said that it refers to the tashahhud, but the correct opinion is that it is not authentic in this hadith and was a mistake from one of the narrators – and Allah knows best
- Note that the light sitting after each rak’ah is authentically proven in other narrations but we are only referring to this particular narration

Hadith 1: Fiqh Rulings

- Fiqh rulings should be worded in appropriate language, and normally contain the one of the following words: obligation (wujooab), prohibition (tahreem), recommendation (istihbaab), permissibility (jawaaz), dislike (kiraahiyyah)
- In this hadith we can extract:
 - The obligation of tranquillity (itmi’naan) while praying, and that it is a pillar of the salaah, without which the salaah is invalid
 - The obligation of the other things mentioned: wudhuu, facing the qiblah, standing for prayer, the first takbeerah (takbeerat-ul-ihraam), reading the Qur’aan in the standing position, rukoo’ (bowing), sujood (prostration), and sitting between the two prostrations. All of these are pillars of the prayer (or conditions for the prayer), without which the prayer is invalid

Hadith 1: Issues: The ruling of tranquillity in the prayer (1)

- The scholars disagreed as to the ruling of tranquillity in the prayer.
- Some said that it was a pillar of the prayer, and some said that it was a recommended action in some parts of the prayer (eg. Sitting between two prostrations), but a pillar in others (eg. bowing and prostration)
- This hadith clearly shows that it is a pillar of the prayer because of the statement of the Prophet (peace be upon him): “Go back and pray, for indeed you have not prayed.”
- The scholars who said it was a recommended action argued that the Prophet (peace be upon him) knew that the person would not be able to pray properly until he told him, and so he was effectively telling him to go and do something which was invalid. So they said that what he meant was “you have not prayed properly/completely” not that he had not prayed at all.

Hadith 1: Issues: The ruling of tranquillity in the prayer (2)

- The answer to their argument is as follows:
 1. We should not interpret a meaning other than the apparent meaning, unless we have a good reason
 2. It could be argued that the Prophet (peace be upon him) did not know that he was going to continue to pray badly but thought that he was only rushing for some reason
 3. The strongest argument is that the Prophet (peace be upon him) ordered him to pray again, even if he thought he would pray badly, in order for him, and the people around him to realise and pay attention to the seriousness of the matter. The scholars agree that it is permissible to do this if there is a need and a benefit

Hadith 1: Issues: The ruling of things that are not mentioned in the hadith (1)

- We know that the hadith covers most of the pillars of the prayer
- There is a narration of the same hadith in which the Prophet (peace be upon him) said to the man: “If you do this then your prayer is complete”
- There are several other narrations of the same hadith which contain most of the other pillars of the prayer (the tashahhud, the tasleem, etc)
- But what about things that are not mentioned in this hadith? Are all of the things not mentioned in the hadith sunnah or are their other obligations that are not mentioned here?

Hadith 1: Issues: The ruling of things that are not mentioned in the hadith (2)

- There is no problem if the hadith can be proven to have come after the hadith of the one who prayed badly, because we would consider it an addition
- The problem comes with a hadith that we don't know whether it came before or after. Do we stick only to the hadith of the one who prayed badly, or do we take into account the other hadith as well?
- The best answer – and Allah knows best – is to say that we take it into account as an obligation, if that's what the hadith suggests, unless there is clear proof that it has been replaced by the hadith of the one who prayed badly

Hadith 1: Issues: Surah Al-Faatihah (1)

- In the hadith of the one who prayed badly the companion is told to read “what is easy for you from the Qur’aan”
- The scholars differed about whether that has to include Surah Al-Faatihah or not
- The correct opinion is that it must include Al-Faatihah in every rak’ah, otherwise the prayer is invalid and must be repeated
- The proof is the statement of the Messenger of Allah (peace be upon him): “There is no prayer for the one who does not recite the Opening of the Book” [Al-Bukhari]

Hadith 1: Issues: Surah Al-Faatihah (2)

- And : “Whoever performs a prayer in which he does not recite the Mother of the Book, then it is deficient, it is deficient, it is deficient, it is incomplete! [Muslim]
- And: “The Prayer is not valid in which the Mother of the Qur’aan is not recited” [Muslim]
- Even the scholars who didn’t believe it to be obligatory ordered their followers to read it, because it is still classed as being “what is easy for you from the Qur’aan” and you avoid the difference of opinion

