

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



Mālikī Fiqh

Introduction to Purification and Prayer

الطهارة و الصلوة

Based On

*The Helpful Guide To What Is Essential
To Know Of The Sciences Of The Religion*

المُرْشِدُ الْمُعِينُ عَلَى الضرورِيِّ مِن عِلْمِ الدِّينِ

I. The Different Categories of Water

من التغير بشيء سلما

فصل و تحصل الطهارة بما

Section 2: Ritual purity is achieved with water – that is free from being changed by anything

أو ظاهر لعادة قد صلحا

إذا تغير بنجس طرحا

When it is changed by something impure it is discarded – and (if it is changed) by something clean it is fit (only for use) in a (non-religious) common practice

كمغرة فمطلق كالذائب

إلا إذا لازمه في الغالب

Unless it (is something that) most likely is inseparable (from the water) – like a (natural) reddish color; in such a case it is likened to absolutely pure (water). Similar to it also is what has been melted (like ice, snow, and frost)

Explanation:

The Shariah classifies water into three categories:

- 1- Natural Water – *Mutlaq* or *Tahūr*
- 2- Clean but not natural – *Tāhir*
- 3- Filthy Water – *Najis*

Natural Water consists of two subcategories: *Fresh water* and *Likened-to-fresh water*.

- **Fresh water** (*mutlaq*) is water that is fresh in the sense that nothing clean or unclean is mixed with it, and none of its original characteristics have been altered. The characteristics of water are: color, smell, and taste. Fresh water is what is customarily referred to as pure water.
- **Likened-to-fresh water** (*Tāhir*) is water that is given the same ruling as fresh water in that it can be used for ritual cleansing (*wudu/ghusl*). But it is water mixed with clean matter that *apparently* has altered one or more of its characteristics. I say “apparently” because it is accepted that the state of this kind of water is as it naturally is, or the matter fused with it, which altered its state, is something that will unlikely ever be separated from it. Examples of this are swamp water, seawater, water that has collected algae due to being stagnant for a long period, or - as the author stated – water that has a natural reddish color. This same ruling applies to ice, snow, and frost that have melted.

Clean but not natural is water that has undergone a change due to being mixed with something that is clean like sugar, milk, soap, or dirt. It may not be used in ritual cleansing. But it may be used for matters of custom like washing dishes, drinking, etc.

Filthy water (*najis*) is water whose characteristics have been altered due to being adulterated by something filthy, like blood, urine, feces, semen, wine, and the like.

Dirt isn't considered filth unless it is mixed with something like one of the things already mentioned.

Only *fresh* or *likened-to-fresh* water may be used for *wudu*, *ghusl*, or removing filth from one's body, clothing, or place of prayer.

The chart below outlines the different types of water and their uses according to the law.

Types of water	Definition	Uses
Natural water I. Fresh water	Water that hasn't been changed by anything clean or unclean.	It is valid for ritual cleansing and customary matters.
	Water that is in its natural state, but apparently has undergone a change in one of its characteristics (like sea water).	This takes the same ruling as the first.
Clean, but not natural	Water that has been altered by a clean object or substance.	It is valid for customary matters, but not valid for ritual cleansing.
Filthy water	Water that has been changed by being mixed with something impure.	It is not valid for ritual cleansing and not for customary matters.

II. Major Ritual Impurity and The Compulsory Acts of Wudu

ذلك و فور نية في بدنه

فإنض الوضوء سبع و هي

The compulsory acts of wudu are seven: They are – passing the hand (over each member when washing), immediacy (between acts), and (having) an intention at the start of it

أو استباحة لمنوع عرض

ولينو رفع حدث أو مفترض

Let one's intention be to remove the state of ritual impurity, or to perform an obligatory act – or to make (an act of worship) permissible to do due to a hindrance that has presented itself.

و مسح رأس غسله الرجلين

غسل وجه غسله اليدين

(Other obligations are) washing the face, washing the arms – wiping the head, and washing the feet

و المرفقين عم والكتفين

و الفرض عم مجمع الأذنين

The duty (in washing the face) includes the area where the ears (join with the face) – And (in the arms) it includes the elbows, and (with the feet) it includes the ankles

وجه إذا من تحته الجلد ظهر

خل أصابع اليدين و شعر

Comb through the fingers (when washing) and (part) the hair – of the beard if the skin appears from beneath it

Explanation:

One of the prerequisites for the validity of one's prayer is ritual purity (i.e. wudu, ghusl, or tayammum). The author starts with the most fundamental form of ritual purity - *minor ritual purity* (*al-hadath al-asghar*).

In order to remove the state of minor ritual *impurity* before making prayer (Salat), one must perform wudu.

But wudu is only valid when it is performed correctly. And if any of its compulsory acts are omitted, the wudu is invalid. So if one were to pray while omitting any of the compulsory acts of wudu, the Salat is automatically invalid and must be prayed again while fulfilling all of its prerequisites.

The author outlines in these verses, the compulsory acts of wudu. They are 7 in number:

- 1- Passing the hand over each member of wudu while rinsing (dalk)
- 2- Immediacy between each act (fawr)[so as to avoid any intentional delay in rinsing one part of the body after another]
- 3- Making one's intention at the beginning (niyyah)
- 4- Washing the face (ghasl wajh)
- 5- Washing the hands to and including the elbows (ghasl al-yadayn)
- 6- Wiping the head once (mash al-ra's)
- 7- Washing the feet to and including the anklebones (ghasl al-rijlaiyin)

One's intention when making wudu should be that one is:

- Removing the state of minor ritual impurity
- Preparing for an act that requires wudu
- Or renewing one's wudu for something that requires it after it has been nullified

Any of these intentions is sufficient. But one need not focus much on these particulars, because there is perhaps almost never a time that one doesn't have one of these intentions for prayer. Keep this in mind in order to keep away insidious whisperings (waswasah).

As for why the author mentioned these details, it is possible that he wanted to ensure that one doesn't pray with a wudu that one made for an act that didn't require it, like going outside, riding a bike, reading a book of hadith, etc.

If a person makes wudu for any of these reasons, and then makes Salat, the Salat is invalid, because the person made intention for an act that didn't require wudu. And such an intention doesn't suffice for Salat, which requires an intention done for an act that requires wudu.

The author also mentioned that the face doesn't include the ears. Rather, it stops at the point where the ears begin.

He also mentioned among the compulsory acts of wudu, combing between the fingers. Combing between the fingers is considered compulsory in the Maliki School, while the rest of the hand is considered among the Sunnah acts as will be dealt with later.

As for the beard, one is only required to wipe the surface of it if it happens to be so dense that the color of the skin cannot be seen. But if the skin can be seen, it is compulsory to part the hairs of the beard so that water can reach the skin.

III. The Sunnah Acts of Wudu

ورد مسح الرأس مسح الأذنين

سنن السبع ابتدأ غسل اليدين

Its seven sunnah acts are first to begin by washing your hands – to repeat the wiping of the head and to wipe the ears

ترتيب فرضه وذا المختار

مضمنة انتشار استثنار

(Include with that) Rinsing out the mouth, inhaling water (up the nose), exhaling it (from the nose) – and arranging the performance of the compulsory acts in (their appropriate) order. This is the preferred opinion

Explanation:

Next, the author deals with the Sunnah acts of wudu. A sunnah act is one that is highly recommended due to the fact that the Prophet ﷺ never or almost never abandoned it. But there is not enough evidence that would indicate this thing as being compulsory.

The one who abandons a Sunnah act – in spite of not being sinful for doing so, is worthy of censure and blame, since he intentionally desires away from the Sunnah of the Prophet – peace be upon him, while he has said,

“Whoever desires away from my Sunnah is not from me.”

و من رغب عن سنتي فليس مني

The one who does the Sunnah act is rewarded by Allah for performing it, and is not subject to His punishment for abandoning it.

The acts of Sunnah as stated by the author are 7 in number. They are:

- 1- Beginning by washing the hands (al-bad' bi ghasl al-yadayn)
- 2- Wiping the head a second time (radd mash al-ra's)
- 3- Wiping the ears (mash al-udhunayn)
- 4- Rinsing the mouth (madmadah)
- 5- Inhaling water up the nose (istinshaq)
- 6- Exhalng water from the nose (istinhar)
- 7- Performing the compulsory acts of wudu in proper order (tartib al-fara'id)

The first act of wudu is the washing of the hands. The Prophet (pbuh) was always seen rinsing his hands before he entered them into the container for wudu.

Wiping the head once is compulsory. It is also compulsory to wipe the entire head according to the standard view in the Maliki School. Wiping the head a second time is Sunnah. Wiping it more than that is disliked (makruh).

As for the ears, the backs of them should be wiped. It is recommended to use the thumbs to do so. The index finger should be used to dampen the opening of the ear. But there's no special emphasis placed on wiping the creases and folds of the ears.

Maintaining the proper sequence between compulsory acts means to wash the face, then the hands to the elbows, then to wipe the head, and then to wash the feet to the ankles last.

What this means is that if someone was to do these acts in a different order, their wudu would still be valid. But the Sunnah is to maintain this order.

IV. The Meritorious Acts of Wudu

تسمية و بقعة قد ظهرت

و أحد عشر الفضائل أنت

And eleven meritorious acts (of wudu) have come (in reports) – (They are) starting with Allah's name, in addition to (performing wudu in) a place that is clean

والشفع والتثبيث في مغسلتنا

تقليل ماء و تيامن الإناء

(They include) Using a minimal quantity of water, placing the rinse container on the right hand side of one's person – and repeating (the washing of) what we are to wash once or twice

ترتيب مسنونه أو مع ما يجب

بعد الميامن سواك و ندب

(Also included are) Starting with the members on the right side, using the tooth stick (for the breath), and also of merit are – arranging the sunnah acts in (their proper) order, and arranging them in (proper) order with those acts that are compulsory

تخليله أصابعاً بقدمه

وبعد مسح الرأس من مقدمه

(And don't forget) To begin wiping the head from its forefront (at the hairline), - and combing between the toes

Explanation:

After the Sunnah acts, next in importance are the meritorious acts of wudu called *fadā'il* or *mustahabbāt*. The meritorious act is the one that if it is done, one is rewarded. And if it is not done, one is not subject to Allah's punishment. And the one who abandons it is not subject to censure or rebuke as in the case of the

Sunnah act. This is because evidence indicates that this type of act is not as emphasized as the Sunnah act.

The *fadā'il* – according to Sidi Ibn ‘Ashir – are 11. They are:

- 1- Saying “Bismillaa” (With the name of Allah) at the beginning
- 2- Making wudu in a clean place
- 3- Using a small amount of water
- 4- Placing the water container on the right side of the body – if using one
- 5- Repeating the parts of the body that one washes once or twice
- 6- Begin washing with the members of the right side before the left side
- 7- Using the tooth-stick (siwak) [or brushing the teeth]
- 8- Performing the Sunnah acts in their recommended order
- 9- Performing the Sunnah acts in proper sequence with the compulsory acts
- 10- Begin wiping the head from the front hairline
- 11- Combing between the toes when washing the feet

The chart below outlines the different acts of wudu, its classification, and the number of each:

ACTS OF ABLUTION	FARD	SUNNAH	MUSTAHABB
Intention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Say: <i>Bismillahir-Rahmanir-Rahim</i>
Washing the hands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Making wudu in a clean place
Rinsing the mouth	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Using a small amount of water
Inhaling water	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Placing the container on the right side (if using one)
Blowing water out of the nose	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Repeating washed parts once or twice
Washing the face	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wash parts on right side before those on the left side
Washing the arms to elbows	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brushing teeth or using miswak
Wiping head once	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Arranging the sunnah acts with the fard acts in proper order
Wiping the head a second time	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Arranging the sunnah acts in proper order
Wiping the ears	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Begin wiping the head from the front hairline
Performing the obligatory acts in order	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Comb between toes while washing feet
Passing the hand over each member while washing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Immediacy between acts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Washing the feet to the ankles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Total: 7 7 11

V. Things Disliked During Wudu

مسح و في الغسل على ما حددا

و كره الزيد على الفرض لدى

And it is disliked to do more than what is compulsory in - whatever is to be wiped and whatever is to be washed beyond what has been determined (by the law)

Explanation:

The chart below details those things that are disliked during wudu.

