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- 2 Things making Jannah above and beyond
 - o Surah taha verse 118 - In jannah you are not going to go hungry or naked or thirsty
- When Allah (swt) spoke to Adam and Huwa:
 - o Go eat and drink, enjoy plentifully - be merry and enjoy (drink and food).
- Eternally luscious supply of food and clothing is emphasized in Jannah because we are created with a craving for good food and clothing.
- In fact Shaytan caused them to be expelled from this enjoyment and it was him that caused them to realize their own nakedness. The clothes were taken back from them (by Allah).
- The Prophet (saws) used to love meat and the shank of a goat (most tender and delicious part). He was presented with fish, rabbit, and he loved sweet things and halwa.
- One person said he will give up eating meat and the Prophet (saws) said that this is not upon his way.
- Perfection of Shariah
 - o We are told about what to eat and drink and wear. The basic of requirements are even given and what to do when we want to get rid of the waste we produce (its etiquettes).
 - o Salman al farasee was asked by a Jew, does your Prophet (saws) also instruct you how to defecate? And he said that he teaches them every aspect of their lives (and he said this with pride!).
 - o A true religion tells us about every aspect of our life and this is a sign of being a true and legitimate religion.
- 5:3 - today I have perfected this religion for you. What is the context? Before and after this verse! The rulings pertaining to food are before and after this verse. This shows us that this is the signs of perfection of this religion that he informed us about food and drink and by extension what we can and cannot wear.

Etiquettes of Food

- The prophet (saws) payed attention to even how he ate his food. Umar b. Abi Salamah comes running in and eats with his left hand and grabbing at the best of the food and also quickly and hastily. So the Prophet (saws) told him to say bismillah and eat with you right hand and eat of that which is close to you. He was concerned about even how you eat and drink.
1. Say the basmallah
 - a. Some Ulimmah say it is fardh and others say it is mustahab.
 - b. When you say bismillah - Shaytan does not eat along with you. In hadith in Sahih Muslim - Sahabah were eating from a plate and they saw a little girl looking like she was being dragged forth to the food and the Prophet (saws) grabbed her hand before she reached for it and told her to say Bismillah. And He did this to another man that looked like he was watching him unnaturally. Shaitan tried to get of this food and he tried to get it by having these people eat from the plate without saying Bismillah.
 - c. When someone says Bismillah and then Aslamualikum then the Shaytan say oh Shayateen you have no place here tonight.
 - d. Shaytan can eat any food on which the name of Allah has not been mentioned (sahih Muslim).
 - e. If one forgets then say Bismillah
 2. Eating with the right hand.

- a. A munafiqh said to the Prophet (saws), "I can only eat with my left hand" and then the Prophet (saws) said then you will never be able to do so and then after that his right hand was paralyzed until he died because he only said that out of pride.
 - b. The prophet (saws) - eats with 3 fingers (thumb, and the 2 fingers). They say that the benefits of this is that you eat small quantities of food with every bite and you do not stuff yourself. Is it sunnah to eat with hands? Everyone says using knives and spoons is allowed but which is more preferred? Modern scholars have differed over this (utensils were not a common previously). The prophet (saws) did not come up with a new sunnah by eating with hands - this was the case in the previous generations. Utensils were a luxury item before. Now it has become a common thing. Some scholars says that we should stick to the sunnah of eating with hands but we know for a fact that the Prophet (saws) used a knife to cut his meat - so had he had utensils he would have used them. This seems to make the most sense to YQ. Using fingers is not an act of worship but if you use utensils you should eat small portions with it and keep with the spirit of the sunnah.
3. Eat from that which is close to you and to eat from the corner of the plate and not the center.
 - a. This is because it was common to eat from a large plate for everybody. So it was sunnah to eat from only that which is close to you and not dive into others' food. There are exceptions even to this: If there is an item that you do not have in front of you then you can go to it. The Prophet (saws) grabbed for pumpkin from elsewhere in the plate when his ran out. Also even if you have the item in front of you you can get other food from elsewhere by first asking permission.
 - b. When one eats let him eat from the corner and not the middle - you work your way to the center. Why? Because Allah's blessings descend to the center of the plate and you don't want to deprive the barakah. Then Allah will continue to supply the food from the center and it can supply more people.
 4. One sunnah we completely abandoned it to eat from a common plate.
 - a. For centuries, humanity ate food together. The concept of having your own plate was unknown. This deminishes the barakah! This is not in the spirit of the sunnah. The Prophet (saws) always ate from a common plate - it increases barakah and increases brotherhood. It is a good social custom to eat from the same plate and increases brotherhood and makes you feel as a part of 1.
 - b. Eat all of you together and do not split up because Allah's barakah is in groups! Especially families should revive this sunnah. This will increase bonds between family members.
 5. Wipe the plate and fingers clean.
 - a. We should make sure nothing remains of the food - everything should be ingested. The prophet (saws) would always lick his fingers or let the younger ones lick his fingers. We lick the plate and utensils and leave nothing on it. "When one of you eats let him not wipe his hands or plate until he licks everything from it"
 6. It is sunnah to wash hands before and after eating. Hadith: "Of the blessings of food is that you wash your hands before and after" - there is a weakness to this hadith in Abu Dawud but its concept is still applicable.
 7. Do not waste food. If a morsel of food drops - let one of you pick it up and do not leave it for shaytan (who also needs to eat - and Allah has prohibited the evil Jinn from eating that which we have eat for ourselves on which Allah's name is pronounced). We do not want evil Jinn's to sit with us at the dinner table. "Pick it up and wipe away the dust from it and then eat the rest of it." In another version it says: you do not know what portion on upon the Blessings of Allah came down on.
 8. Another sunnah: Do not criticize food even if you dislike it.
 - a. The prophet (saws) never criticized food. If he liked it he ate it and if he did not like it then he left it. Myth: Some say that he ate anything that was in front of him. Never once did he criticize food in his life. It is not a sin to do it but it goes against the perfection of following the Prophet (saws). Sometimes it is necessary to speak out as well.
 - b. When the dessert lizard was placed in front of him (saws), he (saws) showed not a single change of expression in his face. When he asked "are you not going to eat of this?" He said, "I find myself having no need to eat of this." So Khalid ibn waleed said, "is it haram?" and

the Prophet (saws) said, "no."

9. Being Generous with your food.
 - a. The prophet (saws) said, "The food of one person is enough for 2 people and the food of 2 people is enough for 3" If one of you cooks meat, let him increase the water (more broth) so that he can distribute it to his neighbours.
10. Praise Allah (swt) after eating food.
 - a. Allah praises Noah in the Quran - He was a thankful to Allah, he would eat a single morsel or drink a single sip except that he would praise Allah. He was conscious of every sip and and every bite. This is the perfection of perfection!
11. Making Du'a for the one who hosted you
 - a. Everytime he went to someone's house he would make dua for them.
12. Eat in moderate quantities
 - a. This is of the perfection of our religion and almost completely abandoned by more of us.
 - b. The believer eats filling 1/3 of his stomach 1/3 for water and 1/3 for air.
 - c. There is nothing more worse to fill than the stomach. This is the worst container to fill.
 - d. We all now know the dangers of over-eating. We eat too much and this was something the Prophet (saws) told us 1400 years ago. We should not stuff ourselves such that we cannot even move (this is a macroo act). This is detrimental to our own health.
13. Not making strange noises after eating in public.
 - a. The prophet (saws) was sitting with some of the sahaba and one starting to burp out loud. The prophet (saws) told this man "Stop bothering us with your burps because most of the people that go stuffed in this world will go hungry in the hereafter" This was a prohibition of over-eating and a discouragement to burping together. It is against the sunnah to burp out loud in public. Also other noises should not be imitated in public because a Muslim maintains his dignity.
14. Not to eat during ittika (literally means to lean. What exactly is prohibited?" - some said it is to support oneself with your left hand. Another opinion is to lean with ones back against a support (sitting on the floor with back towards a wall), and another opinion is to sit cross-legged as it gives space to the stomach - all three opinions are about allowing for extra space to allow for the stuffing of yourself).
 - a. Sitting with your thigh touching against your stomach. This stops one from stuffing themselves. The prophet (saws) said that this is the way I eat. It is not haram to eat relaxed but this is the perfect example of eating.

Etiquettes of Drinking:

- All of the etiquettes of food apply here but also has some specifics.
1. We should drink in atleast 3 sips. Back then they would not have own cannister. So everyone is drinking from the same vessel - so let him drink with 3 sips and not to just let it all in. There is not as much barakah when your drink in contradistinction to the sunnah. Drinking in bits: more quenching, it is more healthy, and it is more sweet (you enjoy it more). Psychologically you drink more than you needed to satisfy you when you take it all down in 1 swing.
 2. You should not blow or breathe into the container because other people will also drink from it. The scholars say that if you have your individual cup then it is permissible because the reason for the prohibition was to not disgust others. You can blow in your own cup to say cool it down - this is not a problem but otherwise it should be avoided.
 3. Avoid drinking while standing. Huge controversy among scholars of etiquettes.
 - a. The sahaba themselves differed about this issue. We seem to find contradictory evidences - it is hard to resolve. Sahaba said that the Prophet (saws) forbade (strongly discouraged) a person to drink while standing (This seems to be authentic). At the same time, it was narrated that the Prophet (saws) was drinking while standing (ali ibn abi talib said - some people say you should not drink wile standing but I saw the Prophet (saws) do exactly as I am doing - to drink the remains of the water after wudu).
 - b. Ibn Umar said that they used to eat and drink while standing and waling during the lifetime of the Prophet (saws).
 - c. The response to these appears to be that it is preffered to sit to drink but if there is some

need to drink while standing then there is no problem (that is the way that all of these are reconciled). More than one Sahaba has told us that the Prophet (saws) drank while standing up.

Question and Answer:

- When we go to someones house - the host feels obligated to stuff us. You have 2 macroo options.
 - o Explain to the host that you don't want to stuff yourself and you don't want to throw it out. This is a hadith of the Prophet (saws).
- No prohibition from talking and eating at the sametime and in fact the Prophet (saws) would do so.
- Sitting on the floor allows you to perfect the way the Prophet (saws) sat.
- Is there a sequence of how we eat food?
 - o Some scholars of tafseer said, you start with the fruits and then you work your way to the meat - in jannah we get fruits first and then we get the meat. This is really reading in though but the Sunnah of the Prophet (saws) does not suggest this per se. In fact it was a luxury to have more than 1 item ever in the plate.
- When you have cut up onions in salad - this is not a problem with respect to what the hadith means.
- No sunnah of timings and quantity of meals.

Permissible and Impermissible Foods (Section Two)

- EVERYTHING IS PERMITTED TO EAT UNLESS AN EVIDENCE PROVES OTHERWISE.
 - o Generally agreed upon.
 - o The one who says animal x is haram must bring evidence that supports their claim!
- An'am:145 - everything is halal - haram is the exception and not the rule.
- Hanafi are the most strict when it comes to food and most laxed when it comes to drink.
 - o Classical hanafi allowed types of classical alcohols that others prohibited. Such as alcohol from grapes.
- Malikis were most laxed with regards to food and strict with drinks. Malikis allowed what no other madhab allowed.
- Hanbalis and Shafis were inbetween these two madhabs.

Categories of Animals

- Animals - Land, Sea, Birds, Vermin (everything else - ex. like rats and mice and insects). (Do not confuse biological categorization with the Shariah categorization).

Land Animals

- **Domesticated** - mankind is in charge of taking care of them. Ex. Cows, sheep, camels
- Wild animals - man does not shepard them.
 - o Predatory - they prey on other beasts.
 - o Non-predatory - ones which do not prey on other beasts.
- As for zebra, the Prophet (saws) said, "Allowed for you are the wild donkeys (zebras) and prohibited for you are the domesticated donkeys."
- The prophey (saws) was presented a rabbit and he ate of it.
- 5:1 - all cattle are halal for you except for the exceptions named here. All cattle are allowed is the general rule.
- Prohibited by unanimous consensus - Pigs (when the most useful part of an animal is prohibited all other aspects of the animal is also prohibited) - there is no difference of opinion with that other than the meat of the pig and all types of pigs like bores.
- As for dogs: that it has fangs and the Prophet (saws) said that its saliva is najas. If a dog comes and drinks from a water container, you cannot drink from that water container. Therefore also eating from it makes it haram too by extension.

