

Notes of Lectures on Fiqh by Maulana Sadiq Hasan in Melbourne Lecture # 10 (Friday 14 September 2001)

SIGNIFICANCE OF SALAT

✳️ Salat or Namaz is the most important and a complete system of worship in Islam. Literal meaning of salat is dua.

✳️ Considering salat as insignificant or taking it lightly (**Istekhaf-e-Salat**) is a major sin. Both Quran and Ahadeeth emphasise that the salat must be given top priority in our daily life and must never be taken as a lightly or secondary thing.

- (i) Holy Quran: Establish salat and do not be among mushrikeen (Surah Rum, 30:31)
- (ii) Holy Quran: And woe to the worshippers (namazi), who are careless in their salat, (Surah Maun, 107:3-4)
- (iii) Hadeeth Holy Prophet: If salat is accepted by Allah, all good deeds will be accepted, and if salat is rejected, all good deeds will be rejected.
- (iv) Hadeeth 6th Imam (AS): One, who considers salat as insignificant, will not receive our shafaat.

✳️ A person, who offers salat, but does not care about the masail (rules and laws) of salat, is like one who considers salat as insignificant.

✳️ For some persons, the lack of knowledge of some masail of salat, wudu and ghusl, may be an acceptable excuse, but for many other persons, the lack of knowledge is no excuse, and the Islamic sharia may require such persons, in some cases, even to repeat the salat of whole life with the correct method.

✳️ Hence it is necessary for every Muslim to know and understand the masail of salat carefully so that he gains full benefit of this act of worship and he is also not considered as one who is careless about salat.

CONDITIONS FOR VALIDITY OF SALAT

✳️ Five conditions must be met before a wajib salat can be considered as valid (sahih):

- (1) **Time**: The salat must be offered within the specified time
- (2) **Qibla**: The salat must be offered towards the direction of Kaba in Makkah
- (3) **Clothes**: The clothes in which salat is offered must be **mubah** (lawful), tahir and fulfil other conditions
- (4) **Place**: The place at which salat is offered must be **mubah**, tahir and fulfil other conditions
- (5) **Taharat**: The person's body must be tahir and must have performed wudu (or ghusl if required) with **mubah** water (or tayammum, if required, with mubah soil etc)

IMPORTANCE OF MUBAH IN SALAT

✳️ Mubah means lawfully obtained. The conditions of clothes, place and water (for wudu or ghusl) being mubah are extremely important because salat becomes batil (invalid) if these things are not mubah (lawfully obtained). If the income of a person is from haram sources, then the clothes, place and water obtained from such income automatically become haram and therefore salat offered using such things is batil (invalid) in most of the cases.

✳️ One of the most important conditions for a thing to become mubah (lawful) is that the khums for that thing (if wajib) must have been paid.

✳️ Ignoring the condition of mubah for salat is the same as taking salat lightly or insignificant (istekhfaf) and amounts to a great sin.

✳️ If khums was wajib on the clothes you are wearing and has not been paid, and if the salat has been offered in such clothes, then the salat is batil (invalid) even if you did not know this rule. In such a case, you must repeat that salat with mubah clothes on. The same rule applies for the place or house where the salat is offered, and the water used for wudu or ghusl, and soil used for tayammum.

✳️ If khums was wajib on other items (such as food, car, gifts etc), which are not used by the person during his/her salat, and the khums has not been paid on these items, then the salat is not batil, but the salat will not be accepted until the wajib khums on these items has been paid.

✳️ Hence, it is first necessary to understand the laws of khums and halal earnings before understanding the detailed masail of salat.

KHUMS

✳️ Khums means one fifth. Khums is divided into two equal parts: Sehme Imam and Sehme Sadat. Sehme Imam is to be given to your marja (or his legal representative). Some Mujtahids (like Ayatullah Seestani and Khui) allow Sehme Sadat to be given directly to poor and deserving sadat. Other Mujtahids (like Ayatullah Khumaini and Khamenei) say that both Sehme Imam as well as Sehme Sadat must be given to your marja.

✳️ If your marja allows you to give Sehme Sadat directly to poor sadat, it is better to give it to your marja, and then you are not responsible about the conditions to be met by the receiving sadat.

✳️ While it is important to calculate your khums accurately, it is equally important that you must send your khums to the right person as specified by sharia. If your khums does not reach the right person, it is as if you have not paid the khums.

CONDITIONS FOR PERSONS RECEIVING SEHME SADAT

✳️ In case you are giving the sehme sadat portion directly to a sadat, then you are responsible to make sure that the person receiving sehme sadat must fulfil the following five general conditions:

1. **Must be a saiyed.** This can be determined in one of the following three ways:
 - (a) The person is famous as saiyed in the area, where he normally lives.
 - (b) A just witness testifies that the person is a saiyed
 - (c) You are sure or 90% satisfied by other means that the person is a saiyed
2. **Must be a shia ithna asheri** (ie believes in the Imamate of 12 Imams of Ahlulbayt)
3. **Must be poor** (ie one who does not have expenses for maintenance of himself and his dependents for one year)
4. **Must not be a relative, whose maintenance is wajib on you** (eg husband can not give his sehme sadat to his wife)
5. **Must be given sehme sadat for not more than one year's of his/her expenses**

✳️ The person receiving sehme sadat must also fulfil five other conditions regarding his/her character (to be discussed in the next Fiqh Lecture Notes).