Things that are disliked during wudu
<p>1. To wash or wipe beyond the obligatory washable limits of the limbs. Like, washing the feet beyond the anklebone.</p> <p>2. To wash or wipe the extremities more than the prescribed number of times, like washing arms and legs 4 times or more. Or to wipe the head more than two times.</p>

VI. Miscellaneous Issues Related to Wudu

بليس الأعضا في زمان معتدل

و عاجز الفور بنى مالم يطر

The one who is incapable of (maintaining) immediacy (between acts) can continue where he left off as long as a considerable amount of time hasn't elapsed – (A long time is like the time it takes) for the members to dry (after rinsing) during moderate weather

فقط و في القرب المولاي يكمله

ذاكر فرضه بطول يفعله

The one who remembers (the abandonment of) a compulsory act (in ablution) after considerable time has passed, should rectify it – but if only a short period has passed, he should also complete all that comes after (of what he left out)

سننہ یفعتہ لما حضر

إن كان صلى بطلت و من ذكر

If such a person has prayed, (his prayer) is null – And if one remembers a sunnah act (that was left out of his ablution), he should do it before the subsequent (prayer)

Explanation:

It was mentioned earlier that one of the compulsory acts of wudu is ‘*maintaining immediacy between each act.*’ In this section, Sidi Ibn ‘Ashir deals with the details of one of the subtopics of immediacy (fawr).

Firstly, if it happens after one begins his wudu that he is denied the water needed to finish – due to things like running out of water, the water becoming polluted, the water of one’s house being shut off, etc. – the person may merely wash those parts of the body that were left unwashed once more water is found as long as an extended period of time hasn’t passed. An extended period of time is defined as ‘*time beyond the amount of time it takes for the members to dry when the weather is moderate.*’ In other words, as long as the weather isn’t so cold or windy wherein the water on the members might freeze or quickly dry, the amount of time is considered to be short.

The second issue is the matter of one who remembers that he has forgotten to wash or wipe a member of the body whose ruling is compulsory. If a considerable amount of time has elapsed before he remembers, one should merely wash the omitted member. But if much time hasn’t passed (i.e. if the members already washed haven’t dried), one should wash the omitted compulsory member as well as every member that comes after it even if it was already washed or wiped.

Contrarily, if a considerable amount of time has passed before one has included the omitted member, one must start the wudu from the very beginning for lacking the compulsory act of ‘*immediacy.*’

If one happens to pray without wiping or washing the omitted member that was compulsory to include in the wudu, his prayer is invalid and must be repeated after making a proper wudu.

Lastly, if a person happens to omit a sunnah act of the wudu after already having performed the prayer, it is recommended to wash that member before one prays the subsequent prayer.

VII. Nullifiers of Wudu

بول و ريح سلس إذا ندر

نواقض الوضوء ستة عشر

The nullifiers of ablution are sixteen – (They are) urination, passing gas, and incontinence when it is rare

سكر و إغماء جنون و دyi

و غائط نوم ثقيل مذى

Defecation, heavy sleep, the emission of pre-ejaculatory fluid, - inebriation, fainting, a strike of insanity, and seminal discharge unrelated to sexual intercourse

لذة عادة كذا إن قصدت

لمس و قبلة و ذا إن وجدت

Touching and kissing; But that is when there is an experience of – customarily expected pleasure, the same goes for when such a feeling is sought (from a touch or kiss)

و الشك في الحدث كفر من كفر

الطاف مرأة كذا مس الذكر

(It is also nullified) When a woman places her hand in the slit of her vagina, and (when a man) touches the penis (with the palm of his hand or sides of his fingers) – (It is nullified by) Having doubt that one has invalidated the ablution, and (ablution is required in the case of) the apostasy of the one who has apostatized (from Islam after he has repented)

Explanation:

In this section, Sidi Ibn ‘Ashir lists a number of things that nullify one’s wudu (ablution). He mentions 16 in all:

- 1- Urination
- 2- Passing gas
- 3- The rare happening of incontinence of urine, semen, menorrhagia (i.e. abnormal menstrual blood flow), or the constant release of gas
- 4- Defecation
- 5- Heavy Sleep
- 6- The distillation of Pre-ejaculatory fluid (*madhy*)
- 7- Inebriation
- 8- Swoon/Fainting
- 9- A strike of insanity
- 10- The distillation of *wady*
- 11- Fondling/Embracing
- 12- Kissing
- 13- Touching the vagina
- 14- Touching the penis
- 15- Having doubt about wudu
- 16- Apostasy

As for nullifier #3 – *the rare happening of incontinence*, this means that if it is not abnormal for one to pass gas each time he makes wudu to the point that it is nearly impossible for one to maintain wudu, such a person is not required to make wudu before every prayer. Rather, it is merely recommended.

The same thing applies to the man or woman who constantly distills pre-ejaculatory fluid (*madhy*) in spite of not fantasizing about having intercourse, the person with a bladder disorder who constantly finds remnants of urine, and the woman who is menorrhagic who menstruates beyond her normal period. It is merely recommended that each one of these people make wudu before Salat. Otherwise, they can pray without wudu. But they should seek medical attention for remedies to their physical conditions if available.

The maximum period of time that a woman can menstruate in the Maliki School is 15 days. In other words, there are women who may have a normal menstrual cycle of this scope, not that a woman is *only* considered mennorrhagic when blood issues from her for more than 15 days.

In the case of the woman whose regular menstrual cycle is 15 days, once she enters the 16th day, she is considered mennorrhagic if the bleeding continues. This means that she is required to perform the ritual shower (*ghusl*), and then recommence observing her regular prayers, fasting, and her husband is allowed to have intercourse with her. As for *wudu*, it is merely recommended that she perform it before prayers while bleeding continues.

Contrarily, the minimum number of days that a woman can be without menstruation is 15 days. This means that if fewer than 15 days pass between two menstrual cycles of the woman, they are considered part of one cycle, not two separate cycles.

As for nullifier #5 – *heavy sleep*, one of the greatest signs of it is when a person falls asleep while holding something in his hand. If the object falls while the sleeping person is unaware of it falling, he is considered to be in a deep sleep. Otherwise, the sleep is considered light, and is not enough to invalidate *wudu* in the Maliki School of Islamic law.

Snoring isn't necessarily a sign of deep sleep, since one may still retain most of one's faculties and memory in spite of lightly dozing off. The main criterion is that one doesn't recall what happened during one's doze.

Nullifiers #6 and #10 are '*the distillation of madhy or wady*.' There are three types of sexual fluid distilled:

- **Madhy**, which is a thin clear seminal fluid that is distilled when one is thinking about having sexual intercourse, or when one is playing with ones spouse or during foreplay.
- **Wady**, which is a thick fluid that comes out after one urinates and is distilled usually unrelated to sex or fantasizing about it. And
- **Mani**, which is the sperm of ejaculation/or climax

These first two – *madhy* and *wady* – require *wudu* after one cleans the sexual organ from its traces. As for *mani*, *wudu* does not suffice for it. One is required to make *ghusl* (the ritual shower) to remove one's self from the state of major ritual impurity for worship.

As for *wady*, the apparent reason that Malikis included it among the nullifiers of *wudu* was to indicate that one is not required to perform the ritual shower (*ghusl*) upon seeing it distill, or because it sometimes distills without any connection with urination. Otherwise, it would seem needless to include, since urination is already one of the nullifiers of *wudu*.

Nullifier #7 – *inebriation*, is also considered one of the nullifiers of *wudu*.

As for nullifier #8 – *falling into a swoon or fainting*, this is also like for one to be comatose. If someone has *wudu*, and thereafter faints, falls into a swoon or a coma, once he recovers, *wudu* has to be renewed for prayer. But if this person happens to not recover until after missing a number of prayers, they are not required to make up any lost prayers during their unconsciousness. This is because of the Prophet's statement ﷺ

“The pen has been lifted from three (people): From the sleeper until he wakes up, the afflicted (mubtala) until he regains consciousness, and the young until he reaches puberty.”

رفع القلم عن ثلاثة: عن النائم حتى يستيقظ و عن المبتلى حتى يفيق و عن الصغير حتى يبلغ

As for the insane – as insanity is mentioned under nullifier #9, the same applies due to the other version of the aforementioned hadith wherein instead of mentioning the ‘afflicted’ the Messenger (pbuh) mentions:

“...the insane until he regains his sanity...”¹

عن المبتلى حتى يفيق

As for nullifiers #11 and #12 – *touching and kissing*, touching and kissing break ones wudu in two cases:

- (1) When one experiences pleasure from them. And
- (2) When one’s intention is to achieve some form of pleasure from them, even if pleasure isn’t achieved².

This means that if one happens to touch or kiss his wife without experiencing any sort of pleasure and without having the intention to experience pleasure from it, such a person still maintains his wudu.

As for kissing on the lips, many Maliki scholars are of the view that this breaks the wudu regardless of whether or not one intends or experiences pleasure from the kiss.

As for other Maliki scholars, they opine that a goodbye kiss or a kiss of mercy – as when a husband or wife may be ill – do not nullify one’s wudu, only those kisses that one intends or experiences pleasure from.

Whatever the case, it would be safest for one to renew one’s wudu for kissing their spouse on the lips, especially in light of the juristic axiom (*qa’ida fiqhiiyah*) championed by Malikis that posits:

“When the text that forbids conflicts with the text that permits, the text that forbids is given precedence out of caution for committing the impermissible.”

إذا تعارض المحرم والمباح، يقدم المحرم احتياطاً من ارتكاب الممنوع

To touch the penis and vagina with the palms of the hands or sides and tips of the fingers – (for nullifiers #13 and #14) – would also nullify one’s wudu.

For the man, this includes touching the head and shaft of the penis, or the testicles.

As for the woman, her wudu is only nullified when she places her hands in the slit/or inner border of her vagina. But it is not nullified if she touches the skin outside the borders of the vagina.

Nullifier #15 is to *have doubt about wudu*. That is, when one has doubt that he has nullified the wudu, the wudu is considered null according to Malikis.

Having doubt about wudu is a view specifically characteristic of the Maliki madhab whereas all other three schools consider doubt about wudu *not* to be one of the nullifiers, because of the Prophetic tradition (hadith) of ‘Abbad ibn Tamim about the person who imagines that he passed gas during Salat. The Prophet (pbuh) said:

“Let him not depart until he hears a sound or senses an odor.”

¹ Were one to ask, “Isn’t this a contradiction that in one hadith the Prophet ﷺ mentions ‘the afflicted’ and in the other he mentions ‘the insane’ while he mentions that only three types of people have the pen lifted in their regard?” I’d say, there is no contradiction, because the ‘afflicted’ is a general expression that includes ‘the insane.’ And the ‘insane’ is a constituent of that generality. So there is no contradiction.

² This is because of the well-known hadith, “Deeds are only by intentions.” [Bukhari, Muslim, and others]

فلا ينصرف حتى يسمع صوتاً أو يجد رحباً

They also base it on the rule that:

اليقين لا يزول بالشك
“Certainty is not removed by doubt.”

But this rule conflicts with another rule that Malikis have given greater strength to, which posits:

الشك في الشرط مانع من ترتيب المشروط

“Having doubt about the condition (for an act) bars (the validity of) the thing it was a condition for.”³

And since wudu is a condition for Salat, having doubt about it necessitates that what it is a condition for – i.e. Salat – is not legally valid.⁴

As for apostasy – nullifier #16, it removes the state of wudu anytime a person after establishing wudu makes a pronouncement that explicitly necessitates unbelief. This is because wudu is a condition for the validity of Salat. And Islam is a condition for the validity of any act of worship.

So when a person in a state of wudu rejects faith and then repents from their apostasy soon after or later, he is required to renew the wudu, since wudu is only valid when performed by a believer.

VIII. Cleaning One's Self of Bodily Wastes

سلت و نتر ذكر و الشد دع

و يجب استبراء الأخبين مع

And vacating the two exits of bodily wastes is compulsory in addition to – pressing and draining the penis. But avoid applying too much pressure!

و جاز الاستجمار من بول ذكر كغافط لا ما كثيراً انتشر

It is permitted to use stones (to clean) the urine coming from the penis – (and to use them to clean away) feces. But not when (the feces) has become scattered much

³ Refer to Imam Qarafi's 'Furuq' 1/111 Farq #10.

⁴ The mashhur (i.e. standard view) in the Maliki madhab is that the one who has doubt about wudu renews his wudu. But they differ as to whether it is compulsory to do so or merely recommended.

Some Malikis make a distinction between doubt happening during Salat and doubt occurring outside of Salat. So if it is during Salat, the wudu is sound, because the person entered the prayer with certainty of having wudu. And if it is outside of Salat, he should renew the wudu.