- Strongest opinion: it is the saliva and licking of the dog that is najas but the skin of the dog is not najas in and of itself.
- If a dog licks you, you cannot pray in that item. If a dog just sniffs or brushes past you then this is ok.
- Malikis do not follow this though.
- Donkeys - The prophet (saws) said, "Allah and his messenger forbid you to eat from the donkeys because it is najas" This is the same hadith where he said that zebras are permissible and domesticated donkeys are prohibited.
 - Prohibited almost by all madhabs
- Mule - product of an interspecies cross-breeding. Mules are sterile. Male donkey mates with a female horse to get a donkey. And mules do not have their own children. How are they prohibited - no hadith on it. The child is ascribed to his father so when the male donkey is the father then it takes the same ruling as the father. If a male horse and female donkey were to mate then you get a hini and this is allowed by some scholars and prohibited by others. The majority say both of these are prohibited.
- The hanifis said that eating horses are macroo - as horses were created to ride and not eat as Allah says in the Quran. But the majority quote a hadith in bukhari that there was a drought and they ate horse and there was no real need to eat meat.
 - Horse meat seems to be permissible.
 - Hanifis say there is nahl:8 that Allah has created horses so you may ride on them. They said that this is a clear verse that horses should be ridden on and not eaten!
 - The Other three madhabs said it is permissible.
- *Major Rules Regarding Land Animals*
 - Every Predator that has fangs!
 - The Prophet (saws) prohibited every predator that eats on other animals (attacks others animals) and has fangs (naab = the 2 canines/fangs). These 2 conditions both have to be present. Therefore cats, tigers, lions, crocodiles, etc. are not permissible.
 - Hadith in saheh Muslim: "The Prophet (saws) forbade ever predator that has fangs." Therefore has to be a predator and have fangs.
 - All three took this position.
 - Maliki opposed - They said this is something not good to do but you can do but not the best course that's all.
 - Every animal that is mustakhabath (means disgusting).
 - Each madhab has its own understand of this.
 - Evidence: al-araf:151 - Allah Allows that which is pure and prohibits that which is filthy.
 - According to 3 of the madhabs (except maliki) - say that this verse says that everything that is disgusting is haram.
 - ◆ Pig is filthy and that is why it is haram but for maliki it is haram and that is why it is filthy!
 - No rule in maliki madhab that said this.
 - ◆ They said the verse was misinterpreted - rather Allah was saying - what Allah has made halal that which is pure and haram what is impure and not the other way around. Do we know what is filthy before Allah has forbidden it?
 - ◇ Ibn Tamiyyah - things are evil and good before Allah as prohibited or allowed it. Evils are known even before Allah prohibited it. But the madhabs say that no - If Allah made murder halal then it would be halal.
 - ◆ Therefore they made all of this category halal since general rule is that all is halal unless there is evidence to say otherwise.
 - Who gets to define what is filthy or disgusting? This is the source of the controversy. The hanifi being the most strict in this regard and not having a clear criteria (This is

what makes them the most strict here!), they prohibited many of the animals in the gray area because they said its filthy and they just invoked this evidence again and again without explaining what makes it filthy. The malikis went in the other direction they said you misunderstood the verse - the pure is halal and the haram is filthy and not the other way around and that you cannot extract a ruling from this. The shafis said that since Allah revealed the Quran in arabic to the arabs then we must understand what is filthy according to the taste of the civilized arabs (in contrast to the bedouins - necessity forces you to eat certain things) - They made this rule a very arab-centric rule. The hanbalis went more strict - that the Quran came down in the Hijaz (civilized arabs in Mecca and Medina and jeddah area) and that the only people to ask would be the people of mecca and medina to derive rulings.

- Ibn Tamiyyah says none of these make sense (bashes his own madhab and hanbalis) - he says that religion of Islam is not a religion for just the Arabs - the shariah is not dependent upon the taste of a certain civilization. He said that if you were to understand this based on how the malikis understood it and therefore pureness and disgust existed before halal and haram. He said there are certain things that are disgusting and the shariah should prohibit it. He said, we look at the general trends of mankind and ignore the exceptions to define what is disgusting. He said the majority of mankind considers rats, snakes, scorpions and other vermin to be disgusting (the general instinct is to find these disgusting and we consider it to be haram from this). The malikis did not find this rule to be applicable they said that if someone eats it then it is their own problem.
 - Ibn Tamiyyah does not have a hard and fast rule either! What about porkupines - it is hard to define. Is it disgusting or not?
 - YQ takes ibn Tamiyyah's opinion that, that which is mustakhabh is haram but there is no hard and fast rule on what defines what is mustakhabh - therefore, rats, mice, scorpions, cockroaches, are impermissible.
- The general trend of humanity gets to define what is disgusting. Rats, lizards, porcupine, etc.
 - If you find someone eating these gray-area things and they argue its not disgusting then it is difficult to argue back
- Many people would find the dessert lizard to be disgusting but the Prophet (saws) allowed it to be eaten. See notes for the hadith. Khalid b. al-walid ate from it as long as it was halal. He (saws) personally found this disgusting and did not eat from it himself but he did not prohibit it in the shariah. This is Ibn Tamiyyah argument here.
 - Strongest opinion for the maliki position on the matter! Disgusting but the Prophet (saws) did not prohibit it.
 - ◆ Discredits shafiee and hanbali position. Because of the arab/hijaz view. He (saws) said clearly that it is not the food of his (saws)'s people.

- Discussion: Based upon these 2 rules, what can be said about these animals:

- Elephants: Majority of scholars say that if it has fangs then it is haram but the elephant does not use the tusks to be a predator. Some may say it is disgusting. Many scholars who have never seen an elephant assumed that it is predatory seeing its tusks. Now we know it is a gentle animal and is a herbivore and only uses tusks in self-defense and therefore there is no reason to prohibit the elephant. Elephant being halal is a minority opinion of the past but the majority opinion had no basis really.
 - Ibn Hazm - despite his weird views, he was a high intellectual. He lived in a cultured and civilized environment. So he got a very different education in andalus. He argued that there is nothing wrong with an elephant.
- Fox: Haram because it has fangs and is a predator. Shafiee held the opinion that the fox does not use the fangs to hunt (this is just his position and goes back to the mortality of the ulaymaa). The majority say it is haram.
 - We know that the fox does use its fangs to hunt.
 - Realize the rules are agreed upon but just the animal's nature is disagreed on usually

based on each scholar's exposure and understand of the animal.

- Hayena: is not a predator but does have fangs (just because it eats meat does not make it haram - this is not a necessary condition). The Prophet (saws) was asked if it is halal and he said it was allowed to hunt it - so it is permissible. Hanifis said it is haram (disgusting) and the malikis and hanbalis allowed it. In abu dawud and An-nasaee - Ibn Abbass said that the Prophet (saws) allowed it - therefore hanbalis and shafiees allowed it. Hayena by and large do not hunt - they eat dead meat (that which is left over) and therefore they said this hadeeth does not apply about every predator that has fangs. Since they are not predators then they are permissible.
 - YQ follows the hanafi opinion on this one.
- Alligator and Crocodiles - said that it does not have a pair of fangs but hundreds of fangs. They are being literal. But the idea applies. So it seems to be haram.
- Note: giving animals hormones, etc. this is still halal and if there is a legitimate reason for this then shariah is laxed.
 - When the sahabah saw rice for the first time they thought that it might be poison by enemy and fed it to the horses to see what would happen.
 - Evidence by YQ that animal testing is allowed.
- A Jallalah animal - domesticated animal that feeds off of najas (not a wild animal) and is prohibited.
 - Chicken or cow given najas as more than 50% of its diet then this animal becomes Jallalah. Haram food: dead animals, defecation, etc.
 - So what about the hayena eating dead meat? It is wild and not domesticated!
 - The shafiee said it doesn't matter about the percentage - just does the taste or smell of the meat or milk of this animal change?
 - All 3 madhabs said that Jallalah is not haram but is makroo - reason for this is beyond the scope of this course.
 - Said a cow is a cow - cannot change entire ruling because of najas. It is still a cow.
 - Unanimous consensus: A Jallalah animal fed with pure food for a few days then this jallalah is lifted from it.
 - Stated that perhaps organic animals should be only halal and the regular ones that are fed pork and other filth - a mix of things - which would make it impermissible.
 - The prophet (saws) forbade eating the meat of such an animal. There is no jallah amongst the wild and only exists amongst the domesticated. If such an animal like a cow or chicken is fed najasa then it is forbidden.
 - 3 madhabs accepted this but maliki did not. This is the general rule as can be seen!
 - When the majority of the food is najasa then it is forbidden. This opinion of the hanbalis and hanafis is most correct.
 - Shafiees said that when you notice a change in the smell (sweat) and taste (milk). No body said that if a little najasa is consumed by a chicken it is haram.
 - Most scholars say the state of Jallalah is temporary. If it is eating haram food then it makes it macroo and not haram but some scholars say it is completely haram. The Prophet (saws) used the word "nah'ha" for its prohibition and scholars understand this as macroo.

Sea Animals

- Hadith: Two types of dead animals and 2 types of blood are allowed for us to consume. As for the dead animals (not slaughtered) - whales and locusts and as for blood, the liver and spleen. Hadeeth in Bayhaqi.
 - Said whale because then it includes fish.
- Scholars did not differentiate between whales and fish.
 - Al-anbar is a big blue fish.
- Fish meat is praised in the Quran like no other meat.
- Hanafis have a unique position among all the madhabs. The fish are permitted as long as you

catch them yourself or it is thrown on the shore but if you find a fish floating on the water, it is macroo. You must have caught it yourself or it was thrown on the beach. They base it on a weak hadith in abu dawud.

- Rest of madhabs disagree with this.
- Majority say even fish that are found dead can be eaten.
- Hanifis consider shrimp to be macroo - they are the only ones who consider anything that is in the ocean and not a fish, is not completely permissible. They said Allah has allowed fish and the whale (from the shariah it comes under fish as well). But the rest of the animals, Allah does not mention. Abu Hanifa said it is filthy for him (he is a persian aristocrat). Therefore anything other than fish from the sea is called macroo according to them.
- The majority say that Allah says in 5:96 that what is permitted for you is the prey that you catch in the ocean (anything from the ocean that is caught is halal). The Prophet (saws) was asked about doing wudu from the salty sea and the Prophet (saws) said, "Its water is pure and it's dead animals are permitted" and he gave no exceptions so anything found from the ocean is halal to eat. Therefore the majority of the scholars say that anything from the ocean is permissible. This is the shafiee and hanbali opinion (with a few named exceptions). For maliki everything is permissible.
 - Crabs are not included in this because they do not live in the ocean.
 - The hanafis say that only fish and whale is halal and the others is macroo (They have their own Usool-al-Fiqh and we cant get into this now) but the other scholars say there is no evidence for this but rather everything from the sea is permissible.
- Some scholars say that sea-pigs and sea-dogs are prohibited because they are analogs of the sea animals. Because some animals are called dogs and pigs they prohibited it. But this is our naming system and this cannot be used to derive a rulings and therefore the majority opinion is that it is permitted.
 - Zafari madhab prohibits catfish because of this reason to this day.
- What about those that are not land or ocean but are inbetween like crabs, seals, turtles, frogs?
 - The malikis say it is halal and the hanafis say it is macroo (it is disgusting according to them)
 - The shafiees and hanbalis say it is allowed because nothing is there to prohibit it. But any animal that has blood flowing through it has to be slaughtered properly.
 - Position that makes the most sense.
 - Also prohibited crocodiles because all their teeth are fangs!
 - Seals is an example of blood flowing and crab is seafood because it is not blood-flowing.
 - Crabs can just be killed.
 - The frog is explicitly prohibited by the shariah - the croaking of the frog is its tasbeeh so do not kill the frog (All animals praise Allah - nothing is there except that it praises Allah except we do not understand its praise). This was the statement of the Prophet (saws). Therefore you cannot eat it either - it is an exception.
 - No rule that was used - just mentioned in a hadeeth.
 - If you cannot kill them then by extention it is not allowed.
 - Maliki say it is ok but hanafi say it is haram.
 - Crocodiles is a predator with fangs and the hanbalis prohibited it and YQ agrees with this.
 - Crabs would be allowed.
 - How would you slaughter animals that are not blood-flowing (crabs and lobsters). They steam the alive animals.
 - The animals are killed with the custom of the culture so then it is permissible to kill them in this manner. You cannot slaughter an animal in a special way because they don't have flowing blood so they may be slaughtered as it is customarily acceptable to do so.

Birds

- Unanimous: that bird meat is halal.

- Can argue that bird meat is praised in the Quran above other meat with seafood meat of course.
 - Can derive that it is most exotic of meats or that it is most tasty.
 - Therefore chicken, doves, sparrow, etc. are allowed except those that hunt with talons.
- Only a few birds are prohibited but generally all birds are halal.
- Jannah gives us bird meats - and it is a delicacy.
- 1. Birds that hunt with Talons (claws) is prohibited and it is in the same hadith that prohibits predators with fangs and birds with talons.
- 2. Birds that feed off carrion (dead animals).
 - i. No explicit textual evidence for this.
 - ii. The 3 madhabs derive it from mastakhbath. Ex. Vultures, buzzards, kites.
- 3. By name: Surad (shrike) and the hudhud (Hoopoe - is a vegetarian bird) are prohibited to eat. The prophet (saws) forbade these otherwise all other birds are allowed.
- The Prophet (saws) forbade every predator that has fangs and every bird that has talons. (Bukhari). This is the full hadeeth!
 - Maliki said it is discouraged but not haram.