Hadith 1: Points of benefit

- The importance of ordering the good and forbidding the evil, and correcting others
- The importance of doing so with good manners and sincere intention
- It is sometimes necessary to teach people in the same way, eg. Saying to a student “bring the answer tomorrow”, in order to kindle their interest and give them time to reflect on an issue
- The excellent example of admitting when you don’t know something, and seeking advice from the people who know
- Patience in seeking knowledge

Hadith 2: The hadith of Abu Humayd (may Allah be pleased with him)

Hadith 2: The text of the hadith in Arabic

وعن محمد بن عمرو بن عطاء أنه كان جالسا مع نفر من أصحاب النبي {صلى الله عليه وسلم} فذكرنا صلاة النبي {صلى الله عليه وسلم} فقال أبو حميد الساعدي أنا كنت أحفظكم لصلاة رسول الله {صلى

الله عليه وسلم} رأيتُه إذا كبر جعل يديه حذو منكبيه وإذا ركع أمكن يديه من ركبتيه ثم هصر ظهره فإذا رفع رأسه استوى حتى يعود كل فقار مكانه فإذا سجد وضع يديه غير مفترش ولا قابضهما واستقبل بأطراف أصابع رجليه القبلة فإذا جلس في الركعتين جلس على رجله اليسرى ونصب اليمنى وإذا جلس في الركعة الآخرة قدم رجله اليسرى ونصب الأخرى وقعد على مقعدته رواه البخاري

Hadith 2: The text of the hadith in English (1)

- On the authority of Muhammad bin ‘Amr ibn ‘Ataa, that he was sitting with a group from the companions of the Messenger of Allah (peace be upon him and may Allah be pleased with them), when we mentioned the prayer of the Prophet (peace be upon him). Abu Humayd As-Saa’idi said: "I remember the prayer of Allah's Messenger better than any one of you." When he said the takbeer (Allahu Akbar), I saw him raising both his hands up to the level of his shoulders; and on bowing he placed his hands on both knees and bent his back straight,

Hadith 2: The text of the hadith in English (2)

- "Then he stood up straight from bowing till all the until every vertebra returned to its place. In prostration, he placed both his hands on the ground with the forearms away from the ground and away from his body, and his toes were facing the Qibla. On sitting in the second Rak'a he sat on his left foot and propped up the right one; and in the last Rak'ah, he pushed his left foot forward and kept the other foot propped up and sat on his buttocks " Narrated by Al-Bukhari

Hadith 1: Understanding the words of the hadith (1)

- "Muhammad bin ‘Amr bin ‘Ataa“: He is the noble taabi’ee Muhammad bin ‘Amr bin ‘Ataa Al-Qurashi Al-‘Aamiree. He died around 120AH and all six of the major books of hadith narrated from him. He was "thiqah" (very reliable – from the narrators of saheeh ahaadeeth). Adh-Dhahabi said about him: "Abu Haatim declared him to be 'thiqah' and he was a person of dignity, solemnity, intellect, and nobility. He was fit for the khilaafah"
- "a group from the companions of the Messenger of Allah“: It is said that they were ten. Some of their names are mentioned in various narrations, and they include some of the most knowledgeable of the companions of the Messenger of Allah (peace be upon him and may Allah be pleased with them)

Hadith 2: Understanding the words of the hadith (2)

- “Abu Humayd As-Saa’idee”: He is the noble companion, Al-Mundhir ibn Sa’d bin Al-Mundhir As-Saa’idee Al-Ansaaree. He participated in Uhud and the battles that came after. He died in 60AH – May Allah be pleased with him.
- “I remember the prayer of Allah's Messenger better than any one of you”: This was not a form of boasting – the companions were far away from that – but it was to make those other noble companions pay close attention to what he said. They initially questioned his statement, as we find in some narrations: “What makes you say that? You did not accompany him more than us and you were not a companion before us.” He replied: “It is true”. They said: “So show us.” However when he showed them what he had memorised they said: “You have told the truth! That is how the Messenger of Allah (peace be upon him) used to pray”