And Sheikh Ibn Habib of the Malikis made a distinction between 'doubt' that is tantamount to 'an insidious whisper' (waswasah) and imagination (takhyil), and the 'doubt' that is tantamount to 'near certainty' (zhann). The first kind doesn't nullify wudu while the second does. Read about these views in Dr. Muhammad Al-Rugi's book entitled 'Qawa'id al-Fiqh al-Islami min Khilal Kitabi al-Ishraf 'ala Masail al-Khilaf' of Qadi 'Abd Al-Wahhab Al-Baghdadi pp. 184-187; Dar al-Qalam: 1419/1998.

Explanation:

In this section, Sidi Ibn 'Ashir deals with one of the conditions for the validity of Salat – *the removal of filth from the body, clothing, and place of prayer*. He particularly deals with the removal of filth from the body after urination and defecation. Filth includes urine, feces, blood, semen, wine, and other things. Dirt is not considered filth in Islam unless it is mixed with one of the different forms of filth as in fertilizer.⁵

The ancients – as many of those of us today – paid very close attention to removing bodily wastes. In the past they'd use water and natural substances like stones, earth, and leaves in order to wipe themselves clean of any urine or feces.

The Arabic word used to indicate the removal of bodily wastes from one's person with water is '*istinja*'.

And the word used to indicate the removal of bodily wastes – feces in particular – with stones is '*istijmar*'.

One should be sure to completely vacate the two waste tracks. A man in particular should press and drain the penis. But he should be sure not to squeeze it, because the excess urine will settle in the bladder so that when he stands or moves after urinating the urine may spill out into his underpants.

It is permissible to use stones – *istijmar* – to clean away feces as long as the feces doesn't scatter when it exits. If it does, one must use water to clean away feces after defecating.

One may also use stones to clean away urine – *istinja* – from the penis after urinating.

But it is better to use both stones and water together for both *istinja* and *istijmar*.

Toilet tissue is a viable substitute for stones. So they may be used for both *istinja* and *istijmar* with the condition that it removes the feces and urine.

IX. Major Ritual Impurity (Ghusl) and Its Compulsory Acts

فصل
Section 3:

فُورَّ عُمُومَ الدِّلْكِ تَخْلِيلَ الشَّعْرِ

فِرْوَضُ الْغَسْلِ قَصْدٌ يَحْتَضِرُ

Section 3: The compulsory acts of the ritual shower are: an intention called to mind – immediacy (between acts), a thorough rubbing (of the entire body), and parting the hair

وَالْإِبْطُ وَالرَّفْغُ وَبَيْنَ الْأَلْبَيْنِ

فَتَابَعَ الْخَفِيِّ مِثْلَ الرَّكْبَتَيْنِ

Then follow what is hidden (from view), like the knees – the armpits, behind the knees, and between the buttocks

⁵ Human wastes are considered filth. But the wastes of animals permitted for Muslims to eat are not considered filth in the Maliki School. The Shafi'i is however consider both human wastes and animal wastes to be filth absolutely.

و نحوه كالحبل و التوكيل

وصل لما عسر بالمنديل

And reach whatever is difficult with a towel – a rope, or the like of it, such as burdening another (to do so)

Explanation:

In this section, the author speaks about another one of the 3 forms of ritual purity – *ghusl* (i.e. the ritual shower). *Ghusl* is required for all defilements that place one into a state of major ritual impurity. They will be discussed later.

As for now, Sidi Ibn ‘Ashir mentions the compulsory acts of the *ghusl*. The compulsory acts of *ghusl* are 4 things:

- 1- Having an intention
- 2- Immediacy between each act
- 3- Running the hand over the entire body while applying the water
- 4- And combing the wet fingers through the hair if you have any

One should be sure to cover any hard-to-reach area of the body, like the folds of the knees, the armpits, the neck under the chin, the navel, and between the buttocks.

Other hard-to-reach areas like the back should be reached by using things like a towel, handkerchief, a rope, or by having another person wash it for you.

Remember that all of this must be done with natural water. Soapy or sudsy water is not valid for use in ritual purity.

X. The Sunnah Acts of Ghusl

ندب و الاستنشاق ثقب الأنفين

سننه مضمضة غسل اليدين

Its sunnah acts are: to begin by first rinsing the mouth and washing the hands – as a recommendation in addition to inhaling water (through the nose), and (conveying water to) the holes of the ears

Explanation:

Acts that are sunnah are those that are subject to reward if done and not subject to punishment if omitted, but are subject to criticism for not carrying them out.

Ibn ‘Ashir mentions the following Sunnah acts of *ghusl*:

- 1- Rinsing the mouth
- 2- Washing the hands

- 3- Sniffing and blowing out water with the nose
- 4- And washing the ears

XI. The Meritorious Acts of Ghusl

تسمية تثليث رأسه كذا

مندوبه البدء بغسله الأذى

Its meritorious acts are: to begin by washing away anything harmful –
Starting in Allah's name, rinsing the head thrice

بدء بأعلى و يمين خذهما

تقديم أعضاء الوضوء ما

Giving preference to the members of ablution, using a minimal amount of water – and beginning from the top and with the right side (of the body).
(These are all meritorious) So accept them!

Explanation:

Next, the author states the recommended acts of ghusl, which he refers to in this section with the word 'mandub.' The term 'mandub' (recommended) in this case is used synonymous with 'fadila' (merit) and 'mustahabb,' in spite of the fact that each of them has its own technical distinction.

Something with the ruling of 'recommended' is lesser than Sunnah in degree, although similar. 'Mandub' in this case means 'mustahabb,' which is the ruling given to an act that is subject to reward if done and not subject to punishment or criticism if not done. The only difference between it and Sunnah is that one who abandons a Sunnah is subject to criticism while one who abandons a *mustahabb* is not subject to criticism.

Ibn 'Ashir mentions the following 'Recommended Acts':

- 1- To begin by washing away filth
- 2- Starting with Allah's name: 'Bismillah'
- 3- Rinsing the head/hair thrice
- 4- Washing the members of wudu first
- 5- Using water sparingly
- 6- Washing upper extremities before lower extremities
- 7- And washing extremities of right side before those of the left side

Acts of Ghusl

The chart below represents the acts of ghusl and the ruling of each act respectively:

Acts of Ghusl	Fard	Sunnah	Mustahabb
Intention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immediacy between acts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Running the hand over the entire body while applying water</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Combing through the hair with the fingers (if you have any)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rinsing the mouth	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Washing hands first	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Inhaling and exhaling water up nose	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wash ears	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Begin by washing off filth	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Say: <i>bismillah</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rinse head/hair thrice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wash members of wudu first	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Avoiding extravagance in the use of water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wash upper extremities before lower extremities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wash extremities of right side before extremities of left side	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. The Description of Ghusl

عن مسه ببطن أو جنب الأكف

تبدأ في الغسل بفرج ثم كف

You should begin in (performing) the ritual shower by (washing) the private part, but then abstain – from touching it with the palm or sides of the hand

أعد من الوضوء ما فعلته

أو إصبع ثم إذا مسسته

Or even the finger. Then if you touch it thereafter, you are to repeat what you have done of ablution

Explanation:

The following is the description of the ritual shower (ghusl):

- Make one's intention
- Say: 'With the name of Allah' or 'Bismillah'⁶
- Clean any filth like urine, feces, or semen from one's person
- Make the customary wudu except that you only wash each member once⁷
- Run wet fingers through the hair⁸
- Pour water on the head three times⁹
- Wash the right side of the upper body
- Wash the left side of the upper body
- Wash the right side of the lower body
- Wash the left side of the lower body

If one happens to omit the feet when he performs wudu, he is to wash the feet at the end beginning with the right foot.

Once all of these steps have been taken, one's ghusl is complete. And one may with this ghusl carry out all religious obligations demanded with wudu as long as the wudu isn't nullified by something like passing gas, touching one's sexual organ, etc.

If one does something to nullify his wudu during the course of ghusl, one must renew the wudu.

⁶ One may make one's intention and say 'Bimillah' at the same time. The intention is in the heart. It doesn't require any specific formula.

⁷ Although it is recommended during wudu to repeat the washing of each member once or twice, this is not recommended during ghusl.

⁸ Parting the hair is an obligatory act of ghusl, whether it is the hair of the head, or in the form of a thick beard. If a woman has braids that are so tight that water cannot penetrate them, it is compulsory that she undo them. In wudu, this is not a requirement. She can merely wipe over them regardless of how tight they are.

⁹ Remember that this description includes all acts: compulsory, Sunnah, and recommended. It is only compulsory to wash the hair/head once as long as one can dampen the entire head or all strands of hair.

XIII. Defilements That Require Ghusl

مغیب کمرہ بفرج اسجال

موجبه حیض نفاس اِنزال

It is required as a result of: (the cessation of) menstruation, (the cessation of) post-natal bleeding, ejaculation, and entering the head of the penis in another's sexual opening is something absolute (in its prohibition)

Explanation:

The following chart lists the defilements that require one to make ghusl:

Defilements Requiring Ghusl

غسل و الآخران قرآننا جلا

الأولان منعاً للوطء إلى

The first two (legally) bar intercourse until – a ritual shower (is performed). And the last two (legally) bar (the recitation of) Qur'an that is clear

Explanation:

As for the first two nullifiers of the state of major ritual purity – *menstruation*, and *post-natal bleeding*, they not only make it impermissible for a woman to perform Salat and to fast. They also make it impermissible for her husband to approach her for sexual intercourse until the bleeding stops and after she performs a ghusl. Were he to have intercourse with her before performing ghusl, they would both be in sin for doing so.

As for the other two nullifiers – *ejaculation*, and *penetration*, they make it impermissible for one to touch the Qur'an until one has performed the ghusl. And what we mean by Qur'an, in this case, is the Arabic text customarily referred to as the '*Mushaf*'.

As for the English translation of the Arabic text, it is not called the ‘Qur'an.’ It is called the ‘translation or interpretation of the meanings of the Qur'an.’ But it is still a good practice in reading the translation for one to ensure that he is in a state of major ritual purity (*ghusl*) as well as minor ritual purity (*wudu*),

since the Qur'an and its meanings are not like other literary works. And Muslims need to learn deference for the Book of Allah.

مثـل وضـوئـك و لـم تـعد مـوال

و الـكل مـسـجـدا و سـهـو الـاغـتسـال

And each (of them) bar (one from entering a) mosque. And the thing left out during the ritual shower – is similar (in ruling) to your ablution, but you don't repeat (the washing of members in) what comes after (when only a small time passes before you remember – contrary to the case of ablution)

Explanation:

Each of the 4 defilements that require one to perform ghusl makes it impermissible for one to enter a mosque whether one is a male or female.

Lastly, Sidi Ibn 'Ashir states that the rules of omission due to non-attentiveness in ghusl are the same as they are in wudu. Those rules for wudu are:

- When one omits an obligatory member of wudu and remembers before the other members have dried, one should wash or wipe the member omitted, and then repeat the washing or wiping of those members that are customarily done after them.
- When an obligatory member is omitted and recalled after the other members have dried, one should wipe or wash only the member that was omitted.
- When one leaves out a Sunnah act and remembers later after praying, one should wash the member left out before the following prayer.

All these rules also apply to ghusl except that one is not encouraged to repeat the washing of anything obligatory act skipped that is recalled before the other members dry.

XIV. Dry Ablution (Tayammum)

فصل
Section 4

عـوض مـن الطـهـار التـيـمـما

لـخـوف ضـر أو عـدـم مـا

Section 4: When in fear of harm or when lacking water – substitute tayammum for ritual purification (done with water)

Explanation:

In this section, the author covers dry ablution (tayammum), which serves as a substitute for *wudu* and *ghusl* in two cases:

- 1- When one fears some harm from water or from the acquisition of water
- 2- The absence of water

Dry ablution can be done with any natural substance found on the Earth's surface like, dirt, sand, stones, dry mud, snow – if in extremely cold climates, etc.¹⁰

If one fears that water will make him sick, worsen one's illness, or other things like it, one may make tayammum.

Also included under the title of fear of harm, is the fear that one will be harmed by something like bandits, predatory animals, and the like if it happens that the location of water is in a place that puts one at risk were he to try to reach it. Such circumstances permit for one to make tayammum as opposed to wudu or ghusl.

As for the absence of water, it permits for one to make tayammum even without the aforementioned fear. There will be a more detailed discussion of this later.