Land Vermin

- Insects, arachnids, snakes, snails, mice, rats, etc.
- One animal is allowed by unanimous consensus: locusts (dead animals allowed are whales, fish and locusts). The locusts the Prophet (saws) had in mind were those that were much bigger (have the likeness of grasshoppers and so on).
- Tawrah allows locusts as well!
 - More you study it, the more you realize that it came from the same source. Very strange how similar the laws are!
 - The Jews did not teach the arabs the laws of the tawrah!
 - Tawrah says - any types of grasshoppers are kosher.
- Other vermin: haram by majority opinion because it is disgusting and Maliki made it all permissible. Imam malik was asked about eating snails and he said that it is like the locusts and it is permissible to eat if it is taken alive and boiled but not if it is found dead. But the three other madhabs forbade it so unless you are maliki, these would be prohibited.
- Magets - this is disgusting but permissible. Some people do not have the luxury of throwing away magets - like an apple with magets in it. The shariah overlooks it. The small insects that are a part of the food is overlooked - you are eating the food and not that insect in particular.
- Ibn Hazm said - bedbugs, mosquitos, etc. are all haram.
- Only one who said it is ok was maliki.
 - Asked about one without flowing blood - said pierce with needle, boil, however - you can kill it and eat it.
- Imam malik said about snails - said it is just like the locusts so if they are halal why not this one. Take it alive and boil and roast it. If it is found dead then it is impermissible. This is maliki position on snails specifically.

Slaughter

- Everything other than fish and locusts need to be slaughtered - those one that are domesticated and in your control and wild animals that you have control over (injured/hunted that are still alive). No Dhabh needed for wild animals that you hunt and kill. Ex of ones that are wild and have control over: ex. deer that you shoot an arrow at and is dying then you have to slaughter it!
- 3 categories of permissible animals:
 - First category requires slaughtering in a particular manner.
 - Second category may be hunted (a different type of slaughtering - how you slaughter a cow and a deer are different)
 - Third category - don't need to slaughter at all - fish and locusts.

- 2 types of slaughtering:
 - Dhabh (cows sheep, goats, etc.) - done at head of neck (above adams apple)
 - Primarily for cows, sheep, goats and lamb
 - Nahr - done lower down on the neck (below adams apple)
 - Primarily used for camels.
 - Allah tells us to do this in the Quran - surah al-Kauthar.
 - Animals with small necks - not much of a difference but animals with large longnecks there is a difference of opinion here. It is allowed to do Nahr to cows and sheep but doing dhabha on camels.
 - 5:3 - Allah (swt) said, Forbidden for you are dead meat, blood, pigs, anything on which Allah's name is not mentioned, that which is killed by a head long blow (falled off a mountain), that which is gored to death, that which is partly eaten by a wild animal, etc. Unless you are still able to slaughter it (only if you slaughter it then you can eat it).
 - If an animal is found partially dead then you can sacrifice it and then it is permissible to eat. If it dies by itself then you are not allowed to eat of it. Nahr/Dhabh is required for domesticated animals.
- May be hunted:
 - You can train an animal to hunt for you even dogs who have been trained to hunt then you can eat that which they caught and mention the name of Allah over it and you can eat of it.
 - Hunting dogs and falcons.
 - When these hunt for you, you are not doing dhabh over it. It is usually dead!

Who is allowed to hunt:

- Anyone is allowed to hunt.
 - Male or female, jew, christian, young or old.
 - You cannot hunt an animal in the state of iharam - this is the prohibition here.
 - Can hunt with Bow and arrow, etc. But you cannot use a blunt tool like by weight of a tool. There needs to be piercing so therefore guns are allowed.
 - Sharp instruments need to be used or a piercing weapon.
 - Electricuting is not allowed and neither is beating it repeatedly to death is forbidden.
 - With hunting - it does not have to bleed from neck. Can even bleed from leg and if it dies, it is permissible.
- Characteristics of a Trained dog:
 - Allah (swt) said, trained dogs can hunt (therefore if it is not trained then you cannot hunt with this)
 - If the dog responds to your command to come and stops eating meat when you tell it to stop then it is a trained dog. The dog's saliva is overlooked for hunted animals.
 - Is it required to say bismillah when you slaughter the animal?
 - Shafiee say it is mustahab but the other three said it is waajib.
 - Evidence is the Quran: 5:4 (mention the name over it - according to the 3 madhabs). - this is for hunting!
 - Allah says to mention the name of Allah over the animal. So before releasing arrow you must say bismillah. Malikis say it is sunnah to do so but not required.
 - Saying bismillah on one animal but caught another - but bismillah still applies by majority opinion.
 - If you shoot a bird with an arrow and it falls in water - did it die in the water or by the arrow? When you have this type of doubt (serious cause of doubt) then you leave it (majority and strongest opinion because of an authentic hadeeth on this matter). Prophet (saws) said, "when you send your dog to hunt and you find other animals eating too then

leave it because you said bismillah over your dog and not the other animals." Majority opinion is same for the bird case too. If you have doubt then you leave it.

- Category 3: Eaten without slaughter/hunting.
 - o If you find a dead crab then you cannot eat it. If you find a dead lobster then you can eat it because it is a sea animal (for sea animals the ruling for vegetables applies).
 - o If an athiest caught deer meat then by unanimous consensus you cannot eat it.

QUESTION AND ANSWER:

- Any animal that kills you when you ingest it is haram because it is a type of suicide.
- Crabs in our times are killed by boiling so it is permissible to eat as such.
- Not keeping animals separate at time of slaughtering is macroo but has nothing to do with the validity of the meat.
- You do not sharpen the knife in front of the animals and you do not sacrifice the animal in front of the others and the knife must be sharp and you should do it fast and not slow. And lay it down facing the Qiblah.
- All of the organs of a properly slaughtered animal are halal to eat.
- Jews say that you cannot have the scales of fish - this is not our law though.
- Shark is permissible.
- Can you display hunted animal heads in the house? If it is a permissible animal (not an image) then it is not impermissible in and of itself.
- Milk of a Jallah is macroo but the animal is haram ?? Nahaa could mean macroo (discouraged).
- Saliva of dog on meat is not an issue.
- Food that is gone bad should be thrown away.
- Can you eat food die - made of bugs. Quantity is negligible and can be overlooked.
- Can a Muslim be a vegan?
 - o He can be by choice but he should not be one by religion. He should not think that it is impermissible (this thinking is a serious problem and goes against the religion).
 - o You don't have to eat meat.
- Strangling an animal is haraam - explicit from Quraan.
- Mistakes are never sinful - so if you are slaughtering and you accidentally make it suffer then this is overlooked.
- Any animal living in the water is a sea animal!
- Another rule: Meat presented to you and you do not know what meat it is then it is impermissible.
 - o Comes from same issue of hunting animals - issue when you do not know how it died.
 - o But if it is a Muslim that presents it then we assume it is permissible.
- Dessert lizard is allowed but house lizard is not. Explicit hadith on dessert lizard.
- If animal is hunted and blood is not drained how is it permissible? - concession on hunted animals!
- Hanafis have 7 categories of allowed to impermissible. The others have only 5.
 - o 2 categories of mustahab and 2 categories of makroo among the hanafi.
 - Strongly mustahab and just mustahab and they also have strongly macroo and general macroo.
 - According to them shrimp, octopus, and lobster is strongly macroo.
- Steak - blood is not najas unless it is flowing. Chicken meat has blood in it sometimes as well. You cannot drink blood but any animal you kill is halal on it.
 - o Eat it rare, medium done, etc. its all fine.
- Vast majority allows animal testing. He does not know of a single scholar who prohibited this really.
 - o He gave a lecture on animal rights in Islam.

Conditions of Slaughter

- The shafiee are the most laxed here but no one is too strict here. We will see this here and

explains many fatwas as well.

- They are precise conditions!
- Basic hadith mentioned here is the hadith of Rafi b. Khadij (see notes it is a hadeeth from mutafaq 'alayh).
- There are 3 broad conditions that need to be taken into consideration:
 - o Who slaughters
 - o How does he slaughter
 - o What he uses to slaughter

The (1) Intelligence and age of the one slaughtering:

- o The one who slaughters must be of intelligent age (being post-puberty comes around when you are 13-15 years of age). Here a 7-8-9 year old boy is even allowed to slaughter. The one who slaughters must be aware of what he is doing
- o Man and women can slaughter - did not specific gender.
- o You can be in any state of purity when slaughtering - no scholar said this and to say so is an innovation.
- o A child who understands what he is doing is allowed to slaughter as long as he knows what he is doing.
- o The shafiees were the exception - they said even a younger child can slaughter - in this issue of Dhabha, the shafiees were the most lax. If the child was swinging a knife and accidentally sliced the neck of the chicken then majority say this meat is not permissible but Shafiees say it doesn't matter as long as the blood is spilt. They said hypothetically you can be below this age.
- o Note gender plays no role in slaughter or even the state of purity (tahara) of the person who slaughters.

The (2) religion of the one who slaughters:

- o Slaughtering of a Muslim or an original Christian or Jew (christian or Jew born to christian or Jew parents). What Allah allowed was from the real christians - like those of Rome - the Byzantine empire. The Dhabhiya of a christian or Jew (any type) is permissible for us and Allah says in 5:3-7 (one of last verses to be revealed about food) - that their (jews and christians) food is permissible - by food here it is the slaughter (as Ibn Abbas explained). The correct position is that the sacrifice of a Jew or Christian would be accepted and not zoroastrians, hindus, athiests, etc. Only the Shafiees said there is an issue of converts to christianity in Medina (even shafiees today do not follow this opinion anymore and no evidence for this opinion - they did not consider arab christians as true christians).

The (3) Instrument that is used:

- o For an instrument to be valid must meet 2 conditions - kill by cutting and piercing and kills with its sharpness allowing for blood to gush forth (they [bedouins] would sharpen a rock and use it to kill an animal) and not by weight. 2nd condition that it may not be made by animal teeth and claws - proof is that the Prophet (saws) said this explicitly in abu dawud - Use anything to slaughter an animal except claws and the teeth of animals (says nails or teeth)
 - Misunderstanding of a hadeeth - this a minority opinion and YQ is with this one.
 - What the Prophet (saws) is talking about is the barbaric practice where they rip open the neck with their nails or bite the chicken with their teeth and rip off the head. This is still practiced in some tribes around the world.
- o In modern times - if animal is electricuted to death and then slaughtered then it is haram - everyone agrees to this. Therefore, today where the law requires the animal to be electricuted then you need to be careful.
 - What about the stun gun (long pellet attached to a gun - it goes in and out of the gun and goes in and out of the brain of the cow - this is the law of the land that cows need to be stunned as such).
 - Stunning in and of itself is not allowed because it tortured the animal (like electricuting) but stunning an animal does not make it impermissible to eat as

long as the animal is alive when the knife reaches the throat.

- ◆ What percentage of animals are dead before the time the knife reaches the necks? Chickens are electricuted and shocked before knife is brought forth.
 - ◆ Some said 30% are killed before knife reaches throat.
 - ◆ Seems that a large percentage die before knife is brought! If this is the case then it is haram.
 - ◆ We do not know the percentage - and it really varies from plant to plant! Varies based on what people do in their plant.
 - ◆ All the ballpark figures he has heard are scary!
- 2 fellow instructors allows chicken because the percentage that die is negligible but with cows large percentages die before being slaughtered by the knife.

How do you do the Dhabha (4):

- Veins that need to be cut:
 - 2 are jugular and 1 is for air and 1 is for food. How many need to be cut?
 - 1st opinion is that all 4 need to be cut - imam malik and hanbali opinion
 - Any 3 abu hanifa
 - 2nd opinion - imam imam malik trachea and 2 jugular veins need to be cut (famous maliki position)
 - Abu yusuf - trachea, esophagus, and any 1 jugular vein.
 - Shafiee and hanbali opinion - trachea and esophagus (this is the accepted opinion)
 - Some of scholars said any 2 out of the 4.
 - YQ leans towards saying that atleast 1 of the jugular veins should be cut and 1 more that will kill the animal.
- If cutting occurs where you cut the whole neck:
 - If you slice the whole neck off then majority say the meat is permissible but macroo.
 - Minority say this meat is haram.
- The perfect slaughter is to cut all 4 by unanimous consensus while leaving the spinal cord attached. We are discussing what the minimum is!
- Final issue on how to slaughter:
- Crux of the matter so a lot of detail here!
- The main issue with regards to if we can eat the meat available around us:
 - Issue: Do you have to say bismillah over the meat or not? This is the crux of the matter!
 - As long as it is slaughtered with the conditions met above and the tasmiya is not needed then it would make it permissible.
 - 1st opinion: you must say bismillah in all circumstances without any exception to the rule and therefore even if you forget to say bismillah accidently then the meat is haram! Ibn Tamiyyah and one opinion of Imam Ahmed b. hanbal, and Ibn Qayyim. They said - even if you forget then tough luck!
 - 2nd opinion: If you forget to say bismillah but intended to do so then it is overlooked.
 - Accepted position of hanbali, malikis (he said this explicitly), and hanafis and vast majority of scholars of our tradition.
 - 3rd position: don't have to say bismillah at all.
 - Position of shafees. They are the most laxed when it comes to this issue. Even if you didn't intend bismillah it wouldn't be a big deal.
 - They say if you say it, it is better but if you do not then the meat is still permissible.
- Evidences for the first opinion (see notebook):
 - Sacrificing an animal is an act of worship that has specific conditions. They quote ayahs that mention how it is an act of worship. Last verses in surah an-anam.