Hadith 2: Where you can find the hadith

- As the author – may Allah have mercy on him – mentioned, the hadith is narrated by Al-Bukhari in his Saheeh. The hadith is also narrated by Abu Dawood, An-Nasaa’i and Ibn Maajah), as well as the musnad of Imam Ahmad
- It is also narrated by Ad-Daarimee in his sunan, Al-Bayhaqi in As-Sunan-ul-Kubraa, and Ibn Khuzaymah and Ibn Hibaan in their two Saheehs, and others

Hadith 2: The authenticity of the hadith

- There is no doubt as to the authenticity of the hadith, as it is narrated by Al-Bukhari
- There are several other wordings and narrations in the other books we saw. They add some additional points of benefit, but should be checked individually for authenticity

Hadith 2: Fiqh Rulings (1)

- Reminder: Fiqh rulings should be worded in appropriate language, and normally contain the one of the following words: obligation (wujoob), prohibition (tahreem), recommendation (istihbaab), permissibility (jawaaz), dislike (kiraahiyah)
- In this hadith we can extract:
 - The obligation or recommendation of the various actions which are mentioned in the hadith, and that all of them are agreed upon by those companions to be from the way the Prophet (peace be upon him) used to pray

Hadith 2: Fiqh Rulings (2)

- Breakdown of the various actions and their rulings:

Action	Ruling
Saying "Allahu akbar"	Pillar
Raising the hands for takbeerat-ul-ihraam	Obligatory
Rukoo' (Bowing)	Pillar
Placing both hands on the knees in rukoo'	Obligatory
Keeping the back straight in rukoo'	Obligatory
Standing up after rukoo'	Pillar

Hadith 2: Fiqh rulings (3)

Action	Ruling
Waiting for every vertebra to return back to its place (tranquillity)	Pillar
Prostration (sujood)	Pillar
Keeping the forearms of f the ground in sujood	Obligatory
Making the forearms wide in sujood	Sunnah
Pointing the toes in the direction of the qiblah in sujood	Sunnah
Sitting "muftarishan" after the first 2 rak'ah	Sunnah

and “mutawarrikan” at the end of the prayer

Hadith 2: Issues: Raising the hands in prayer (1)

- It is authentically proven from at least eighteen of the companions, that the Prophet (peace be upon him) used to raise his hands in three places during the prayer:
 - During takbeerat-ul-ihraam (The first “Allahu akbar”)
 - Before going into rukoo’ (Bowling)
 - After coming up from rukoo’
- You should not – and Allah knows best – raise your hands before going into sujood (prostration). In fact this goes against the hadith of Ibn ‘Umar (may Allah be pleased with them both): “And he did not used to [raise his hands] for sujood”

Hadith 2: Raising the hands in prayer (2)

- As for the level to which the hands should be raised, there are several narrations, including the ears, the earlobes, and the shoulders.
- The narration about raising to chest level is not authentic
- The best way to join between these narrations is to raise the hands to a level that the top of the fingers are level with the ears, and the bottom of the hands are level with the shoulders – and Allah knows best

Hadith 2: Issues: How to sit in the prayer (1)

- There are three forms of sitting reported in the sunnah, for a healthy person during the prayer:
- “Muftarishan” : This should be done in the tashahhud of the second rak’ah of every prayer, and when sitting between the two prostrations, or when sitting at the end of a rak’ah before getting up. This is to sit on the left foot, and prop up the right foot, keeping the toes of the right foot pointing towards the qiblah, and resting the hands on the thighs
- “Mutawarrikan”: This should be done in the last tashahhud of every prayer that has two sittings (ie.not Fajr or the sunnah prayer). It is to sit on the left buttock, folding the left leg underneath the right leg, and keeping the right leg propped up, with the toes facing the qiblah. The right hand should be slightly away from the body, and the left hand further forward, resting on the knee

Hadith 2: Issues: How to sit in the prayer (2)

- There is a third form of sitting, which the Prophet (peace be upon him) did occasionally. It should only be used in between the two prostrations. It is to place both sets of toes flat on the ground and sit back on both legs, resting on the toes

Hadith 2: Points of benefit

- The great attention that the companions paid to the prayer of the Prophet (peace be upon him), and the effort they put in to ensure that it was memorised and preserved for us.
- The excellence of good gatherings, and the virtue of mentioning beneficial knowledge when sat together with friends
- Just because some people have knowledge, doesn't mean that others who have studied less than them cannot have knowledge which they don't have
- The importance of memorisation when seeking knowledge, and the importance of revising the things you have memorised