جنازة أو سنة به يحل

وصل فرضاً واحداً وإن تصل

And pray (with it) one compulsory prayer, and if it connects to – a funeral prayer or a sunnah prayer it is permitted (to perform the prayer) with it

الفرض لا الجمعة حاضر صحيح

و جاز للنفل ابتدأ و يستبيح

It can be done for the voluntary prayer independently (of the compulsory prayer if one is a traveler or sick). And one may seek permission with it for – the compulsory prayer, but not for Jumu'ah if one is a non-traveler in good health

Explanation:

The following things are permissible for one to do with tayammum:

What is permissible with Tayammum?
1. Praying obligatory prayers.
2. Praying voluntary prayers that immediately follow obligatory prayers.
3. Funeral prayers (al-janazah) when they occur immediately after obligatory prayers.

As for the *sick person* and the *traveler*, it is permitted for them *only* to perform tayammum for voluntary prayers (nawafil).¹¹ Others can only pray voluntary prayers with tayammum if they are performed immediately after an obligatory prayer with the tayammum made for the obligatory prayer.

If a person is healthy, one may not pray the **Jumu'ah** prayer with tayammum. Wudu is required. Otherwise, the Jumu'ah prayer is invalid. And one is required to pray Zhur prayer of 4 units.¹²

¹⁰ The barks of trees and leaves fallen from them cannot be used for tayammum according to the standard view in the Maliki School. And, not many scholars allow one to use stones for tayammum. This is specific to the Maliki School.

¹¹ This is the standard view (mashhur) in the Maliki School.

Praying the voluntary and funeral prayers that come after the obligatory prayers means for one pray them with the same tayammum that was used for the obligatory prayers.

As for two consecutive obligatory prayers, it is not allowed for one to pray them with the same tayammum unless he is making tayammum for some form of fear.

XV. The Compulsory Acts of Tayammum

للكوع و النية أولى الضربتين

فروضه مسح وجهها و اليدين

Its compulsory acts are: for you to wipe your face and hands – to the wrists, (making) the intention, and the first of the two (recommended) contacts (made with the object)

و وصلها به و وقت حضرا

ثم الموالاة صعيد طهرا

Then immediacy (between acts must be observed), (the use of) Earth that is clean, the connection of a prayer to it, and a (prayer) time that has entered

Explanation:

The author here mentions the compulsory acts of tayammum. They are:

- 1- Wiping the face
- 2- Wiping the hands to the wrists
- 3- Making intention
- 4- Touching the surface of the object once
- 5- Immediacy between obligatory acts
- 6- Using clean earth
- 7- Performing it for a particular obligatory prayer
- 8- The entrance of the prayer time

XVI. The Hopeful, The Despondent, and The Irresolute

أوله و المتrepid الوسط

آخره للراج آيس فقط

The last (part) of it is for the one who hopes (to find water). Only the one who despairs (of that) has (the right to prayer with dry ablution at) – the start of it. And the irresolute person has (the right to do dry ablution at) the midway (point of the prayer time)

¹² This is the apparent view in the madhab of Malik. However, Sheikh Ibn Al-Qassar and others have said that Jumu'ah is valid with tayammum if necessary. Check Mukhtasar al-Darr al-Thamin wa al-Mawrid al-Ma'een of Sidi Mayyarah pp. 112 – 113.

Explanation:

The permissibility of making tayammum instead of wudu or ghusl when water is absent isn't absolute in that the one setting out to make tayammum is in one of three different states. Accordingly, the ruling of tayammum differs in the sense that each category of person has a distinct recommended time to make tayammum. They are listed below:

- 1- **The Hopeful** – This is the one who hopes to find water before the time of the prayer terminates. It is recommended that such a person waits until near the end of the prayer time before making tayammum.
- 2- **The Despondent** – This person despairs of finding water before the end of the prayer time. So it is recommended that he make tayammum at the prayer's earliest time.
- 3- **The Irresolute** – This is the state of the person who equally believes the probability that he will find water before the prayer time ends just as he believes that it is probable that he will *not* find water before the prayer time ends. It is recommended for such a person to wait until half of the prayer's time has passed before making tayammum for prayer.

Were any of the people in these states not observe their respective recommended times¹³ for making tayammum, the tayammum would still be valid, since these times specified above are merely recommendations. But it is better for them to observe these recommendations, because water is always best for one's ablution.

XIII. The Sunnah Acts of Tayammum

و ضربة اليدين ترتيب بقى

سنن مسحهما للمرفق

Its sunnah acts are: to wipe (both of) them to the elbow – touching (the object) with the hands (a second time), and a sequence that has been maintained

Explanation:

The Sunnah acts of dry ablution are the following:

- 1- Wiping arms to the elbows
- 2- Touching the object a second time
- 3- Following the proper sequence for wiping (i.e. wipe face then hands and arms to elbows)

This means that it is only obligatory to wipe the face and the hands. And were one to wipe the hands before the face or only touch the object used for tayammum, it will be deemed valid.

XIV. The Meritorious Acts of Tayammum and Its Nullifiers

¹³ Sidi Mayyarah says in his Mukhtasar, "And what is meant by 'time' in this chapter is 'the preferred time' (waqt al-mukhtar)" [p. 115]. This means that the 'Shared Times' of Zhur and 'Asr and that of Maghrib and 'Isha are not taken into consideration in this matter. This is to clear up an oversight I made in the first edition of my small manual entitled, 'Prayer and Purification according to the Maaliki School of Islamic Jurisprudence.'

نافضه مثل الموضوع ويزيد

مندوبه تسمية وصف حميد

Its meritorious acts are: starting with Allah's name, and a praiseworthy (and recommended) description (that should be followed) – Its nullifiers are the same as (they are for) ablution. But add

بعد يجد بعد بوقت إن يكن

وجود ماء قبل أن صلى و إن

The presence of water before one prays. And if one finds (it) afterwards, one repeats (the prayer) within the time if it permits

Explanation:

The meritorious acts of dry ablution (tayammum) are the following:

- 1- Saying 'With the name of Allah' or 'Bismillah' at the beginning
- 2- Following the recommended description for tayammum

The description of making tayammum is:

- Say 'Bismillah'
- Touch the earthly object once
- Wipe the face with both hands
- Touch the object again
- Wipe the right arm to the elbow with the left hand starting at the tips of fingers of the palm moving up to the fold of the arm, and then turning over the arm and moving the hand back down toward the hand from the elbow
- Repeat this action but with the other hand and arm
- (Tayammum is complete)

As for what nullifies tayammum, they are the same 16 nullifiers listed under the nullifiers of wudu with the addition of one thing:

- Finding water before one begins the prayer

If one is making tayammum for not having water, the tayammum is rendered invalid if he finds water before commencing the prayer. This means that if water is found after one has begun the prayer, it is not compulsory to remake the prayer. Rather, it is merely recommended as long as the time¹⁴ for the prayer hasn't expired.

But if the person is making tayammum out of fear of some sort of harm that will afflict him from the water or in the act of acquiring it, one's tayammum is not invalidated for finding water before commencing the prayer.

و ز من متأولا قد عدما

كخائف اللص و راج قدما

(This applies to the) Like (of) one who (abandons ablution) for fear of thieves, or one who is hoping (to find water) who may execute (the prayer)

¹⁴ And remember that 'time' in the chapter of tayammum is a reference to the 'preferred time', not the 'shared time.'

at its earliest time, - or one suffering from a chronic illness who has no one who will hand water over to him (in order to make ablution)

Explanation:

In the verses prior to these, we mentioned that the one who isn't making tayammum due to the absence of water – but due to some fear of harm from the water or in acquiring it – who locates water before commencing the prayer isn't obliged to remake the prayer – contrary to the one who is making tayammum for not having water.

However, in these verses, Sidi Ibn 'Ashir states that there are only specific kinds of people who are encouraged to repeat the prayer once they find water for wudu after praying with tayammum for not having water. They are like:

- The one who makes tayammum for fear of being robbed or being killed by an animal, since water was located in a different place other than his own
- The one who hopes to find water before the expiration of the prayer's time who makes tayammum at the start of the prayer's time
- One who is chronically ill who can use water but doesn't find anyone to help him to use it
- And those similar to them

Chart of Acts of Tayammum

Acts of Tayammum	Fard	Sunnah	Mustahabb
1. Wiping the face	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Wiping the hands to the wrists	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Intention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Touching the Earth or stone once	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Not interrupting between obligatory acts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Using clean Earth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Performing it for a particular obligatory prayer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. The entrance of the prayer time	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Wiping the arms to the elbows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Touching the Earth a second time	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Following the sequence for wiping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Saying the basmalah	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Following the recommended description of tayammum	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. The Number of Compulsory Acts and Prerequisites of Salat

كتاب الصلاة
Book 2: (Section 1)

شروطها أربعة مفترضة

فرائض الصلاة ست عشرة

The compulsory acts of Salat are sixteen – its preconditions are four that are required

Explanation:

Ritual Purity (Taharah) is one of the main prerequisites of Salat. And since we have spoken about it in much detail, we now move to a discussion of the thing it is a prerequisite for – Salat.

In these couple of verses, Sidi Ibn 'Ashir makes short mention of the compulsory acts of Salat and its prerequisites. The prerequisites in this case are a reference to *those conditions without which the prayer is considered valid* (shurut al-sihhah).

As for the prerequisites of obligation (shurut al-wujub), which are essential before a prayer is deemed an obligation upon a person, they are:

- Puberty
- And Sanity¹⁵

The prerequisites for the validity of Salat will be discussed later.

Salat has 16 compulsory acts without which the form of the prayer is incomplete even if all of its prerequisites may be in tact. And it also has 4 prerequisites without which the prayer would invalid even if all of the compulsory acts are carried out.

This means that in order for a prayer to be considered legally valid, all of its compulsory acts as well as its prerequisites must be fulfilled.

XVI. The Compulsory Acts of Salat

لها و نية بها ترام

تكمير الإحرام و القيام

(They are) The takbirah of ihram, standing – for it, and an intention, which is made with it

و الرفع منه و السجود بالخصوص

فاتحة مع القيام و الركوع

The Fatihah, in addition to the standing (while reciting it), bowing – rising from it, and prostration with humility

له و ترتيب أداء في الأساس

و الرفع منه و السلام و الجلوس

Rising from it, the Salam, sitting - for it, and the (proper) order for performing the compulsory acts

تابع مأمور بـ إحرام سلام

و الاعتدال مطمئنا بالتزام

¹⁵ In the view of Imam Abu Hanifa and others, Islam is included among the essential conditions required before it is considered an obligation upon a person to make Salat. This is due to the fact that Abu Hanifa doesn't believe that non-Muslims are addressed to carry out the particulars of Islamic law (Shariah). As for the majority of scholars, they opine that non-Muslims are also addressed to carry out the particulars of our Shariah. For this reason, Qadi 'Iyad adds to the conditions for the obligation of Salat, "The Reach of the Prophet's Invitation." [Mukhtasar p.120]. This means that once non-Muslims have received the invitation to Islam, they are obliged to execute all of the demands of the Islamic law, although their deeds will not be valid until they accept Islam.

Straightness, in addition to being calm with obligation – one who is being led follows during the (takbirah of) ihram and (the) Salam

Explanation:

The compulsory acts of the prayer are 16 in all. They are:

- 1- The opening takbir
- 2- Standing for the opening takbir
- 3- Intention for specific prayer
- 4- The recitation of Al-Fatihah
- 5- Standing for the recitation of Al-Fatihah
- 6- Bowing
- 7- Rising after bowing
- 8- Prostrating
- 9- Rising after prostrating
- 10- Giving *salam* at the end
- 11- Sitting while giving the *salam*
- 12- Performing compulsory acts in proper sequence
- 13- Straightness (in all positions)
- 14- Calmness (in all movements and positions)
- 15- Beginning and ending the prayer after the Imam does
- 16- Having intention to follow the Imam

If one is praying alone, the number of prerequisites are 14 in all, since prerequisites #15 and #16 are not considered.

As for the opening *takbir* – prerequisite #1, the extent that is compulsory is for one to say the words ‘*Allahu Akbar*’ (God is Greatest). As for raising the hands to the shoulders, this is one of the recommended acts. But one should not intentionally omit the raising of the hands.

As for prerequisite #2 – *standing for the opening takbir*, this is compulsory for those who are *physically* able to stand for the obligatory prayers. The prayer of those who pray sitting while being able to stand is null and void, and it must be prayed over properly.

But anyone may sit for the voluntary prayers, although one only gets half of the reward in doing so as reported by the Prophet (pbuh).

Prerequisite #3 – *having an intention for a specific prayer*, applies only to the obligatory prayers, Jumu’ah, and to witr, which is only one unit (rak’ah). As for voluntary prayers, a specific intention is not required, although there is no harm in making a specific intention for them. In addition, the intention is not made verbally. It is made in the heart. And there is no special formula employed for it.