- Religious acts are impermissible unless proven otherwise.
- Sacrificing being a religious act would have very specific conditions as such. It is paired with prayer, etc.
- First proof is on the page from 22:34 (mentions it as an act of worship and it also mentions the tasmiyya in sacrifice).
- Command in 6:118; rhetorical rebuke in 6:119 and Prohibition in 6:121.
- Mentioning other than Allah - at least 6 verses in Quran where it says do not eat meat on which other than the name of Allah is pronounced upon it. This is clearly prohibited.
- Allah explicitly commands us to mention the name of Allah over it in surah al-An'am: 121 And do not eat the meat over which Allah's name has not been pronounced for undoubtedly that is disobedience
- Proof 3: It is of the signs of being a Muslim just like prayer and facing the Qibla. Whoever prays our prayer, and faces the qibla and eats of our dhabhiya then he is a muslim.
- Proof 4: see notes.
 - With the untrained dog then you can only eat that which you sacrifice yourself.
- Proof 5:
 - Even in preislamic times - the Prophet (saws) met Waraqah b. Nawfal met him when he was a young man and waraqah said I do not eat that which is given to the idols and I do not eat the meat on which Allah's name is not mentioned.
- Proof 6: Shaytaan eats of the meat over which Allah's name has not been mentioned and they extrapolate this to during the time of slaughter as well.

Proof for the second opinion:

- Accidentally forgetting the bismillah. This is the majority opinion.
- Based on all the evidences mentioned with first opinion with 1 more hadith that my lord has forgiven from my nation mistakes, forgetfulness, and what they were forced to do (ahmed).
 - This opinion is one YQ says takes into consideration all of the evidences. So this seems to be most correct.
- Proof of the 3rd opinion.
 - Sacrificing is not an act of worship to the shafiees.
 - Explicit hadith (see notes) but is weak by a consensus of all of the scholars including him who reported it (al-Daraqutni). It is a rejected hadith and cannot be used in fiqh.
 - "A muslim sacrifices using the name of Allah, regardless of whether he verbalizes it or not." (al-Daraqutni, considered weak by all discerning scholars of hadith.)
 - Ibn Hajar even said this is weak.
 - Proof 2: Aisha narrates that during the time of Prophet (saws) some people gave us meat and we did not know whether the name of Allah has been pronounced on it or not and he told them to say bismillah and eat of it. These people were new muslims and perhaps this was from the basis that you trust your muslim brother. This hadith means that if a muslim sacrifices you assume that the muslim has done it correctly. This is the explanation of the hadith pretty much by anyone who explained it.
 - Aisha is worried and the Prophet (saws) is worried here so in fact the hadith is against the shafiee opinion and not a proof for their claim.
 - The tasmiyya is a given here - it is just a hadith on thinking best of your Muslim brother.
 - Shafiee scholars themselves said that this evidence has nothing to do with the tasmiyya.
 - They said its not an act of worship.
 - The dozens of verses that say sacrifice is an act of worship is a refutation to this claim and the most explicitly statement of this being an act of worship is found in the Quran as given in the notes.
 - 4th evidence: Allah allowed us to eat of their meat while we knew how they kill. This showed that it is not required to have the bismillah upon slaughtering. Allah says, "The

meat of the people of the book is permissible to you."

- The issue is whether Allah approves of their method of slaughter or not. Still to this day in their books in the bible it says to slaughter in the name of their Lord. If they abandon this then this does not mean that Allah is pleased with it. It seems quite clear that the pronouncement of Allah's name at the time of slaughter is required.
- This verse cannot be taken without any restrictions. Because if you ask shafiees about eating pork then they will say this is not allowed because Allah specifically forbade it and we can say the same thing about this in terms of the requirement of saying the tasmiyya.
- Allah says eat the meat of the Christians and they do not say bismillah. We seem to have a clash of principles here. On one hand we have the general rule that Allah has said to say bismillah. On the other hand another rule that says eat the ahl-kitab meat. So what do we do with this clash? Those who allowed the meat to be eaten in the marketplace said that the latter point supercedes the former principle. It is not simple to just pick one over the other. One rule in Usool al-fiqh says: Prohibition takes precedence over permissibility. If there is a clash between something that is permissible and prohibited then prohibition gets more weight. Prohibition here is that do not eat the meat over which Allah's name is not mentioned. Another rule mentioned: Allah commands the ahl-kitab to follow their shariah (their books). In surah an-nisa, Allah says, "Let the people of the torah judge by the torah and let the people of the injeel follow the injeel" and in their shariah, they must mention the name of God. To this day, Jews still slaughter in this way in order to get the status of kosher (the Law of Jews is much more strict. For Jews only a rabi can slaughter the animal - the function of the rabi is that he must be the one who blesses the animal and mentions the name of Allah on it - this is in levticus in the bible). The christians are required to uphold the law of the Torah and Jesus Christ also followed the rules of the Torah and he said he came to make a few things halal that were considered haram before. The Jewish Christians is a sect that does not exist anymore and they were basically Muslims in their beliefs (ruled by the book, and considered Jesus Christ a messenger and so on) - the fact that Allah told us to eat of their meat - is it any meat or is it as long as they do what they are supposed to do. It is well known that Christians eat pork and they even did this is byzantine as well and no scholar said that pork is halal for the muslims. We cant extrapolate this to this since we have other prohibitions against this. So the only opinion that takes into account all of the views is to eat the meat of the people of the book as long as they do what they are supposed to do and that is only Kosher meat in this time. If you extrapolate this verse to include everything then you might as well eat pork as well.
 - Minority opinion: don't care how the christians slaughters their animal they will eat it by taking this verse by face value.
 - 99% of scholars put conditions on the verse that we can eat the meat of the people of the book.
- Shafiees have a 5th point:
 - Abrogation of the verses of al-Maidah (being revealed after al-an'am) over the verses of al-an'am. But you do not resort to abrogation unless there is a "contradiction" between the verses. But majority say there is no need to abrogate here because you can put all the verses together.
 - Abrogation is a last resort - you never resort to abrogation if you can reconcile between the evidences.
 - Also khabar (statement of fact) cannot be abrogated! It says in 6:121 - for indeed this is evil. This is a statement of fact and therefore abrogation cannot be applied - if it ended sooner before that statement then they would have a case but with this statement here abrogation does not apply.
- If a Jew or Christian said it in english or hebrew then it would suffice. They are referring to the same God as Allah tells us in the Qur'an. Therefore Kosher is halal - 100% halal - the meat (sometimes they add alcohol in it and this would be impermissible).

- Ibn al-Qayyim's psycho-spiritual comment...(page 23)

OPINIONS OF MEAT HERE IN AMERICA:

Hanafi position: You must say bismillah so they say meat here is not allowed.

Most desi's are hanafi and most arabs are shafiee and shafiees do not consider this to be a big issue and they eat the meat available here.

Hanbali (arab in our time) and maliki - modern hanbali follow the hanbali madhab that requires the bismillah. They say that you are supposed to assume that the christians and Jews are following their traditions just as you assume a muslim is following their traditions. Sheikh Salih al-Fozan (who wrote a book on this meat issue about imported meats. He went to the physical plants and did research into this issue. He said, no such meat would be allowed (imported from america and Belgium)), sheikh bin baz, sheikh Ibn Uthamin (his position was greatly misunderstood - it is not fair to use his fatwa without knowing his circumstances and his opinion is strict with regards to saying bismillah but when it comes to the christians his concept was "don't ask and don't tell" and its ok to eat then but he did not know how practicing the Christians of N. America really are).

- Shaykh Uthamin's fatwa - explicit in writings - follows ibn Tamiyyah (tasmiyyah is absolutely required) - and says we do not have to ask how a Jew or Christian slaughters and therefore we assume they do it the right way - and do not have to worry about each and every animal and how it is slaughtered exactly.
 - He assumed christians were like orthodox Jews and had a shariah.
 - An american friend asked shaykh Uthamin, "we know for a fact that people in America do not say Bismillah - we are not going out of our way to find out - so he said in that case then the meat is haram for you but don't spread this around."
 - He did not know how americans slaughter in America. He thought they have a shariah but the Christians do not - once christ died for them then the shariah went with it. Paul said that the shariah went with the death of christ for the christians.
 - Correct opinion of shaykh Uthamin: would be to not allow it by his own principles and sciences and method of thinking.

- 4 areas of controversy around this:

- Biggest: about mentioning Allah's name.
- What is the religion of the one sacrificing.
 - It can be assumed that in America - they are christians. But in Europe this cannot be assumed being they have the greatest number of agnostics and athiests there.
 - Denmark is a big exporter of canned beef. The level of athiests there is about 70% (self-professed athiests).
 - Case could be made that in USA (not Canada) - like Texas - you could assume they are mexicans and mexicans are for the most part practicing Catholics.
 - ◆ Athiesm is increasing so things will change with time!
- The issue of - is the Animal alive when the animal's throat is cut.
 - Western law - you must stun the animal before slaughtering. Some percentage do die! The issue comes here (by unanimous consensus this is not allowed in Islam) but question is, if animal is alive and you cut it then fine but what if the animal dies? Then this is a dead animal. If the animal dies as a result of shock or gun then it doesn't matter even if one who slaughters is a muslim and says bismillah.
 - A large percentage of cows are dead by the time the knife reaches the throat and the same does not apply to chicken and therefore chicken would be permitted over the cows - this is for those whom the bismillah is not important.
 - Cleanliness of the animal itself - such an animal becomes macroo and not haram (this is not the biggest issue on the table but the other three above are).
 - YQ said that it is not resolved and probably cannot be resolved because it is factory based.

- Blade touching a pig and then used to kill another animal - you will clean the animal and when you do this - then the najas is cleansed.
- Biggest issue really is Mentioning the name of Allah (shafiees have a laxer opinion on this matter).
- Hanbali position: only madhab to say that eating camel meat breaks your wudu. Shaykh Uthamin said that he would pray behind those who take another opinion than this and did not do their wudu again. Respect the legitimate opinions!
- How much doubt is necessary?
 - Allah told us to avoid MUCH (not all) suspicion. Unless there is clear evidence to show otherwise we assume that butcher is doing his job.
- Large-scale meat processing plants present unique issues which might not have simplistic answers.
 - Chicken is the problem here. Some said that you can do 10,000 chicken per hour.
 - Door of ijtihaad is open - we should use it.
 - YQ said he does not have answers right now but this door is open and should be used.
- Question and Answer Session:
 - General rule is not to doubt unless there is a reason to doubt.
 - When you go to another Muslim's house - Even if Muslims do not follow the mainstream position, they still go to the halal butchers as the meat for the family.
 - The chicken is not najas it is just spiritually haraam. So to eat popeyes popcorn shrimp that is fried in the same oil - it is ok!
 - Cant do this if it is pork that is the question.
 - Can you eat a pizza by taking the peperoni off of it. No! Because that najas has touched your food.
 - Shariah does not require any level of cooking - as long as it is not dangerous.
 - Can say bismillah/bismillah Ar-Rahman ir-Rahim ... but don't say nothing about it.
 - You can eat something that is alive but you should avoid that which causes torture.
 - Utensils:
 - If it contacts pork - you have to wash and rinse vigourously and then use it.
 - If a food is prepared for some festival of hindus it is an offering then this is wrong.
 - If it says in the name of krishna on it or something - then it is ok because it is for mass production and not as an offering to a God.
 - But should try to avoid it but nothing wrong in and of itself.
 - There is a difference between taqwa and fatwa.
 - Vegetation even served by an idolater is halal as long as no najas is involved.
 - Effect of eating haram meat on your soul:
 - Your duas will not be answered - if you believe it to be a sin to eat haram meat.
 - Abu Dawud: flesh that is fed on evil will not enter Jannah.
 - Madhabs are useful and good to have and perhaps the laymen should choose 1 and follow it - you do not fatwa shop. But if you choose an opinion of one over the other BASED ON the evidences then this is fine - this would not be fatwa shopping. You believe it to be the stronger evidence.
 - If pork touches your clothes then you do not have to cut that clothing piece off - this is a jewish practice though.
 - Outback (for lamb - ask for no bacon sauce and also fry in separate pan).
 - You can talk while eating - nothing against it.
 - American culture says it is rude - so therefore it is a part of our religion to conform to culture when it does not go against our shari'ah.
 - How strict should we be with utensils?
 - If someone avoids this then it is not extremism
 - But if you order a pizza and some of the oil gets on yours from the pan - a minute quantity of najas is overlooked! No scholar of Islam said that a small amount of najas

- makes something haram - there is unanimous consensus on this issue.
 - The cutter is more of a case to make - because the cutter touches the bacon (physical pepperoni) then this should perhaps be avoided.
 - There is a level that just needs to be overlooked to live in America.
 - Boycotting the jews is more of a psychological tactic - makes you feel better but really it does not do anything globally.
 - You will not help your brothers by not drinking starbucks coffee.
 - Chicken broth: boil chicken bones in water and then you solidify it and then you add it to something to give a chicken taste.
 - Alcohol on the same table is impermissible. In corporate America - it is awkward to get out of this situation. Seek Allah's forgiveness and refuge but if this happens once in a blue moon that is important to your job and so on then don't worry.
 - Don't use this as a general rule.
 - Hadith in Ahmed about not sitting with someone drinking alcohol.
 - Adab of slaughtering:
 - Feed the animal and give it water before slaughtering
 - Take it away from other animals
 - Sharpen the knife and not in front of the animal. You make it easy for the animal.
 - You put it on its right side where the head faces qiblah. You say bismillah, Allahu Akbar - this would be perfect.
 - With right hand you do it and as swiftly as possible.
 - Did the christians used to say in the name of God at the time of the Prophet (saws) - the Prophet (saws) never interacted with the Christians. The sahabah later interacted with the christians. Not in Makkah and not in medina. All jews were following their religion up to about 150 years ago. Therefore, when the Quran came down they did say in the name of God.
 - Prophet (saws) ate the meat of a Jewish women. So explicit that we can eat kosher.
 - Food should not be left uncovered overnight.
 - Nothing wrong to take food into the bathroom but at the same time, you do not eat in the washroom (scholars said it is makroo but nothing explicit narrated about this).
 - If you hit the deer before it died and then you slaughter it quickly then this is permissible.
 - Any animals are permissible when you are in dire need (literally starving). In these countries this doesn't really apply.
 - Hunting to simply enjoy the support is not allowed.

Miscellaneous Issues

- Alcohol - General guideline: "Whatever intoxicates in large quantities is prohibited in small quantities." (al-Nisaa'e).
 - Not talking about drinking pure alcohol but are talking about things we put on clothes, shaving cream, lotions, cough syrups.
 - 100% ethanol is not khamar - it is poisonous. You will go blind and die if you drink this!
 - Simple principle in Usool al Fiqh: Everything that is najas is haram (to eat or use) but not every haram is najas.
 - Majority of creams and so on are not intoxicating. If you drink perfumes it is not going to intoxicate you but it may kill you.
- Is alcohol najas or not?
 - If it is najas then it changes the quantity that is allowed and it also wouldn't be allowed to be used on our body.
 - Shariah definition of alcohol is different than that of chemistry definition.
 - Anything that has an OH group is considered haram for many people but this is not true. Only that which intoxicates is haram.
 - If the alcohol is najas, this means that any perceptible quantity makes that thing haram. If you say it is not najas, then only a quantity that intoxicates that is haram.

- Because alcohol is najas then when you get a perceptive change in a mixture this would be haram.
- If you say khamar is not najas - how do you decide if the drink is haram or not. A reasonable quantity is 2-3 litres (a large quantity) that intoxicates then even a tea spoon is haram.
- **First Opinion:** Alcoholic drinks are najas. Therefore a perceptive change would make that drink haram.
 - 4 madhabs say this and Ibn Hazm.
 - Evidences: 5:90 that all of these things are unclean. They (the majority) say that Allah calls all of these things unclean but the arabic word is rijis and not najas (are games of chance, arrows of devination, etc - are the Najas? No.). Therefore they say all of these things are physically and spiritually impure. All of these things are SPIRITUALLY unclean and not physically unclean. They say the others are not physically najas because of other evidence.
 - Washing the dishes of al-kitab - because they eat pig and drink wine. They say this shows that khamar is najas. It just shows that you should not drink through a container where drops of khamar are left in it for instance. This does not show that it is najas.
 - Allah has prohibited it in over 10 verses so it must be najas. Since it is prohibited greatly then it shows it is najas. Shirk is prohibited more strongly and idols are not najas though.
 - Allah says that their Lord will give them a pure drink (tahoor = clean and pure). Because Allah says he will give a pure drink in Jannah then the opposite is impure. The fact that wine is described with an adjective for the wine in Jannah then it means this is not there for this world (meaning it is impure).
 - ◆ 3 categories of things: najas, taahir (pure but does not purify), and tahoor (pure and it purifies - water basically).
 - This is the majority opinion.
- **Second Opinion:** Very minority throughout our history. Teacher of imam Malik, student of Imam Shafiee (main student), founder of Dhahari madhab, shawkani, Ibn tamiyyah, Shaykh Uthamin said this too. They said Alcoholic drinks are not najas (physically, so you can use it on your skin for instance).
- Their main evidence is that you did not prove it is najas! See above.
 - The fact that they poured wine into the streets of madinah shows that they understood that what is haram is to consume. Is it allowed to pour urine in streets where people walk? NO! it is najas. The very fact that the sahaba did it where everyone would walk as well then this shows that the sahaba understood that it is not najas - this is their strongest evidence to show that it is not najas.
- The majority do not seem to have explicit evidence that it is najas. It is hard to go against the majority YQ says.
- Most alcohols in perfumes, deodorant, etc. - if you drink this perfume it kills you or makes you blind and not intoxicated. Modern jurists say that it is not khamar in these perfumes (poison is not najas). This position makes sense to YQ. The type of alcohol produced in labrotories is different than that produced in breweries. This clears us of using much of the items out there.
- If you add alcohol in food in a quantity that does not intoxicate and you take the opinion that it is not najas then you should take the opinion to avoid it. We should differentiate between what we have a need to do and what we do not have a need to do. When there is no need then avoid it and when there is a need then perhaps the quantity can be overlooked.
- Any food that has khamar added to it is haram.
- You cannot drink apple juice or fruit juice except there will be some khamar in it - minute quantities. Grape juice has it as well but no one says it is haram!
- Halal beer - beer where alcohol is removed out of it. It is halal but taqwa says it is disgusting! Supposedly it tastes the same but it doesn't have the intoxicating effects.

- Technically speaking there are still trace amounts in this but it is ignored.
- As for ingesting, if the quantity is less than that which intoxicates then it is ok but if it is distilled alcohol then it is ok, if it is actual khamar then even a spoon full is haram.
- The rule of that which intoxicates in large quantities is prohibited in small quantities - if your substance that has small amounts of alcohol but take as much as you want it doesn't intoxicate then this is ok.
- Real khamar in food - even small quantity in food and you can actually taste this in food. So it is not permissible.

Istihala (chemical change and not a physical change.

- You get something from a pig or a dead animal (you cannot eat the meat) - but you take the enzyme or a part and you transform it chemically then what is the opinion here with respect to the final product.
 - Does a chemical change purify or not?
 - Everyone agrees that vinegar is halal. Even those who say that a chemical does not purify they make the exception of vinegar (and the Prophet (saws) ate of vinegar). The Prophet (saws) ate vinegar and bread. But they said that only if it is done by itself - but if you add some chemicals to change it then it is not allowed by these scholars who take this opinion.
 - ◆ Vinegar is an after product of wine. Leaving wine bottles in specific circumstances then it turns into vinegar. Cannot get vinegar without going through wine.
 - ◆ Prophet (saws) said, "what a beautiful condiment Vinegar is"
 - ◆ Some scholars said that it is a byproduct resulting without any human interference. This is minor position
 - ◆ Other scholars: if a human interferes with khamar and places it somewhere to make it vinegar then it is halal.
 - ◇ This is the way it is produced in this world.
 - ◇ All vinegar is halal by unanimous consensus - even red wine vinegar or white wine vinegar.
 - ◆ A Muslim cannot produce it but if they produce it then we can buy it. A muslim cannot buy alcohol and produce vinegar out of this.
 - Tanning is a chemical transformation. If you find a dead animal, you can tan it and use the leather (except for the hanbalis where you have to had slaughtered the animal yourself). Only the leather of animals that we can eat you can use).
 - This is the other exception scholars made. The dead animal is najas but the leather of a tanned animal is pure. They have their evidences as well.
 - Most scholars said you cannot change wine into vinegar yourself (it must change by itself)
 - Evidence is that they were asked explicitly. See notes page 26.
 - We cannot buy wine as a Muslim but if another human being does it and the end result is vinegar then this is permissible for us.
 - The second opinion: A chemical change does purify an impure substance. Majority opinion of scholars of our time and even ibn Tamiyyah, hanifis, and the Dhaharis - if you study chemistry today - then you cant take any other opinion really. Dead najas animals become nutrients for the soil for instance. A chemical change means the thing become halal.
 - Evidence is that the others made exceptions but those of the second opinion made a general rule.
 - ◆ They said that it is not exceptions but a general rule can be derived from this and these are support for it (the tanning of leather and vinegar issue).
 - Any chemical change means the thing becomes halal. You change the substance completely! You even stop calling it that thing once a chemical change takes place. The shariah ruling on a dead animal is najas but when it decomposes it becomes soil and you cannot apply the original ruling on the final product after

- this chemical reaction has taken place.
- How does this come into play?
 - ◆ If someone extracts enzymes from the bones of anything and then does a chemical transformation - we do not care what that was even if it was a pig as long as a chemical change takes place.
 - ◆ Issue of Gelatin: Taken from collagen from the membranes of bones of animals. Most is taken from dead animals. If we say gelatin is a chemical transformation - we are saying we don't care what the source was. If we say that gelatin is not a chemical change then the animal must be halal for the gelatin to be halal. Physical transformations require the animal to be halal.
 - ◇ Gelatin is a physical transformation it seems and therefore is impermissible to eat gelatin unless the animal is halal to eat. This is the opinion YQ follows based on a friend that is a biochemist and wrote a paper on the issue.
 - ◇ New type of gelatin that is being produced - a lab gelatin being made from plants. Any gelatin manufactured from plants is halal!
 - ◇ Gelatin is halal if the beef is slaughtered properly -ex. kosher gelatin.

Istihlak

- You have an extremely small quantity that is taken up or dissolved by an extremely large quantity.
- If an extremely small quantity of najas is put in a large amount of pure substance then it is ok to have.
 - All scholars say small amounts of najas is overlooked. A few molecules or few atoms will not make the entire thing haram. Small quantities of najas is destroyed by large amounts of a pure substance.
- The shariah did not come with a number as to what is a small amount. Something less than 1% is halal and something at 10% is haram - what is inbetween is a gray area situation. Less than 1% will not change taste, colour or anything!
- The issue of an element written on the package being haram they say the whole thing is haram and don't take this issue of istihlak into consideration. Therefore doritos is halal - see the article, "The Cheese Factor."
- Rennet itself is haram and buying and selling it is haram. But on cheese 0.00001% has rennet. This is completely negligible! Even if it is pig it would not make the cheese haram!
- Vanilla in and of itself must be extracted using Alcohol but the quantity of vanilla in ice-cream is minute.
- Even fruit juice - it is impossible to not have some alcohol in fruit juice but no one said this is haram.
- Cheese rennet is a minute quantity in cheese as well.

3 issues:

- Defined what is khamar, small amounts of alcohol is the first issue
- Second issue: chemical changes.
- Third issue: Minute quantity - pure khamar or even pure pig will be overlooked and final product is overlooked. Something less than 1% is overlooked.
- Gelatin in candies is not permissible and not JELL-O either.

Question and Answer:

- You can have those things that say there is less than 2% chicken ... in it.
- Gelatin capsules: if you need that to survive then the shariah laxes for you. It is a very realistic religion.
- Gelatin is almost always in LARGE quantity - it is added for viscosity and structure so therefore the ruling of minute quantity does not apply here.