Reciting Al-Fatihah – prerequisite #4, is required from the Imam and the one who is praying alone. As for the person who is praying behind the Imam, *Al-Fatihah* is merely recommended (*mustahabbah*) for him to say during the inaudible recitations of the Imam.

As for prerequisite #15 – *beginning and ending after the Imam does*, if it happens that one recites the opening *takbir* (*takibah al-ihram*) before the Imam does, one is required to repeat it after him. Otherwise, one’s prayer will be invalid.

As for the other movements besides the opening *takbir* and the *salam*, if one does them before the Imam, it is haram. But the prayer is still valid according to the law, although it’s hard to imagine that Allah would accept such a prayer.

If a person moves at the same time as the Imam, it is merely disliked (makruh), not *haram* (forbidden). But it is better to carry out all movements after the Imam has commenced them.

And if a person concludes the prayer by saying ‘*As-Salamu ‘alaykum*’ before the Imam, there is no way to make up for this. The person will have to repeat the prayer altogether because of violating a compulsory act of the Salat.

خوف و جمع جمعة مستخلف

نيته اقتدا كذا الإمام في

One's intention should be to follow (the Imam), (and) the same goes for the Imam in – (the prayer of) fear, the congregation of Jumu'ah, (and the prayer of the) substitute (Imam)

Explanation:

Just as the one who is following the Imam must have the intention of following the Imam, the Imam must have the intention of leading others in 4 instances:

- 1- The prayer of fear
- 2- Combining prayers during rainy nights
- 3- In Jumu'ah prayer
- 4- And the prayer of the substitute Imam

Sidi Mayyarah said,

“The merit of the congregation doesn't happen for the Imam unless he intends that he is the Imam. So if he doesn't intend it, the merit happens for the one being led to the exclusion of him (i.e. the Imam).¹⁶”

XVII. The Prerequisites of Salat

و ستر عورة و ظهر الحدث

شرطها الاستقبال طهر الخبر

Its preconditions are: facing the qiblah, cleanliness from filth, - covering the nakedness, and cleanliness from ritual impurity

تغريم ناسيها و عاجز كثير

بالذكر و القدرة في غير الأخير

(These are all preconditions) when remembering (them) and having the capacity (to fulfill them) in all but the last – the particulars (concerning the) one who forgets as well as the one who's incapable (of doing) them are many

¹⁶ He also says, “Lakhmi said: “It also happens for the Imam even if he doesn't make intention that he is the Imam.”” [Mukhtasar al-durr al-thamin p. 127]

في قبلة لا عجزها أو الغطا

نديا يعيان بوقت كالخطا

As a recommendation, they should repeat (the prayer) if time permits – In particular (this goes for) the mistake (made) about the qiblah, not for the inability to locate it. But (it does go for lack of sufficient) covering

Explanation:

In these verses, Sidi Ibn ‘Ashir covers the 4 prerequisites for Salat. They are listed in the chart below:

Prerequisites ¹⁷ for the Validity of Prayer
1. Facing the Qibla
2. Cleanliness (of place, clothing, and body)
3. Covering nakedness ('awra)
4. Ritual Purity (e.g. wudu, ghusl, or tayammum)

¹⁷ The Prerequisite intended in this case is what is known in Arabic as “*Shart Al-Sihhah*.” It is defined as “**that matter whose absence necessitates the legal non-existence of that for which it is a condition, but whose existence does not necessitate the legal existence or non-existence of that for which it is a condition.**”

An example of this is like the fact that wudu is a prerequisite for the validity of one’s prayer. So the absence of wudu necessitates the *legal non-existence* of the prayer. I say ‘*legal non-existence*’ (*al-wujud al-shar'i*), since the *perceived existence* (*al-wujud al-hissi*) cannot be denied when someone happens to pray without wudu. The prayer may have been done, but it has no legitimacy in the view of the sacred law. So it is as if it wasn’t done at all.

On the other hand, the existence of wudu also doesn’t necessarily mean that a person’s prayer is automatically rendered valid or invalid, since the possibility remains that one of the other prerequisites may not be present.

Prerequisites are of three types: 1) **Prerequisites for the obligation of an act:** (*shurut al-wujub*), 2) **Prerequisites for the validity/performance of certain acts** (*shurut al-ada/ al-sihhah*), and 3) **Prerequisites for the perfection of certain acts** (*shurut al-kamal*).

The *first type* is *those conditions that are required in order for actions to be considered legally binding upon people*. These prerequisites are two: **Sanity, and maturity** (i.e. puberty). No action is considered to be an obligation upon a person if these two characteristics aren’t manifest in them.

As for the *second type* of prerequisite (i.e. prerequisites for the validity of actions), they are *those conditions where which no action can be considered legally valid without them, although the one performing the action is obliged to do so*. Were he not to do so, he would be sinful. As for the person in the first case, he would not be considered sinful, since the action is not a duty of his to carry out. An example of a condition of performance is: **Islam**.

What this means is that no act of worship directed to the Creator is considered legally valid and subject to reward unless the one carrying it out is a Muslim. This also means that the burdens placed upon Muslims by Allah are not legally binding for non-Muslims.

However, this doesn’t mean that the non-Muslim will not be subject to punishment in the Hereafter for abandoning the ritual obligations enjoined upon the creation by Islam. Rather, according to the majority view, when **the call of Islam** (*bulugh al-da'wah*) has reached the ear of the non-believer all religious obligations enjoined upon Muslims are also considered to be obligations for non-Muslims in addition to the obligation of accepting Islam. For this reason, most scholars opine that the **Kafir** is damned eternally in Hell - not just for rejecting Allah’s divinity and lordship, but also for not fulfilling these religious obligations. The Hanafis differ and believe that the non-Muslim isn’t subject to this address.

As for the *third category* of prerequisite (i.e. the prerequisite for the perfection of deeds); it is *that condition upon which the perfect state of an action is premised that guarantees that such a deed will be accepted by Allah* when combined with the other conditions. An example of that is like having **complete humility** and **presence of heart** in Salat, or, as in the view of Abu Hanifa, having an *intention* when performing an action, which he only considers to be a prerequisite for perfection.

As for the first three – *facing the qibla, cleanliness, and covering nakedness*, these are all prerequisites with the condition that one remembers to fulfill them and has the ability to carry them out.

This means that if one forgets or mistakenly prays to a direction other than the qibla (i.e. Mecca), it is merely recommended for them to pray again as long as the time for the prayer hasn't elapsed.¹⁸

As for when one remembers, it is always a duty for one to atleast attempt to determine the correct direction of prayer before starting. If one does not attempt to determine the qibla and then prays, the prayer is considered invalid even if it turns out that he happened to pray in the proper direction. This is because facing the qibla is a prerequisite for the validity of prayer, and when one doesn't observe this condition or even consider it before praying, it's as if it doesn't exist.

As for removing filth from one's person, clothing, or place of prayer, this is also a prerequisite as long as one is able to remove the filth. Filth is things like blood, semen, wine, and the urine and feces of humans and animals impermissible for one to eat due to their kind (e.g. pigs) or due to not being properly slaughtered.

Filth must be removed from clothing, person, and place of prayer. By 'place of prayer' we mean the place a person stands and prostrates, not the room. Even if there was blood on the floor and one placed a prayer rug over it to pray, this would be sufficient, because one is not prostrating and standing in filth.

As for condition #3 – covering the nakedness ('awra), there are two classifications of nakedness in the Maliki School – *moderate* and *severe*. This differs from man to woman. The charts below show the limits of both:

The Limits of Moderate Nakedness	
1. For men:	From navel to private area (not including it) and from below private area to the knees
2. For women:	From breasts to top of head and from knees to tops of feet

This chart portrays what is known as "**the moderate nakedness**" (*al-'awra al-mukhaffafa*). It is a grave sin for one to pray while intentionally exposing part of his/her moderate nakedness. It is recommended to repeat their prayer as long as the time allotted hasn't elapsed if part of his/her *moderate* nakedness becomes exposed.

The Limits of Severe Nakedness	
1. For men:	The penis, testicles, and anus
2. For women:	From below the breasts to knees

Severe nakedness for the woman is from below her breasts to her knees. For the man, it is his genitals, the space beneath the pubes and leading to the rectum. Were these areas of ones nakedness to show, it would be a duty to repeat the prayer regardless of whether or not the time has expired as long as it was possible to ensure their concealment.

¹⁸ The time for prayer in this instance is a reference to 'The Shared Times' between Zuhr and 'Asr and between Maghrib and 'Isha. The time for Zuhr and 'Asr both runs out at sunset. And the time for both Maghrib and 'Isha runs out at Fajr. So if someone – for example - mistakenly prays to the wrong direction for Zuhr, it is recommended that he make it up before 'Asr's time elapses. The same applies for Maghrib, whereas it would be recommended for one to make it up before the time for 'Isha elapses.

If exposing severe nakedness is a result of forgetfulness, there is no obligation to make up the prayer regardless of the time. It is merely recommended as long as the prayer time hasn't elapsed.

As for those in whose regard prayer is recommended to repeat within the prayer's time, they are the following:

- The one who *forgets* one of the first three conditions
- The one who is *incapable* of fulfilling one of the first three conditions

As for the one who is unable to determine the direction of the qibla and the one who is unable to properly conceal his nakedness, such are not required to repeat the prayer once the conditions can be fulfilled. Furthermore, it is not recommended to do so.

As for the 4th prerequisite (ritual purity), it is a condition under all circumstances, whereas, were one to omit it, he would be obliged to repeat the prayer after performing wudu (etc.) at a later time.¹⁹

XVIII. The Limits of Nakedness for Women in Salat

يجب ستره كما في العورة

و ما عدا وجه و كف الْحَرَة

And all other than the face and palm of the freewoman, - must be covered
as is (the case) regarding the nakedness

أو طرف تعيد في الوقت المقر

لَكُنْ لَدِيْ كَشْفُ لَصَدْرٍ أَوْ شَعْرٍ

However, in the case of the exposure of her chest, hair – or an extremity,
she is to repeat (the prayer) within the time determined

Explanation:

The author already spoke about the limits of nakedness for both men and women. And he stated that each of them has two classifications of nakedness: *moderate* and *severe*.

Moderate nakedness for the woman is for her to expose anything from her breasts to her head and from her knees to the tops of her feet.

As for severe nakedness, it is all in between these points i.e. from her breasts to her knees.

Covering areas of severe nakedness is considered a prerequisite for the Salat without which the prayer is invalid.

As for moderate nakedness, it is also compulsory to ensure it is not exposed. But it is not so severe that it would invalidate one's prayer for exposing any of it.

¹⁹ Sheikh Mayyara says in his Mukhtasar, "Sheikh Abu Muhammad – in his Risala – opined such that he said: "...And tayammum is (done) with clean earth (sa'id). It is whatever appears on the surface of the Earth that is from it like dirt, sand, or stones. Whoever lacks both water and earth, the standard view (mashhur) is that he is not to pray. And if he remains without them until the time elapses altogether, he is *not* to make up (the prayer)." And there are other statements about the issue. Look for them in Al-Kabir." [Mukhtasar al-Darr al-Thamin p. 144]

This means that when Maliki scholars speak about ‘covering nakedness’ being a prerequisite for the validity of Salat, they merely mean ‘severe nakedness’, not ‘moderate nakedness.’

Moderate nakedness – opposed to being a prerequisite – is termed an ‘obligation’ (wajib), which is the ruling given to an act that one is rewarded for doing and subject to punishment for not doing.

So were a woman to intentionally or unintentionally pray without covering her hair, her prayer would be deemed legally valid, since she hasn’t abandoned a prerequisite of the prayer or one of its compulsory acts.

Nevertheless, such a woman is sinful for not covering her hair if done intentionally. And it is hard to imagine that God will accept from a person a prayer wherein one commits a sin.²⁰

Salat is ruled to be ‘invalid’ (batila) – when one or more of its prerequisites and/or compulsory acts are omitted, ‘imperfect’ (naqisa) – when its meritorious acts are omitted, ‘valid’ (sahiha) - when its prerequisites and compulsory acts are all observed while lacking on some of its Sunnah or meritorious acts, ‘complete’ (tamma) – when its prerequisites, compulsory acts, Sunnah acts, and meritorious acts are present, ‘perfect’ (kamila) when the deed is carried out with complete presence of heart and submissiveness, and accepted (maqbula) – when Allah determines that His slave is worthy of His acceptance.