- Kosher beef gelatin would be permissible if it is from kosher beef and not just beef.
- Whoever believes in Allah and the last day should not sit at a table where alcohol is served.
 - o Some scholars say to avoid any area where alcohol is served and should be applied in a Muslim land.
 - o In N. America - it is more difficult and it is ok as long as there is no alcohol at your table.
 - o Any Muslim that serves alcohol - you should make a community boycott on this one - and this forces them to stop serving alcohol. Do not support a muslim in doing haram!
 - o When something is haram, buying and selling it is also haram and the money earned is haram and therefore it should be avoided.
 - o Frying chicken and beef on a grill and they fry your fish on that grill it is permissible. Because chicken and beef are not najas - but this does not apply to pork!
 - o YQ says kosher meat is more halal than the Muslim halal meat out there.
 - o Most Gelatin is not kosher. Most gelatin comes from pig because they are cheapest to get gelatin from.
 - o Vanilla itself in vanilla extract is halal (taken from some beans) and how they get it out of the bean is via some chemical involving alcohol. This chemical they extracted, to use it you need a base - the base is a type of alcohol.
 - Vanilla extract is halal itself but then when you add it to alcoholic base then this is the problem.
 - The vanilla extract you buy has khamr in it and can intoxicate - so it is problematic (it is always sold in minute quantities).
 - No one buys this to get high on it. You buy it for the vanilla. This is a grey area and better to avoid but to say haram unconditionally then this is difficult to do.
 - Sometimes it has to do with the purpose and use as well. We buy it for the vanilla. It is the medium we use to get the vanilla into the food but brandy on food is to make the meat taste a little like the rum or brandy. There is nothing wrong with reasoning into why we use it.
 - ◆ Also with medicine - we need it so it is more relaxed here.
- Some necessary life-saving medicines only come in gelatin capsules. The capsule is paper-thin. 99% of the capsule is medicine.
 - o There is an element of practicality in our religion. You don't go buy gelatin capsule tylenol because there is an alternative.
- We are not allowed to produce wine or buy wine and therefore cannot produce vinegar itself.
- It is halal for christians to make wine and sell it to themselves even in a Muslim country. It is allowed for Jews as well (small quantities).
- Camel urine was advised to a group to drink by the Prophet (saws).
- Cow dung is not najas - you can use it to make your homes and is permissible.
- Chocolate liquor - not liquor!
- There are chocolate with liquor in it like rum and this is not permissible.
- Cow skin, sheep skin are halal to use - strongest position.
 - o Crocodile skin, etc. is haram to use.
- Animal fat: haram! No chemical change here and is not in minute quantity.
- If a ball has say pig leather - you can play the sport but just wash up before prayer.
- Animal fat and gelatin are the 2 things you really need to look for out there.
- Alcohol by and large - most of this is chemical alcohol and not Khamr.
- We cannot accept khamr as a gift. If we accidentally acquire it then you destroy it.
- Pig leather, cat, dog, crocodile leather is haram - and it is tanned but still no!
- If christians advertise halal meat then it is legitimate for the most part even more so than Muslims sometimes!
- We can ask where they get their meat from if we want to - this is not going to an extreme.

Men's Clothing

Awrah (that which must be covered in front of others except for a valid reason)

- We must cover ourselves in front of other people.
- Allah says in the Quran (Al-araf verse 26) that Allah has sent down clothing to us.
- What can we show of our awrah or to whom?
 - o Protect awrah except from in front of your spouse.
 - o If you cannot go to that level then do what you can to protect your awrah from other people
 - o If you are alone and no one is there then it is discouraged from exposing your awrah. You put yourself in a position where you get used to showing your awrah and the shaytan like this and the angels turn away from this. There should also be modesty observed with this in front of Allah.
- Allah says the fact that others do not take awrah into consideration it is a lack of iman.
- Allah says: Do not show your awrah to others like the women of jahaliyah.
- The mushriks would do tawaf around the kaba naked - they said they found our forefathers doing it and Allah says - Allah does not command you to do faisha (vulgarity and ludeness). So exposing awrah is faisha.
- Different commandment when it came to awrah in previous generations where the people of Israel would take baths with other people of the same gender but Musa would feel embarrassed to do this. So people thought Musa had some disease - and Allah did something to prove that he is perfect and normal (at the end of surah al-azab). This custom remains with us today that western culture doesn't see any problem with this (in front of the same gender). Their shariah allowed it but our shariah said that this is impermissible and that is why the Prophet (saws) said, "Let no man look at the awrah of another man and let no woman look at the awrah of another woman."
- What is the awrah of a man?
 - o 1st opinion: just the 2 private parts (back and front) - like what our undergarments cover. This is a minority opinion held by the dhawaree madhab that used to exist in Spain and does not any longer have a large following (it was a 5th madhab)
 - Said surah araf verse 27 - O children of Adam do not let Shaytan deceive you...causing them to expose their 2 private parts. They said this verse shows what is prohibited is the 2 private parts (just the front and the back).
 - Also hadith: Sometimes 2-3 ppl would share the same camel. A companion said that I saw that the azar of the prophet (saws) slipped and I could see his thigh - here the lower thigh was showing so the thigh is not awrah.
 - Another hadith: Once prophet (saws) was lying down at home and they were wearing the azhar and it had opened up a little bit and lower thigh was exposed. Abu Bakr, Umar, and then Uthman asked to come in and he let the first 2 come in but covered his thigh when Uthman came in. Ayesha asked why only when Uthman came in...
 - o 2nd opinion: From the naval to the knee (MAJORITY OPINION)
 - Controversy: is the knee included and the bellybutton.
 - This is opinion of the 4 madhabs and the classical scholars. They base this on an explicit hadith:
 - "The thigh is a part of the awrah" (abu dawud, tirmidhi, imam malik)
 - Another hadith: Prophet (saws) saw a man with his thigh exposed and Prophet (saws) told him to cover his thigh because it is part of the awrah (in musnad of Iman malik as well)
 - How do you explain the Prophet (saws) exposing his thigh?
 - ◆ The thigh is not AS strict as the other parts. If it so happens that it becomes exposed on a journey, it is not as strict as the 2 private parts. This makes sense because then you can explain the other hadiths and traditions.
 - ◆ The man should not normally expose his thighs.
 - ◇ Swimming trunks should go beneath the knee.
 - Tight clothing does not cover the awrah. Its existence is its nonexistence. You cannot wear extremely tight garments or transparent clothing.
 - About tight garments - it is prohibited for men and woman!
 - o Even pants and jeans need to be baggy as possible and not tight - something that needs to be avoided. Or wear a longer shirt on top of it.

- Gold and Silk

- Men cannot have anything of gold and cannot wear gold or silk.
- What about silk ties?
 - The shariah has permitted small quantities of silk and silk for a legitimate reason.
 - During an expedition one sahaba got effected with lice and had a skin problem on top of it and the garment he had made it feel worse and he asked if he could wear silk for that purpose and was allowed to do so.
 - The prophet (saws) wore a garment whose fringes on it were made of silk so sahaba understood that small quantities of silk was allowed.
 - Except for a finger, or 2 or 3 or 4 - so like a strip of silk (a small quantity) is permissible. Therefore no problem with silk tie by majority of the scholars of this time. The silk tie is less than the fringes of silk the Prophet (saws) had on his clothing.
 - Real silk is made from real worms and is far more expensive but the silk regularly available are synthetic silk and not silk at all.
 - ◆ The shariah prohibits real silk and not synthetic silk. Like the colour yellow is not prohibited but it is gold that is prohibited.
- How about a small amount of gold and silver
 - Generally speaking - scholars allowed a small quantity of silver and some even a small amount of gold for decoration purposes or for some need.
 - Allowed silver more easily than gold.
 - ◆ The prophet (saws) was drinking out of a cup that broke and when it broke someone filled it with silver and he drank with it. So this small bit was permissible.
 - ◆ A person was allowed to make a false nose out of gold because his nose was cut off during the jahaliya battles of old.
 - ◆ Therefore wearing for a legitimate reason there was no issue here.
 - ◆ Putting gold and silver in the teeth for a legitimate reason is permissible (medicinal purpose).
 - ◆ How about for decoration?
 - ◇ Any amount of gold for decoration is completely prohibited.
 - ▶ Hanifias said - gold used to decorate (small amount) and they base this on a hadith where the Prophet (saws) wore clothing with gold decoration that was gifted to him so the sahaba were amazed and continued to look at it from all sides. They said we have never seen a garment like this before. Prophet (saws) said: are you impressed with this... (see notes page 29). He is wearing good garments but his heart is not into it.
 - ▶ Hanifis and ibn Tamiyyah said small amounts of golds is allowed for decoration and gold plating does not take the same status as pure gold but wearing gold plated gold gives the impression of wearing gold and others don't know if its real or not and looks bad but from a shariah point of view - gold plating is a problem.
 - ◆ Silver plating does not take the same ruling - small amounts are permissible even in plates and so on.
 - Prohibited colours for men?
 - Seem to be contradictory hadith.
 - The prophet (saws) loved the white colour - he said this is a colour beloved to Allah - so he said clothe your living and dead in white.
 - He wore other colours as well - wore a green cloak, black turban, yellow shirt.
 - Difference in opinion: the colour red (for men only of course). - saffron.
 - In one hadith: the prophet (saws) forbade wearing red leather and silk (bukhari).

Also prohibited saffron dyed clothing because it is the colour of the disbeliever so do not wear them.

◆ There is a hadith that seemingly contradicts this as well - see notes.

- Vast majority - they said having stripes of red and so on is permissible but having a WHOLE garment of red is macroo but others said even this is permissible.
 - Also, this hadith of seeing the Prophet (saws) in a red cloak - it was towards end of his life and perhaps this was abrogated.
 - One group says it was abrogated and another says it was an exception for him only, or perhaps it was a certain shade of red that was prohibited.
 - It is best to avoid a whole red (bright red colour - from the hadith about saffron) garment but wearing bits and pieces of red is allowed.
 - Hanafi, shafiee, hanbali position is that red is allowed.
 - The source of the difference of opinion is manifest.
 - Majority say that the hadeeth is abrogated on the red issue making it now permissible.
 - YQ says saffron should be avoided but others are ok - only because the Prophet (saws) discouraged us from doing so.
- Issue of covering the head?
 - This is a big fact back home where they think that covering the head is a part of the muslim garment.
 - All of the sahaba would wear turbans. Even non-muslims at the time would wear turbans. Going with head uncovered was not something arabs did - it was looked down upon.
 - Also there is not 1 single authentic hadith where the Prophet (saws) told others to wear head coverings.
 - A weak hadeeth exists on wearing the turban (about 10 of them where the Prophet (saws) commands the sahabah to wear turbans). Only authentic ones is what they saw the Prophet (saws) wear. The sahabah and the Prophet (saws) did it but it is cultural. It is not sunnah such that it is something needed to be done by the Muslims.
 - Sunnah tashraeeya = legislated sunnah.
 - Therefore most scholars concluded that covering the hair was a custom of the arabs and it is preferred to stick to their custom when living amongst them but when it is not a part of your culture then you don't have to stick with that.
 - We need to differentiate the cultural habits from the religious sunnah from the Prophet (saws). - the cuisine the Prophet (saws) ate, the clothes that he wore is not a religious act. It is not true that following such things is rewarding.
 - If a person lives in a culture where covering their head is important culturally then you go along with it and not stand out as such.
 - If your country requires you to wear a hat as a sign of religiousness then you wear it.
 - Imam as-Shaatibi who is from andaloos said that there is nothing wrong with not wearing a head covering and that it should be taken into account in western lands and in eastern lands taken into account. If it is a part of the culture then just go with it and do not oppose it! If you oppose it then you go against the goals of the shari'ah.

Question and Answer:

- It is not a matter of expensive or not - the shariah came prohibiting certain things (with respect to platinum and diamonds). If wearing such is customary in that culture than it is permissible.
- Praying with perfume is not a problem because majority opinion is that it is not najas anyway even if it was alcohol.
- Wearing heavy make-up or perfume for woman goes against the goal of the shariah.
- The Muslim is not flashy and does not show off therefore be careful in gold plating many things and so on.

- Silver wrist bracelet?
 - o Is wearing a bracelet allowed for men or not and quantity of silver.
 - o Case can be made that the quantity is minor.
 - o Can a man wear a bracelet? This is culturally specific - we will get to this.
- The issue of isbaal is still macroo and that is the majority position.
- Wedding rings - if there is a religious connotation to it still then prohibited if not there is no problem to it. YQ is ambivalent about this still and has no answer to it yet.
- Awrah mukhaffafah - that a little goes up and comes back down (maliki position) - like the lower thing.
- No hadith on covering chest hair.
- Murooaa - a concept of having a dignified appearance. This is a part of our religion. The Prophet (saws) always had a dignified appearance.
- One madhab of our modern time says it is macroo to pray without covering your head - they say that it is rude to be without the head covering and that when you stand in front of Allah you should be dressed well.
 - o In some cultures this argument can be made but in America this is stretching it.
- You can shave chest hair.
- The Prophet (saws) said, when you go to the washroom with your shoes, then when you walk out, what comes after cleanses it - so you can still pray in those shoes or dragging pants.
- Attire required for men during prayer:
 - o Men should wear more than the awrah.
 - o The Prophet (saws) said no man should pray with his shoulders bare - meaning at least 1 shoulder should be covered.
 - o It is important to wear something respectable as well.
 - Cannot wear shirts with pictures on it.
 - No shirts with Christian symbols on it.
 - You cannot pray in shorts either.
 - Some say you need long shirts - but short shirts is not rude (speaking about the sleeve length).

Issue of Isbal (means to lower the garments below the ankles)

- There are many hadith narrated about isbal. Like 30-40 traditions on this topic. Found in every book of hadeeth. It is mutawaatir that isbal is prohibited.
- There is unanimous consensus that if a person wears a garment below the ankles out of pride then it is a very evil sin (a major sinner).
- If someone does it out of habit/custom and not out of pride?
- Average sahaba wore garment high up to keep the garment clean and allow the cloth to be used for a greater amount of time - those who could show-off their wealth wore garments that go up to the group and this was a status symbol of wealth. So no one would do it at that stage except to flaunt their wealth. Therefore the Prophet (saws) forbade doing so in very explicit terms.
- The issue comes - what about those who do it not to show off but because that is how the garment comes - in a certain length.
 - o Later scholars said, what if someone does it out of culture/custom and not out of pride.
 - o Majority of scholars (standard position of all 4 madhabs) said that if some one does it without pride then it is macroo (discouraged but no sin). Said macroo because of the quantity of hadeeth on there on this issue.
 - o The majority has said that the prohibition was on the pride and not the actual lowering of the pants below the ankles.
 - o Minority opinion is that it is haram in all circumstances.
- Evidence for both positions?
 - o Minority position:
 - Abu bakr unconsciously let it slip and the Prophet (saws) said you do not do it out of

- arrogance though. But who can be like Abu Bakr?
 - Also a simple statement that anything below the ankles is in the fire.
- Majority opinion:
 - They hold those hadith that do not mention pride in the light of those that speak about pride.
 - We see that some hadeeth are conditional - pride is mentioned in some. Others just mention it unconditionally. So they say to look at the unconditional ones in the light of the conditional ones.
 - Therefore the Prophet (saws) told Abu Bakr (raa) that he is not doing it out of pride and thus is extended to everyone else as well (as described in the light of the majority position - that isbaal is prohibited because of the pride and not the actual lowering of the pants below the ankles).
 - Whoever trails his garment and only intends pride by it then Allah will not look at him on the Day of Judgement.
 - Some of the Sahaba understood that if it was done for a valid reason then it would be permissible.
 - Ibn masud (famous companion and 6th convert to Islam) - narrators of the hadith of Isbaal as well. He was seen one day wearing a long garment going below his ankles and when confronted by it he said that he is a man that has skinny legs (he was embarrassed about his legs). Also about ibn masud where he was laughed at for what his legs look like and the Prophet (saws) said, "Do you laugh at Ibn Masud's legs, verily his legs weigh more than the mountain of Uhud in the sight of Allah."
 - If you consider the culture and how people did this out of arrogance and as a status symbol, this factor is not present in the society we live in today.
 - Question is, does the shariah require you to follow this practice even if you stand out?
 - Taking into account the cultural aspect previously, and how it does not exist now and the spirit of what the verses were talking about - it was to avoid pride.
 - What is prohibited is doing this out of pride and some cultures and civilizations that still have this then it is necessary there. In some regions you never find a religious person who lets their garment drop below their ankles and this type of culture and civilization it is important to go with this spirit.
 - The shariah does require us to look at the culture in which we are living.
 - In fact, in N. America when we prohibit isbaal, then we get a sense of pride and we attract undue attention to ourselves. So its like the reverse process occurring here.
 - Imam As-Shafi'ee and abu hanifa and ibn Tamiyyah said very explicitly that if you do this culturally then it not a matter of pride and is permissible.
 - Majority of Ummah say that it is the pride that is prohibited.
 - In this issue of Isbaal, it is not obligatory as long as it is not done out of pride but something like the beard is fardh and even if people laugh that's too bad.

The beard

- It is something that the Quran and sunnah mention.
- In the Quran it is mentioned only in passing.
 - Allah mentions in surah ta-ha verse 94 - Harun complained to Musa and said O musa let go of my beard and my hair.
 - Some derived from this that keeping the beard is sunnah because they all kept the beard in the past but this is far-fetched because you cannot read in that much and extrapolate a fiqh opinion.
 - Surah Israa:70 - We have honoured the children of Adam. Scholars of tafseer said - Allah has honoured women with long hair and men with beards.
 - The legal ruling is found in the sunnah of the Prophet (saws).
 - See notes page 33 for the hadith about 10 matters that are from the fitrah (meaning it is natural to do and we should aim to keep).

- Also the hadith by Ibn Umar which is also in notes page 33 - Let the beard grow and trim the moustache which is a clear command.
- Having a beard was always considered a sign of masculinity - done throughout the world. Also, those who did not have a beard, they always felt like they were handicapped.
- Many of the Jurists say that if someone does something to you such that you can no longer grow a beard, you must pay for it as if it is your life - so blood money for this because it was like he took away his manliness.
- Ibn Umar himself - when he performed hajj and umarah - he would hold his beard and trim what was below it.
- As for the Prophet (saws) nothing is authentically reported about the Prophet (saws) trimming the beard.
- What constitutes a beard?
 - The hanafi said that the mustache is not part of the beard.
 - Hanbali madhab - if a man attacks another man to the extent that he cannot grow a beard. If you cut off a finger or something you pay a percentage of blood money. But if you do this to the beard then you pay 1 full person of blood-money (same with the private part as well).
 - Wear tradition in tirmidhi that the Prophet (saws) would trim his beard from the side. We do not know whether he trimmed it or not though!
 - The word lihya (laha means the bones upon which the teeth grow and the lihya is the hairs that grow from that area).
 - Therefore there is unanimous consensus that the hair that grows on the chin is a part of the lihya.
 - The vast majority of linguists also included the hair on the cheek bones as well (so that means the cheek and the chin).
 - The hair that grows on the neck and below the eyes is not included in the lihya.
 - The lihya is the hair that grows from the cheek of the jaw bone to the chin.
 - **The difference of opinion is below the chin and above the neck.**
 - **1st opinion (majority) - entire jaw bone (the hair that grows from this).**
 - **2nd (minority) opinion - just the front teeth.**
 - Vast majority also included the hair above the cheek bones as well.
- Positions:
 - 1st position - It is wajib to grow a beard - Vast majority that it is wajib such that some even said that there was no difference of opinion of this matter - basically all the scholars that we know of said it is wajib to grow a beard.
 - Ibn Hazm said it is completely agreed on that the beard is waajib. They all agreed pretty much and the madhabs as well that the beard is waajib.
 - Once they agreed on this - they differed on what constitutes a beard (most are based on the actions of ibn Umar)
 - 1st opinion: haram to trim in any fashion or form (grows to floor so be it). Very minority opinion but almost unknown in the classical era. No classical scholar of Islam ever said this. One of our modern scholars of our time popularized (Shaykh Bin Baz).
 - 2nd opinion: macroo to trim - standard position of classical shafiee scholars.
 - 3rd opinion: not allowed to trim more than a fist full during hajj and umarah (based on Ibn Umars actions)
 - 4th opinion: permissible to trim more than a fistful at any time of the year. Hanbali madhab, and ibn Tamiyyah (who seems to suggest that it is ok to take more than a fist full at anytime).
 - 5th opinion: Mustahab to trim beyond a fistful (for hanifis there is no mustache what-so-ever because they understood juzoo as pluck or shave and not trim) and this is the popular hanifi opinion.
 - 6th opinion: mustahab to trim only if it becomes an object of pride and fame (undue attention in culture and society) - maliki opinion. There is no limit like a fist - if it attracts attention then you should trim it - this is what is being said

here. What is beyond cultural norms is trimmed.

- 7th opinion: Wajib to trim it after a fistful. Propagated by a modern scholar (by a scat passed away recently and was from Jordan) but unheard of classically.
- 8th opinion: permissible to trim to a "reasonable" length (common maliki opinion) - they said anything that constitutes a beard is permissible. As long as it looks like a beard it is permissible. Note: they did not define what "reasonable" is.
 - ◆ There is nothing explicit from the sunnah that states how long the beard should be except he said to have a lihya. So whatever constitutes a lihya is fine.
 - ◆ Said the fact that the sahaba did not say a minimum of max for trimming shows there is none
 - ◆ The shariah did not specify the length of beard
 - ◆ Actions of ibn umar show you can trim it
 - ◆ Anything constituting a beard is permissible.
 - ◆ YQ goes with this opinion. To specify a length is adding to the shariah. If you are living in a culture where everyone has a nice healthy beard then have one but if you're in a culture that says a beard is not customary then you can trim it more. Also that it is mustahab to grow it longer (minimum of mustahab is a fist full). Note: a big mustache goes against the sunnah.
- Minority opinion is that just the chin takes care of the fardh hence why some famous scholars today have this type of beard without mentioning any names.
- Recommended to grow the beard and shaving it completely is makroo. Imam shafi'ee in kitaab al-Umm says that it is waajib to grow a beard. Later it was ascribed to this imaam that he said it is only makroo. This is the modern fiqh opinion given by most of the shafiee scholars.
 - Ghazali, an-Nawawi - he looked up references on them and could not find any to support this view. Opinion 4 above was the opinion of an-Nawawi as noted above.
 - This opinion has caused the modern day Muslims are taking this opinion and give our fellow Muslims credit on this issue that they do have some basis!
- Minority opinion: It is recommended to shave your beard, and having it is completely makruh
 - There is no evidence to suggest this.
 - Modern fatawa sites say this is a minority position ascribed to the shafiee madhab. YQ says that they misunderstood Iman an-nawawi's position - he allowed for the TRIMMING and not the SHAVING of the beard. This is a modern fatwa that became popular but it is not found in classical books.
 - Imam as-shafiee said explicitly that the beard should be grown.
 - Perhaps the modern shafiee opinion is such.
- Have your priorities straight - don't make this issue seem more important than it is as there are other issues that are more important. So don't go and propagate this as the most important thing out there. In an academic setting he says that it is obligatory to grow the beard.
- Some said that Umar would reject the testimony of those who did not have a beard and some brothers take this seriously. Times of Umar was different and he had every right to do this amongst his ummah but in our times it has become popular that it is mustahab and not fardh. The average Muslim does not know these fiqh issues so it is not appropriate to pass fiqh opinions about this and consider others worthless just because they don't have a beard. Look at the broader picture and every Muslim will be judged on his knowledge. But it is quite obvious that it is fardh to grow a beard (something that looks like a beard).

Etiquettes of the Beard

- We are supposed to take care of the beard in a healthy manner.
- The prophet (saws) used to put oil in his beard - this was their concept of taking care of the beard. The oil made it healthy and strong and also clean.
 - In our times, we use shampoo - looking clean and neat. Just don't take this to extremes

where we become cautious of every strand of hair.

- The brothers should be in the middle of the 2 extremes - not like woman who have been created to care about these things and not completely careless. Don't become feminine with this.
- The prophet (saws) did not like us to pluck white hair. It is macrro to pluck white hair.
- To dye hair any other colour is permitted but for black there is controversy over it - some said it is haram and others said it is macrro but no one said it is muba.
 - o What is a valid reason to do this: to frighten the enemy.
 - o Hadith where abu bakr's father (Abu Kh'aafa) was still alive (probably around 80 years of age) - when mecca was conquered, he rushed back to his father and his father could not walk and he had his father carried to meet the Prophet (saws) and his hair was completely white everywhere. He was carried to the Prophet (saws) and at that time he was a non-Muslim. The Prophet (saws) said, why didn't you leave the old man (shaykh) at home, I would have come to meet him (and called him a shaykh because of his age). Abu Bakr said, "No, it is more appropriate for him to come to you." He (saws) talked to him and he (Abu Bakr's father) converted to Islam. The Prophet (saws) told them to dye his hair any colour other than black.
 - o Macrro to have fully white hair.
 - o When the hair has become white, it is mustahab to dye the hair any colour except black. Perhaps because dying it black is deception.
 - o It is sunnah to dye with henna. He (saws) himself would dye with henna. You can dye with henna even when you have a black beard and even more sunnah to dye it when it is white.

Imitating the Opposite Gender

- The prophet (saws) cursed the men who imitated (or act like) the woman and vice versa.
 - o This is completely prohibited and cursed.
- What constitutes imitation of the opposite gender?
 - o Varies from place to time to culture to civilization.
 - Ex. wearing a pant and shirt is a masculine clothing so scholars of those land say to wear these even in front of her husband would not be allowed because she is imitating men. You find fatwas like this online all the time. Response: need to understand that principle they are using is applicable but does not apply across all cultures.
 - Scholars in arabia say it is haram for women to wear pants even at home - this fatwa is based on their culture. Women's pants is allowed for women to wear in front of her husband here though! Imitation is relative to women and men across different cultures/norms.
 - In this culture wearing pants and shirts is permissible.
 - A man that has an ear-ring - 20 years ago we would have all agreed that this is an imitation of woman. Now it is slowly changing where it is becoming more masculine. For certain tribes that wear a different type of ear-ring for men only this is permissible.
 - Mens Jewellery is a gray-area. In say 15-20 years then it may become the norm and completely acceptable then it would be fine.
 - The scholars of our time say that imitating men and imitating woman depends on the culture.
 - You should ask is an ear-ring acceptable on a politician or someone that is looked up to and is dignified? And the answer is no. No politician comes wearing an ear-ring or a necklace. This is enough of a sign that these items have not come into culture as such. Perhaps 50 years from now YQ's fatwa will change if the norm of that culture changes.
 - Cross-dressing - this is not accepted in society yet - looked at as strange still in society so this is not allowed by shariah.
 - Men wearing make-up is prohibited because it is abnormal.