One will only know that Allah has accepted or rejected his deeds at the time of the meeting with Him. So when it is said that a deed is ‘valid’ (sahih) all it means is that according to the interpretation of scripture there is not enough evidence available indicating that the particular deed is void absent of the particular element omitted – according to the dominant view in the Maliki School.

²⁰ The idea that it is possible for one to carry out a ritual or rite while committing a sin and still having the ritual determined sound and valid shouldn’t be something we consider far fetched. Think for example of the Prophet’s statement about fasting,

“Whoever doesn’t leave off speaking indecencies and acting by it, then Allah has no need for him to leave off his food and his drink.”

Bukhari

من لم يدع قول الزور و العمل به فليس الله حاجة في أن يدع طعامه و شرابه

One may believe that this hadith means that if one tells a lie, his fast is invalid. However, this hadith is understood to indicate that Allah’s acceptance of one’s fast is unlikely and that just as it is forbidden for one to lie when not fasting, then to do so while fasting one would be more serious of a sin. So, one should be more attentive of his deeds and misdeeds.

So it is possible that someone can commit a sin while performing a ritual, and that the ritual may still be considered legally valid.

Another example is the Prophet’s prohibition against moving before the Imam during Salat. He said,

“Does he who raises his head before the Imam feel secure that Allah will not transform his form into the form of a donkey?”

Muslim

One might think this means that if a person raises his head before the Imam does during Salat, the Salat is invalid. But none of the Imams use this hadith to indicate that. And none of them list ‘raising the head before the Imam’ to be something that nullifies the prayer.

So, again, one can commit a sin during a ritual without invalidating that ritual. But it is highly unlikely that the ritual will win acceptance with the Creator when one intentionally commits a sin while performing an act of worship. And how could one be in the process of asking God for His forgiveness for one thing while knowing committing another sin in the process?

So this means that a woman who insists on praying whilst not covering her hair is taking a serious gamble with her soul and her Salat on the Day of Resurrection and Judgment.

In conclusion, a woman whose hair, chest, or other extremity (e.g. arm or foot) is exposed during prayer, it is recommended that she pray again later with proper covering as long as the *shared time* for prayer hasn't expired.

XIX. Menstruation Bars a Woman from Praying

بقصة أو الجفوف فاعلم

شرط وجوبها النقا من الدم

The precondition for her being obliged (to pray) is that she be cleansed from menstrual blood – (noted) by a thick white fluid or by (seeing) dryness. So become acquainted!

وقت فادها به حتماً أقول

فلا قضا أيامه ثم دخول

So there is no duty to make up (prayers) during the days of it, but (once comes) the entrance - of the time (and menstruation has stopped), perform them in it. (That is) obligingly, I say!

Explanation:

Earlier we mentioned that the conditions required before a prayer is deemed to be an obligation on a person are: Puberty and sanity.

In other words, a person is not subject to reward or punishment until they are pubescent.²¹ And the same applies to the person who is insane.²²

But for the woman, a third condition must be met before Salat is considered an obligation upon her: The cessation of menstruation.

In reality, '*the cessation of menstruation*' is not a condition (*shart*). It is a barrier (*mani*). So as long as a woman is menstruating, she is not allowed to make Salat.

The signs that menstruation has stopped are two:

- 1- A thick white fluid (qassa)²³
- 2- A dry cloth or pad

Contrary to fasting, a woman who menstruates is not obliged to make up the prayers she missed during the days of her cycle.

²¹ Some hold the view that children who are not pubescent receive reward for praying, fasting, and other religious obligations even though they are not obliged to do so. But, they are not subject to punishment for abandoning them until they reach puberty.

²² A person is insane when he has no sense of responsibility, accountability, and cannot distinguish between right and wrong.

²³ Qassa – is defined as ‘a white fluid like gypsum (*jir*).’ [Mukhtasar al-Darr al-Thamin: p. 132]

An exception to this rule is when a woman's menstrual cycle begins before sunset and she hasn't prayed 'Asr, she must make up the 'Asr she missed on the day her menstrual cycle began once it is over.

The same goes for if she didn't pray Zhur that day. That is, she is required to make up these prayers once her period has ended.

Similarly, she will make up 'Isha if her period started before Fajr if she didn't already pray it. And the same goes for if she delayed Maghrib beyond its preferred time until 'Isha while she didn't pray it. She is obliged to make up both prayers when her cycle ends if her period begins before Fajr and she hasn't prayed them.

XX. The Stressed-Sunnah Acts of the Salat

مع القيام أولاً و الثانية

سننها السورة بعد الواقية

Its sunnah acts are: the surah after Al-Fatiha – along with standing for the first and second unit (of prayer)

تكبیره إلا الذي تقدما

جهر و سر بمحل لهما

Audibleness and inaudibleness in their (proper) places – Each takbir except the one that was done first

و الثاني ما لا للسلام يحصل

كل تشهد جلوس أول

Each tashahhud, the first sitting (for tashahhud) – as well as the second (sitting) except for what is done for saying the Salam

في الرفع من رکوعه أو رده

و سمع الله لمن حمده

And (saying): "Sami' Allahu liman hamidahu" – in rising from one's bowing, one has carried out

و الباقي كالمندوب في الحكم بدا

الفذ والإمام هذا أكد

(This applies to) The one praying alone and the Imam. (All of) these things are stressed – And the remainder is similar in ruling to what has appeared of what is recommended without stress

Explanation:

The Sunnah acts of the prayer are of two types:

- 1- *The Stressed Sunnah acts:* i.e. those whose omission warrant two additional prostrations at the end of the prayer.
- 2- *The Unstressed Sunnah acts:* i.e. those whose omission do not necessarily warrant any prostrations.

In this section, Sidi Ibn ‘Ashir makes mention of the Stressed Sunnah acts of the prayer. The chart below lists them in order:

The Sunnah Acts of the Prayer	
The Stressed Sunnahs²⁴	
1.	Reciting a Sura after Al-Fatiha in the first and second rakats
2.	Standing for the recital of the Sura
3.	Audibleness in its appropriate places ²⁵
4.	Inaudibility in its appropriate places ²⁶
5.	The <i>takbir</i> preceding each movement ²⁷
6.	The first <i>tashahhud</i>
7.	The last <i>tashahhud</i> ²⁸
8.	The first sitting
9.	The last sitting ²⁹
10.	Saying: “ <i>Sami Allahu liman hamidah</i> ” when rising from ruku ³⁰

²⁴ These are those sunnahs that if one were to leave out, he is encouraged to make two prostrations (sajdahs).

²⁵ The lowest degree of audibleness is to hear one's self and for the person standing next to you to hear you (if there is one).

²⁶ The highest degree of inaudibility is to hear ones self. The lowest degree is to move ones tongue.

²⁷ The opening *takbir* (*takbirat al-ihram*) is compulsory.

²⁸ It is recommended that one make du'a during the final *tashahhud*. It is not recommended during the first.

²⁹ The two sittings - all that is beyond the amount of time it would take to say the salam - are stressed Sunnahs. Sitting for the amount of time it would take to say the salaam is obligatory. Beyond that is Sunnah.

³⁰ Both the Imam and the individual praying person must say this. The one following the Imam doesn't say this. He says: “Rabbana lakal-hamad.”

XXI. The Unstressed Sunnah Acts of Salat

و طرف الرجلين مثل الركبتين

إقامة سجوده على اليدين

(Things recommended without emphasis are) the call to commence the prayer, and prostrating on the hands – on the tips of the feet, and likewise the knees

على الإمام و اليسار و أحد

إنصات مقتد بجهر ثم رد

Silence maintained by the one following during audible recitation (done by the Imam), then he is to respond – to the Imam to the right and to another (on the left if there is one)

سترة غير مقتد خاف المرور

به و زائد سكون للحضور

With it, and with an added level of calmness for the presence (of heart) – A barrier set for one who is not following (another) and fears that one will pass (in front of him)

و أن يصلى على محمد

جهر السلام كلام التشهد

Saying the Salam audibly, (reciting) the (prescribed) words of the tashahhud, and that salutations be sent on Muhammad

فرضها بوقته و غيرها طلبت

سن الأذان لجماعة أنت

The first call to prayer has been made a sunnah for a group that performs – a compulsory prayer in its (proper) time, and summons others (to attend)

Explanation:

Here, Sidi ibn ‘Ashir covers the unstressed Sunnah acts. The chart below details them:

The Sunnah Acts of the Prayer
The Unstressed Sunnahs³¹
<ol style="list-style-type: none"> 1. The Iqama³² 2. Prostrating on the palms, knees, and toes 3. Remaining silent for Imam's recital in audible prayers 4. Returning the salam on the Imam 5. Returning the salam on the person on one's left side (if there is one) 6. Calmness beyond the required amount (with presence of heart) 7. The use of a sutra (shield)³³ (when it is feared that one will pass in front of the Imam or individual prayer) 8. Saying the salam audibly 9. Reciting the words of the tashahhud as transmitted in hadiths 10. Sending the Prayers on the Prophet (i.e. the Du'a of Ibrahim) in the last tashahhud 11. The adhan (for the obligatory prayer with the congregation who's summoning others)³⁴ 12. Shortening the prayer of travel

XXII. The Prayer of the Traveler

ظهرًا عشاً عصراً إلى حين يعد

وقصر من سافر أربع برد

And shortening (the prayer) is for the one who travels a distance of 4 barids (or 48 miles) – for Zuhr, Isha, and ‘Asr (from the time he leaves until he returns

مقيم أربعة أيام يتم

مما ورا السكنى إليه إن قدم

³¹ These sunnahs are of lesser importance. One isn't encouraged to do 2 prostrations for omitting them.

³² This is done for obligatory prayers. Not for voluntary prayers.

³³ That is, the use of a barrier indicating to people that one is praying, so that no one walks in front of you. As for the one following the Imam, it is not warranted for one to take a sutra. The Imam is the sutra.

³⁴ It is not a Sunnah to call the adhan in places where no one is being summoned to prayer, unless it is a traveler who possibly might stumble across other Muslims on his journey.

(Starting) from (where) the homes (are cut off and ending) at them if he returns – And the one residing for four days (is required to) complete (his prayer as 4 units)

Explanation:

A special license is given to the person who is on a journey or sojourn away from home to shorten one's four-unit prayer (i.e. Zuhr, 'Asr, and 'Isha) to only two units.

This license is given when the following conditions are fulfilled:

- The journey from the limits of one's home town is atleast 48 miles³⁵
- One has passed beyond the city limits³⁶
- The reason for this trip is for something permissible³⁷

So, it is permissible for one who sets out a journey *with a noble objective* to shorten his prayer if the distance that one is traveling from the city limits is *48 miles or more*. It is permissible to begin shortening all prayers of 4 units once one has *exceeded the city limits*. That is, it isn't permissible to shorten them before that while one is in his or her home. However, it is permissible to *join*³⁸ between Zuhr and 'Asr, and between Maghrib and 'Isha before leaving ones residence even if they haven't traveled beyond the city limits. The chart below describes how the prayers are to be performed before, during, and after returning from ones journey.

³⁵ Sidi Ibn 'Ashir uses the Arabic term 'burud' – the plural of 'barid' – to express the distance ones journey must be before it becomes permitted to shorten the prayer. A barid is equivalent to four farasikh – the plural of farsakh. So there are 16 farsakhs in 4 barids. And one farsakh is equivalent to 3 miles. And in 16 farsakhs are 48 miles. And one mile is equivalent to 2000 cubits according to the standard view in the school. [Mukhtasar of Mayyara: p. 137]

³⁶ If one shortens his prayer at home before going beyond the city limits, the prayer must be repeated. And the distance cannot be measured by overlapping such as if the distance between ones town and the destination spot is merely 24 miles. One cannot combine the 24 miles going with the 24 miles coming. The total distance between the hometown and the place of destination has to be atleast 48 miles in one direction.

³⁷ In other words, if one is traveling for something like to meet a person in a motel for illicit intercourse or hunting for mere amusement – not for eating, one is not given a license to shorten prayers.

³⁸ Although, Sidi Ibn 'Ashir doesn't cover the rules for joining prayers – as opposed to shortening them, one should understand that there is a slight difference between the two. The journey must still be at least 48 miles from the city limits, but while it is not permissible to shorten prayers until passing beyond the city limits, it is permissible to join between the prayers without shortening them before passing beyond the city limits.

Shortening Prayer while Traveling
<p><i>Leaving:</i> One may combine prayers before leaving home³⁹, or once one has arrived at the destination.⁴⁰</p>
<p style="padding-left: 40px;">One may not shorten prayers until leaving the city.</p>
<p><i>Arriving at destination:</i> One may shorten prayers, but not combine them for 3 days and 3 nights or if one will pray 19 prayers or fewer during the sojourn. After that, the prayers will have to be prayed in their usual fashion (i.e. 4 units).</p>
<p><i>Returning:</i> One may shorten and combine prayers before departing. One may delay the prayers until approaching the city, and then shorten and combine them before entering the city. Or, one may delay prayers until he reaches his residence, and then combine without shortening them.</p>

It is important to note that one is only provided with the license to shorten prayers while on a journey or sojourn in a locale 48 miles or more beyond ones hometown to the extent of 4 days or 19 prayers. Once one completes 4 days or 20 prayers, he must resume praying the usual number of units for each 4-unit prayer.

The following are additional rules for prayer whilst traveling:

Leaving from and arriving to ones residence towards the end of the time of urgency⁴¹ for zuhr and 'asr:

³⁹ This is like one who believes he will not reach his destination until sunset or after it in the case of Zuhr and 'Asr, or fears he will not arrive until sunrise or after it in the case of Maghrib and 'Isha'.

⁴⁰ Siraj al-Salik Sharh Ashal al-Masalik: 1/166.

⁴¹ Each prayer has what is termed a 'time of choice' and a 'time of urgency'.

1. Times of Choice>Selective Time: are the intervals of time within which it is permissible for one to perform the prayer without incurring any sin were one to delay the prayer to the end of this particular interval. That's like the time allotted to pray the noon prayer (Zuhr) that extends until the time of the afternoon prayer ('Asr). The space all between these two prayers is considered time of choice, since one has the choice between performing the prayer at the beginning of the first prayer's time up and to the beginning of the subsequent prayer time without there being any sin for that delay.

2. Times of Urgency: are the alternate intervals that usually occur at the end of a particular prayer's time before the next prayer enters. They are referred to as '**times of urgency**' or '**necessity**', since the person who prays during these times does so due to some necessity or legitimate excuse. This doesn't mean that if one delays the prayer until the time of urgency that he is exempt from the obligation of prayer. Rather, it means that if one doesn't have a

- 1 – **Leaving:** If there is enough time left in the day to perform 3 rakats, one should pray Zuhr as if it was shortened (i.e. 2 units), and ‘Asr should be prayed as if one was a non-traveler (i.e. 4 units).
- 2 – **Returning:** If there is enough time left in the day to do 5 rakats, one should pray Zuhr and ‘Asr as if one was a non-traveler. However, if there is only enough time to do from 1 to 4 rakats, one should pray Zuhr (i.e. 2 units) as if he was a traveler, and ‘Asr as if one was a non-traveler (i.e. 4 units).

Leaving from and arriving to ones residence towards the end of the time of urgency for maghrib and ‘isha:

- 1 – **Leaving:** If there is enough time left before Subh to perform one or more rakats, one should pray Maghrib normally and then ‘Isha as a non-traveler (i.e. 4 units).
- 2 – **Returning:** If one returns while there's enough time before Subh to pray one or more rakats, one should again pray Maghrib in the usual way, and pray ‘Isha as a traveler (i.e. 2 units).

XXIII. The Meritorious Acts of the Salat

تأمين من صلی عدا جهر الإمام

مندوبها تيامن مع السلام

Its non-stressed recommended acts are: turning (the head) to the right when giving the Salam – the Saying ‘Amin’ by everyone praying with the exception of the Imam when he is praying audibly

من أم و القنوت في الصبح بدا

وقول ربنا لك الحمد عدا

To say ‘Rabbana laka al-hamdu’ (for all) except – for the one leading, and the qunut (supplication) should (also) appear in the prayer of dawn

سدل يد تكبيره مع الشروع

ردا و تسبيح السجود و الرکوع

(Wearing) a tunic, glorifying Allah during prostration and bowing – Draping the hands (at the sides), and saying ‘Allahu Akbar’ while in the process (of changing position)

legitimate excuse for delaying it, then one is considered sinful for this delay. Legitimate excuses are things like sleeping, fainting, forgetting about the prayer, reaching puberty during prayer time, being stricken by insanity, accepting Islam or apostatizing and repenting before prayer time has elapsed, or for the blood of menstruation or child birth to cease before the prayer time has elapsed when there remains enough time for a woman to perform the ritual bath (*ghusl*) and pray at least one *rakat* before the time elapses.

The time of urgency for Zuhr enters when the time of choice for ‘Asr begins. And the time of choice for Maghrib ends shortly after sunset once one has performed wudu and prayed while its time of urgency extends until Fajr. This means that when one prays Zuhr during the time of ‘Asr and Maghrib during the time of ‘Isha one is not making up these respective prayers. Rather, one is praying each prayer within its determined time, since they have a ‘Shared Time.’ The difference is with regard to who incurs sin for the delay and who doesn’t?

و عقده الثالث من يمناه

و بعد أن يقوم من وسطه

And (also saying it) after standing from the middle sitting (for tashahhud)
– while clinching the (bottom) three fingers of his right hand (while
sitting)

تحريك سبابتها حين تلاه

لدى التهشيد وبسط ما خلاه

During the tashahhud while spreading out all (other fingers) besides (those
of) it – (And) moving its index finger while he recites it

و مرفقاً من ركبته إذ يسجدون

و البطن من فخذ رجال يبعدون

(Add to that that with) the abdomen from the thigh, men are to keep some
distance (between them) – (Similarly there should be space between) the
elbow from the knee when they prostrate

من ركبتيه في الركوع و زد

و صفة الجلوس تمكين اليدين

The description for the sitting is to plant firm the hands (on the thighs) –
And in the bowing posture (he places them firm) on his knees, just add

سرية وضع اليدين فافتفي

نصبهما قراءة المأمور في

(That one should) straighten them, and the one being led should recite
during - an inaudible prayer, just as one should place the hands (on the
ground). So follow (this description)!

رفع اليدين عند الإحرام خذا

لدى السجود حذوا أذن و كذا

In prostration (place the hands) parallel to the ears, and likewise – raise
the hands during the (opening takbir of) ihram. (Again) Take it!

توسط العشا و فصل الباقي

تطويله صباحاً و ظهراً سورتين

One should lengthen (the recitation of) the two surahs during Subh and
Zuhr – (Maintain) A moderate recitation during ‘Isha, and recite one of the
short surahs during the two remaining (prayers)

كالسورة الأخرى كذا الوسطى استحب سبق يد وضعاف في الرفع الراكب

Similarly, (make the surah of the first unit longer than) the other surah, and likewise it is encouraged to make the middle sitting (shorter than the last) - And placing the hands (on the ground) *first* when kneeling, and in rising (lift) the knees (*first*)

Explanation:

In this section, the author covers the recommended – but not Sunnah – acts of Salat. These are acts that bring the Salat to near perfection. Were they to be left out, there would be no sin or any basis for censure. But were one to include them, there would be reward for their inclusion.

The chart below lists the recommended acts of the Salat:

Recommended Acts of Salat (Mustahabbat)	
1. Turning ones head to the right when giving salam	12. Crossing left foot under posterior and propping up right foot during sittings
2. Saying: “ Amin ” at the termination of Al-Fatiha ⁴²	13. Placing hands firmly on knees during ruku’
3. Saying: “rabbana lakal-hamd” ⁴³	14. Straightening ones legs during ruku’
4. Performing the qunut supplication in the dawn prayer (Subh)	15. Reciting during the inaudible prayers ⁴⁹
5. Wearing a cloak or long garment that covers the entire body during prayer	16. Positioning hands parallel with the ears
6. Glorifying Allah when bowing and prostrating	17. Raising the hands during the opening takbir
7. Draping hands at one’s sides ⁴⁴	18. Extending the recitation during Subh and Zuhra prayers, reciting surahs of mid-length during ‘Isha, and reciting short surahs during ‘Asr and Maghrib

⁴² This is to be done by the one following the Imam during the audible prayers and inaudible prayers. As for the Imam, he is to say it during the inaudible prayers only, although there is no harm in saying it during the audible prayers.

⁴³ This is the duty of the one following the Imam, and the individual praying person.

⁴⁴ It is recommended during the obligatory prayers. It is disliked for one to grasp his arms on his chest or below the navel in *fard* prayers. This is contrary to it being permitted during *nafl* prayers. Almost all of the distinguished scholars among the Tabi'in prayed while draping their hands at their sides. Among them were: Sa'id ibn Al-Musayyab, Ibrahim Al-Nakha'i, Hasan Al-Basari, Muhammad ibn Sirin, Sa'id ibn Jubayr, 'Abd Allah ibn Al-Zubayr, Ibn Juraij, Imam Al-Awza'i, and Imam Malik ibn Anas [Refer to the Musannaf of Ibn Abu Shayba]. And 'Abd Allah ibn Al-Zubayr – the grandson of Abu Bakr Al-Siddiq – learned how to pray from his grandfather. And when Ibn 'Abbas was asked about the prayer of 'Abd Allah ibn Al-Zubayr, he said:

“If you'd like to look at the prayer of the Messenger of Allah ﷺ then copy the prayer of 'Abdullah ibn Az-Zubayr.”
(Abu Dawud)

And of all the reports that give the indication that Allah's Messenger ﷺ prayed while clasping his hands as well as his companions, only two of them are Sahih (sound). And neither of them explicitly states that he prayed that way himself. So ponder!

<p>8. Saying: "Allahu Akbar" in the process of changing from one position to another⁴⁵</p> <p>9. Clasping the last three fingers of the right hand and pointing with the index finger when reciting the <i>tashahhud</i>⁴⁶</p> <p>10. Moving the index finger from right to left⁴⁷</p> <p>11. Distancing the thighs from the abdomen and the elbows from the knees (for men)⁴⁸</p>	<p>19. Making the surah of the second rak'a shorter than the surah of the first rak'a</p> <p>20. Making the sitting of the first <i>tashahhud</i> shorter than the sitting of the last</p> <p>21. Placing the hands first when going from standing to prostration, and lifting the knees first when standing</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

XXIV. Things Disliked During Salat

في الفرض و السجود في الثوب هذا

و كرهوا بسلة تعودنا

They (meaning the scholars) dislike (for one to recite) during the compulsory prayer 'bismi Allah Al-Rahman Al-Rahim' and the 'A'uthu bi Allah min Al-shaytan Al-rajim' – (just as they dislike for one) to prostrate on a garment,

و حمل شيء فيه أو في فمه

كور عمامة و بعض كمه

The same goes for (prostrating on) the wrap of a turban or part of one's sleeve – or to carry something in it or in one's mouth (during prayer)

تفكر القلب بما نافي الخشوع

قراءة لدى السجود و الركوع

(Also disliked are) Reciting (Qur'an) during prostration and bowing – thinking about anything that will negate focus (in the prayer)

⁴⁹ This is recommended for those following the Imam. As for the Imam, it is obligatory for him to recite during all prayers.

⁴⁵ That is, it is recommended to say "Allahu Akbar" simultaneously with the movements and changes from position to position. This doesn't mean that it is 'recommended' to say "Allah Akbar." We already established that to say "Allah Akbar" is Sunnah in all cases with exception of the opening Takbir, which is compulsory (fard).

⁴⁶ The left side of the right index finger should face upward toward the face, and one should move it from right to left.

⁴⁷ It has also been said that one should move it up and down.

⁴⁸ Women should do the opposite of this.

أَنْشَا قِرَاءَةً كَذَا إِنْ رَكِعاً

وَ عَبَثٌ وَ الالتفاتُ وَ الدُّعَا

Horse-playing, turning one's attention away, and supplicating – during recitation, and while in the bowing posture

تَخْصُرٌ تَغْمِيْضٌ عَيْنٌ تَابِعٌ

تَشْبِيْكٌ أَوْ فَرْقَعَةُ الْأَصْبَاعِ

Intertwining or cracking the fingers – (praying with) the hands on the waists, and closing the eyes. Now follow!

Explanation:

Just as we stated that there are things disliked during wudu, there are also things that are disliked and inappropriate during Salat. The chart below lists the acts that are disliked during prayer

Things Disliked During Prayer (Makruhat Al-Salat)	
1. Saying: "bimillaahir Rahmaniir Rahim" before surahs during fard prayers	9. Thinking about worldly affairs that negate the presence of heart
2. Saying: "A'udhu billahi min ash-Shaytanir Rajim" in the fard prayers	10. Fidgeting with ones belongings and person ⁵²
3. To prostrate on a garment/cloth ⁵⁰	11. Turning slightly away from the direction of prayer ⁵³
4. Prostrating on the fold of ones turban ⁵¹	12. To perform supplication during the recitation of Qur'an and while in ruku'
5. Prostrating on the rim of ones turban	13. Interlacing the fingers
6. Holding something in the inner fold of ones turban	14. Cracking the fingers
7. Holding something in one's mouth	15. Placing the hands on the waists while standing
8. Reciting Qur'an in the position of ruku' and sujud	16. Closing the eyes ⁵⁴

⁵⁰ This is disliked unless there's some necessity to pray on a garment like in the case of the ground being cold or hot.

⁵¹ If the fold is one or two layers thick it is only disliked to pray on top of it. If it happens to be more than two, ones prayer isn't valid.

⁵² That's like fidgeting with ones beard or ring.

⁵³ If one happens to turn ones back to the qiblah, the prayer is not valid.

⁵⁴ However, if one finds difficulty concentrating while keeping his eyes open, there's no harm with closing them. That's because it is only disliked to close ones eyes, since an onlooker might think that it's what one is supposed to do during prayer.

XXV. The Different Types of Salat

فصل

Section 2:

و خمس صلوٰات فرض عین و هي كفاية لميت دون مين

Five prayers are individual obligations – But it is merely a communal obligation when done for the dead, and (about that there is) no doubt

فروضها التكبير أربعاء دعا و نية سلام سر تبعا

The compulsory acts of it are to say the takbir four times, supplication – (having) an intention, and an inaudible salam that follows

Explanation:

First the author establishes that there are only 5 individual compulsory prayers (fard 'ayn) in Islam. He then adds that there is one communal obligatory prayer. (fard kifaya) This last prayer is known as the Funeral Prayer.

Salat Al-Janaza -The Funeral Prayer

The compulsory acts of the Funeral Prayer are the following:

- Four takbirs
- Praying for the deceased after each takbir
- Intention
- The concluding 'Salam'

As for the description of Salat al-Janaza:

- The Imam stands with the deceased in front of him
- The followers line up behind the Imam in rows as they customarily do
- The Imam raises his hands to the shoulders and then says, "Allahu Akbar"
- Those behind him do the same after he does and they all pray quietly for the deceased
- The Imam does the takbir – without raising his hands – three more times while pausing between each takbir to supplicate Allah, and those following him do the same
- The Imam ends the prayer by saying "As-Salamu 'alaykum" one time to the right
- The followers do the same after him
- (The funeral prayer is concluded)

Note: The funeral prayer is prayed while standing. There are no bows, prostrations, or sittings.

وتر كسوف عيد استسقا سنن

و كائصلة الغسل دفن و كفن

And like the (funeral) prayer (in ruling) are the washing (of the body), the burial, and shrouding – But (prayers like) witr, that of the solar eclipse, the ‘Id prayer, and the rain prayer are all (considered) sunnah

Explanation:

Next, the author speaks about the ruling of the ritual shower (ghusl), which we have already spoken about at length, except that this ghusl is not the same as the one we spoke of before whereas previously we spoke about the ghusl performed by a living person for his self. This ghusl dealt with in this section is related to the washing done to one who has died.

When a person dies, one of the last rights owed and one of the last rites performed for him is the ritual bath (ghusl). This ghusl takes the same ruling as Salat. That is, it is compulsory in such a manner that if no living Muslim performs it for the deceased, all Muslims would be in sin. But were one to carry it out, the sin is removed from all other Muslims.

One should be washed while having the private parts covered. And water should be poured over the person an odd number of times. The final washing should be with water scented with something like camphor or the scent of the lote-tree (sidr). Then the person should be dried and shrouded.

Shrouding (kafan) the dead is also a communal obligation. One should use an odd number of cloths to shroud the dead: a waistcloth, a garment for the upper body, and something to wrap the head with.

And after the compulsory 5 daily prayers in importance are the stressed sunnah prayers (sunan mu'akkada). They are:

- 1- *Witr* - The odd unit prayer
- 2- *Kusuf* – The Solar Eclipse Prayer
- 3- ‘Id – The Holiday Prayers
- 4- And *Istisqa* – The Rain Prayer

Witr – The Odd Unit-Prayer

As for the witr prayer, it is one single unit (rak'a) of prayer wherein one sits at the end. Its description is:

- Begin the prayer as one usually does
- After the two prostrations one sits for tashahhud
- After the tashahhud and the Salat ‘ala al-Nabi (prayer on the Prophet) one gives one Salam to the right

Note: It is recommended that one recite the last three surahs of the Qur'an termed '*The Three Quls*' (i.e. Ikhlas, Falaq, and Nas) in the order they come in the Qur'an.

Imam Malik considered it to be disliked (makruh) for one to pray the witr alone without preceding them by two units of prayer termed 'Shaf' (The even unit-prayer). During Shaf' one should recite Surat Al-'Ala in the first rak'a, and Surat al-Kafirun in the second rak'a.

Kusuf – The Prayer of the Solar Eclipse⁵⁵

The solar eclipse prayer is prayed in congregation with an Imam in the mosque in the following manner:

- An announcement is made to have the Muslims form a congregation in the mosque.
- The Imam leads those who attend in two inaudible *rak'as* of prayer.
- He recites during the first *rak'a*, *Al-Fatiha* and another *sūrah* such as *Al-Baqara*.
- After completing the *sūrah*, he bows the extent equal or close to the time he spent standing.
- After that, he rises and recites *Al-Fatiha* and another *sūrah* similar to *Al-Baqara* in length except shorter.
- After the recitation, he bows the like of which he stood reciting.
- He rises from bowing standing erect.
- He prostrates.
- He sits up from prostration.
- He prostrates a second time.
- He rises for second *rak'a* and repeats the same acts as in the first *rak'a*, except that the recitation is shorter.
- He completes the prayer with “*As-Salāmu ‘alaykum*.”
- He turns and faces his audience. If he pleases he may offer an exhortation.

Istisqa – The Rain Prayer

The ‘prayer for rain’ or ‘*salāt al-istisqā*’ is performed in times of drought in the following way:

- The people come out to the *musallā* with the Imam in moderate dress. That is, they shouldn’t wear their best clothing out of humility and hope that their prayers will be answered.
- The Imam then leads those attending in two audible *rak'as* of prayer without giving an *adhān* or *iqāma*.
- In the first *rak'a*, he recites *Al-Fatiha* and another *sūrah* like *Al-'Alā*.
- In the second *rak'a*, he recites *Al-Fatiha* and a *sūrah* such as *Al-Ğāshiya*.
- After he completes the prayer, the Imam delivers a two-part *khutba*. During the *khutba*, he should ask Allah’s forgiveness much.
- After delivering the *khutba*, he faces the *qibla*, inverts his cloak,⁵⁶ raises his hands, and makes supplication (*du'ā*). In part of his supplication he should say the following *du'ā*:

اللهم اسق عبادك بهيمتك وانشر رحمتك وأحي بلدك الميت

⁵⁵ As for the lunar eclipse prayer (khusuf),

- It is not a known *sunnah* that the lunar eclipse prayer was prayed in congregation. So praying it in congregation is discouraged in the *Mālikī* School.
- It should be prayed individually, and exactly in the way mentioned regarding the Solar Eclipse prayer except that the recitation should be audible.

صلوة الكسوف / صلاة الكسوف is considered to be interchangeable with in the view of some scholars. So both would mean ‘The Prayer of the Eclipse’ with no distinction between the lunar and solar eclipse. Others hold that there is a distinction. Allah says: ((خسف القمر)) {From *Sūrat Al-Qiyāma*: 8}

⁵⁶ The men who are following should do the same, especially those who are wearing cloaks. This means that it's not something recommended for women to do.

Transliteration:

Allāhummasqi 'ibādaka wa bahimataka wanshur rāhmataka wa aḥyi baladakal-mayt.

Translation:

O Allah! Give water to your slaves and your beasts of burden, spread your mercy, and give life to your dead land.

'Id – The Holiday Prayer

As for the 'Id prayers that come respectively at the end of Ramadan and after the Day of 'Arafa during the month of the Hajj (Dhu al-Hijja), it is prayed in the following manner:

- The Imam enters the *muṣallā* and prays two audible *rak'as* with those attending.
- In the first *rak'ah*, he makes 7 *takbīrāt*, which include the opening *takbīra* only raising his hands for the first one.
- He then recites *Al-Fātiḥa* and another *sūra* such as *Sūrat Al-'Alā*.
- He does *rukū'*.
- He rises from *rukū'*.
- He does *sujūd*.
- He sits up from *sujūd*.
- He does *sujūd* again.
- He stands for the second *rak'ah*.
- After he stands for the second *rak'ah*, he does 5 *takbīrāt* not including the *takbīra* for standing up.
- He then recites *Al-Fātiḥa* and another *sūrah* such as *Sūrat Al-Ğāshiya*.
- He does *rukū'*.
- He rises from *rukū'*.
- He does *sujūd*.
- He sits up from *sujūd*.
- He does *sujūd* again.
- He sits up from *sujūd*
- He completes the prayer and then makes the *Salām*.

و الفرض يقضى أبداً و بالتوال

فجر رغبة و تقضى للزوال

(The voluntary 2 units of) Fajr is *raghiba* (or highly encouraged), and it can be made up to the point of the sun's zenith – And the compulsory prayer can be made up at anytime and in sequence (to how they were missed)

Explanation:

After the stressed sunnahs in importance are the prayers given the ruling of *raghiba* (highly encouraged). A *raghiba* prayer is one that the Lawgiver has encouraged expressly or through action. The first is like the Prophet's saying:

"The two units of Fajr are better than the world and all in it."

ركعتا الفجر خير من الدنيا و ما فيها

It is not known that the Prophet ever abandoned these two units of prayer ﷺ.

Fajr, which is the technical name given to the two units of voluntary prayer performed before the two compulsory units of prayer of the dawn, is the most prominent prayer taking this ruling. The proper name given to the two compulsory units of prayer after it is *Subh*.

In *Fajr*, the standard view (mashhur) in the Maliki madhab is that one should merely recite Al-Fatiha during each rak'a with no additional surah. But there is no harm – of course – for one to add another surah.⁵⁷

Examples of other prayers that take the grade of *raghib* are:

- The two voluntary units performed after Maghrib
- The additional voluntary rak'as performed between Maghrib and 'Isha

This prayer is so highly encouraged that it is recommended that one make it up even if one has already prayed Subh. And this recommendation extends until the time of Zuhr prayer.

As for the 5 compulsory prayers, it is an obligation to pray them regardless of what time of day it may be, and whether or not the sun is rising or setting⁵⁸.

And if one has more than one compulsory prayer to make, they should be made up in the order they were missed. Otherwise they are all invalidated unless they are more than a day's worth of prayers i.e. six or more. In this case, one may make them up in any order.

تحية صحي تراويف ثلت

نَدْبُ نَفْلٍ مَطْلَقاً وَ أَكْدَتْ

Voluntary prayers are encouraged without limit and (those that are) stressed are – the prayer for greeting the mosque, Duha, and Tarawih as have come (in order of importance)

وَ بَعْدَ مَغْرِبٍ وَ بَعْدَ ظَهَرٍ

وَ قَبْلَ وَتَرْ مِثْلٍ ظَهَرٍ عَصْرٍ

(Also stressed are the two units prayed) before witr, like (what is before) Zuhr, and 'Asr – And (the same ruling is given to what is made) after Maghrib, and after Zuhr

Explanation:

As for other voluntary unstressed prayers, it is considered favorable to make them anytime one likes and in as many number one likes to. But they should not be prayed more than two units at a time.

The most important of the unstressed prayers are:

⁵⁷ Some scholars recommend that one recite *Al-Kafirun* in the first unit, and *Al-Ikhlas* in the second.

⁵⁸ The prohibited times of prayer in the Maliki madhab are three: After Subh until the sun has risen to the height of a spear, after 'Asr until the sun has set, and when the Imam is delivering the Friday sermon. It is forbidden for one to pray voluntary prayers during these times. But if one is performing a compulsory prayer, there is no prohibition.

- *Tahiyyat al-Masjid* – The 2 units for entering the mosque
- *Salat al-Duha* – The mid morning prayer
- *Tarawih* – The Ramadan Night prayers
- *Shaf'* – The even unit prayers performed before the witr
- The two units before Zuhr
- The four units before 'Asr
- The additional four prayed after Maghrib
- The four units prayed after Zuhr