Imitating other Cultures

- Explicit hadith about this!
- Anyone who imitates a nation is one of them.
- What constitutes imitation and what exactly is prohibited?
- Ibn Tamiyyah said- tashabbah (see hadith on page 40) is having the intention of copying another nation. If it just so happens that both cultures are doing the same thing then this is not tashabbah. Tashabbah is when you go out of your way to imitate another people or culture.
- Islamic websites (eastern ones) that say you cannot dress in pants and shirt and a suit and tie because it is imitating the kuffaar.
 - o Response: what did the Prophet (saws) used to wear? The clothes of the time. He used to wear the same clothes as abu lahab and abu jahal. Did they invent their own fashion statements? No. They wore clothes according to the jahaliya arabs. The people of our time have misunderstood what imitation means. Imitation means to go above and beyond the culture of your people and try to imitate the people of another culture.
 - Ex. In Saudi Arabia, someone who wears pants and a shirt in a place where everyone wears a thaub is what is imitating a different culture.
 - A child in New York who imitates Pakistan and India is against the sunnah too. The Prophet (saws) conformed to the culture of his time.
 - There is nothing wrong with blending in with the culture you live in as long as the specific prohibitions are not contravened then there is no problem with a man wearing a pant, shirt, tie, suit. You should be in conformity with your culture except for those things clearly prohibited so as to allow others to be open to converse with you.
 - The ideal Muslim garment in the west would be a little looser pants, longer shirt, etc. It is in conformity but still different than the people around.
 - Imam Ahmed said, to take off a certain shall to someone because he said I don't say it is haram but had you been in Mecca it would be ok but here it is not the clothing of the people here.
 - Our culture we form should be distinct but still in conformity to those around us.
- The basic rule is that the Prophet (saws) wore and ate depending on the culture at that time. Therefore has no religious basis and to say it has a religious basis, there is no evidence for this. Those who say that wearing the clothes of the Prophet (saws) as sunnah then they should live in mud houses and also eat his cuisine as well. The prophet (saws) lived in a time, place, and culture and he did as they did at that time with respect to clothes and cuisine and lifestyle.
 - o See statement of Ibn Qayyim.
- Look respectable according to the culture but don't follow every fashion trend and so on. This would be too much.
- Ayoob al-Sikhtiani was the one who wore simple plain shoes that he especially made but found that they caused undue attention that people would think that he thinks he is more pious. Therefore he took them off as it goes against the objectives of the shari'ah.

Israf = extravagance and zuhd is opposite (modesty, and within your means)

Muru'a = acting in a dignified manner and shuhra (in a flashy and flamboyant manner)

- The shariah encourages Zuhd and Muru'a.
- Isra verse 37 - Do not walk in an arrogant manner
- Surah furkan - the servants of Allah are those who walk with humility and dignity on earth.

What is extravagance (Israaf)?

- It is relative to you, society, culture, place...
- What is extravagant to you may not be extravagant to the person beside you.
 - o A rich person is expected to wear a certain type of clothes, drive a certain type of car, etc. This is not extravagance for them.
 - o Israf is relative. It means you are pretending to be higher than you really are. Being flamboyant and extravagant.
 - o Also it takes into consideration an event (like dressing up at a house party).
 - o The Muslim is a dignified person and avoids the 2 extremes and does not draw undue

attention to himself.

- The Prophet (saws) said living a simple, clean, dignified life is part of emaan (faith). See last hadith on page 36 of notes.
- Zuhd = aceticism (opposite of extravagance)
- Muroo'a = dignified appearance
- Shuhra = drawing attention to yourself by something flashy.
- We should have a dignified appearance and not something flashy at the same time. Should be a relatively simple life but not look shabby, dirty, etc. Buy and wear normal shirts and pants. Idea is an ascetic life like this - 15 dollar shirts 25 dollar pants.
- These levels are all relative according to who you are.
- One thing could be extravagant to one and permissible to another.
- One who is trying to be above what they are - this is not permissible.
- When Allah blesses someone with much then Allah likes to see the effects of their blessing on them.
- To look dignified - make it a point to look extra dignified.
- Al-Badhaadhatu is living a simple life.
- Simple is encouraged but look dignified as well.
 - Not being obsessive with your looks is a part of emaan.

Question and Answer:

- Al-falaa - as-sharree swimming trunks.
- How long should the hair on the head be?
 - Hair can be kept as long as you please as long as it does not become feminine.
- Imitation applies to haircuts and hairstyles as well.
 - Conforming to norm is fine
 - But going out of way to stand out is not ok.
- Is trimming below the underarms and shaving the pubes ok. Plucking is what the sahaba would do. We can use those creams in our times that will take the hair off. Use the trimmer to trim and then shave it.
- YQ will not say it is mustahab to trim the beard. But pay attention to your akhlaq and manners.
- It is permissible to tuck your shirt in? It is as long as you have loose pants.
- It is waajib for a woman to get the permission of her husband before cutting her hair. This is a right the man has over her.
- Fact that ties have a theological basis is fictional.
- Hair below the lip part of the beard? Technically it is not. It is ok to shave that - not a part of the lihya.
- The kateeb need not cover his head.
- How often do you shave the pubic hair? Once every 40 days (minimum!) - nails, underarm and pubic hair needs to be trimmed every 40 days.
- Case could be made for a silver watch because the Prophet (saws) wore a silver ring. Gold plated and gold trims is laxed but gold in and of itself then no.
- Brothers do not have to wear a shirt while swimming. It is better to cover this area.
 - The 4 madhabs differ on whether the naval is included or not.
 - You don't have to get those that go above the belly button. If it goes right beneath it, it is permissible as well.
- Praying in shorts below the knees is ok.
- What defines tight clothing on men? Our normal pants today are even a bit tight. Get the loose pant still. Every pant you wear has an element of tightness to it.
 - This is the norm here - we fear Allah as much as we can.
- Things unique to a religion should be avoided.
- Wearing clothes of a priest should be avoided.
- Difference between fardh and wajib is only applicable in hanifi madhab otherwise it is the same.
- Wedding rings - if there are theological reasons for this and it is a symbol of other faiths then it is

- not permissible. But does it still hold this status? It is questionable.
- Some people have the concept that if you are doing a sin then atleast don't do it while praying. So that is why they would raise the pants above ankles during prayer.
 - Where do you draw the line between religion and culture?
 - o Ask if people do certain things for a cultural reason or as an imitation of that religion.
 - Celebrating the birthday of the Prophet (saws) is not correct being you are expecting to be rewarded for it.
 - If you do too much mubaa then you wont be able to do morethan you are supposed to do. You wont have time to get around to mustahab.
 - Is hair transplant allowed or not?
 - o Too much spending of money for something that is not a necessity.
 - Is wearing a wig allowed?
 - o No because there is an explicit hadith about this.
 - Clothing of animals on clothes is not allowed but a small crocodile on the shirt is allowed because that is not really an animal - the small icons do not constitute an animal.
 - o Animal statues are impermissible as well.
 - Shaking hands with the opposite gender is either haram or macroo.
 - o Avoid it as much as possible but it is macroo if you are put in a very awkward position with respect to hand-shaking with the opposite gender.

Fiqh of Woman's Hijab

- 1st wave: 1890-1920: women wanted right to vote like men.
- Feminist movement started in 1920s and woman first attacked the issue of vote. They were successful in getting this.
- 2nd wave: Post WWII - primary focus was sexuality and woman in the public sphere and to do what they pleased (ex. abortion) and equal opportunity for employment.
- 3rd wave of feminism - social and cultural equality - that they are equal in all ways to men. "Don't say he but say he/she" - in an attempt to make things gender neutral - even God!
- Even orthodox jews have allowed woman to come in and pray and even the equivalent of the leader.
 - o Feminine muslim movements also coming about - and there are still a couple of masjids where a woman leads the prayer.
- We live in a world that is completely different - never in the history of human civilization had we the idea that woman and men are equal in all regards.
- Men had a role and woman had a role and it was not a matter of which role is better but rather each is made for a certain purpose.
- We live in a time and place where the president of Harvard said, "I don't understand why Woman don't go more into engineering" and he had to resign for this comment.
- It is not a matter of one being more intelligent than the other but rather each is made in a different way meant for different things.
- Men and woman interaction in this society is so different than it really should be. It is a difficult situation. You cannot reach an ideal situation when you are living in a world like this and to try to do so you run into a lot of problems.
- Allah says that Man is not like woman.
- Qawwam = one who is in charge or responsible for or responsible for on the day of Judgment, the protectors, the executors of what needs to be done for them.
- In Islam a woman is an independent unity - she can own property and she may have her own wealth and is dealt with individually with respect to the law.
- It is debated - what is the comfortable line (although deviated from the ideal situation) that we should draw?
- How orthodox can you be when the world around you is so different.
- Can we put woman on television?
 - o It is easy to say this is haram

- When we have over 500 channels from MTV to comedy and whatever - it is difficult to take a stance on this issue. A conservative shaykh said, "When you choose a female presenter - will you choose the 20 year old or the 60 year old, the prettier one or the uglier one, and will you put make-up on them as well?" It really is a hard issue and hard to take a position on this topic.
 - In University you are always interacting with woman now.
 - Yale did not allow woman on their campus until 1967.
 - We are living in times of trials and tribulations - how clear can you keep yourself. It is hard to find an answer to this.
- Primary Verses dealing with Hijab
 - Hijab was legislated in the 5th year in dhul-Khaydah and was directed to the wives of the Prophet (saws) then after a few months was legislated upon all the Muslim women.
 - Bukhari - From Umar's suggesting that the woman should cover. And then the verse came down from Allah.
- Some say the hijab was only for the wives of the Prophet (saws). **But in ahzab:59 it says say to your wives, your daughters, and the women of the believers...**
- "Dan" means to draw closer. What? Jalabeeb (plural of jilbab). That the women should draw something closer to themselves because it is better for them and so they can be recognized as being believers and respectful and that the rifaaf of the street do not bother her.
- Hijab is a mark of recognition as someone who is pious. That no one should get involved with her in an evil manner.
- What is the meaning of the word Jilbab or plural - Jilabib.
- Jalaba = to pull from one place to another - so jilbab is, linguistically, a garment (bigger than a headscarf and smaller than a lower garment [izhar] which a woman covers her head and chest. Another def. A chemise. Another def. A sheet a woman covers herself with from above) that she covers her head and chest area with and puts over her clothes (something perhaps even bigger than a scarf). Yudnin = to draw over (close the jilbab over your body).
- **2nd verse (within a few months after this) - 24:31.**
 - Same commandments for men and woman.
 - Hijab for men is to lower their gaze and guard their modesty. Both man and woman share in this.
 - Women have a different type of hijab that is more than that of men so the verse goes on for women.
 - A rough shape of the body will still be present but you cannot do anything about that so that explains "except that which is displayed beyond your conscious effort" - this would be forgiven.
 - Allah says, let them not reveal their zanaa (the women are the actor) except that which is apparent (no actor here). Allah is saying, what is beyond your control you are not blameworthy but you have to do what you can do. No matter what she wears - her form (ex. height) will be shown. This is what this line tries to say.
 - Let them draw closer their khumoor (plural of khimaar - why is khimar called khimar - because it causes the mind to be unclear) - so khimaar is something that covers the head (literal translation) and khumar is something that causes the mind to be unclear. The Quran calls what we call hijab as Khimaar. Jabe is the slit in your garment that you put your head into. So Allah says to take your khimar and put it over your Jabe (basically cover over your chest area).
 - Allah repeats the same phrase twice. Let them not show their beauty except that which is apparent thereof and let them not reveal their adornments except to (a long list of people follow). Scholars say 2 levels of hijab are required.
 - ◆ In front of her mahram she has a level of hijab and when she goes out she has another level of hijab.
 - There are 2 levels of hijab - if she is going to go out in public then she has to put

her khimaar over her jube and if she is inside then she can display her adornments to her immediate mahram.

- And let them not stamp their feet so as to reveal their adornment - ankle bracelets were worn at the time - so do not stamp your feet to make sound of that bracelet. This is just a clanking of the bracelet so how about actual body figures or parts or even flirting!

- ◆ If she cant even make a sound to draw attention - so then how about anything more than then when imagery is more stimulating than sound!

- In this verse Allah tells us that Woman must wear something above and beyond what she regularly wears when she goes out.

- Was there hijab that was only meant for the wives of the Prophet (saws)

- When you ask the wives of the Prophet (saws) something, then do so behind a curtain. So the wives of a woman were not allowed to even speak in front of men with regular garments but rather from behind a curtain (hijab - classical meaning of this word was a physical curtain hanging from the wall say).
- The scarf on the head = khimaar and is for all believing woman - classical meaning (as found in the Quraan and Sunnah - The Quraan talks about 2 items - Khimaar and Jilbab [something more above and beyond]). On the other hand, the modern arabic word used for the headscarf is "hijab."
- So when someone says hijab was just for the Prophet (saws)'s wives ask what they mean by hijab - if they mean the khimaar then it is in the Quran and very clearly layed forth.
- No classical scholar in the history of the ummah ever said woman don't have to wear the head scarf.
- Hadith in bukhari: that ayesha was in a gathering where woman praised quraish and she said women of kuraish were good but the women of ansaar were more eager to implement the laws of Allah. When the verse was recited not a woman went out except that she torn up her garment or blankets and placed it on top of their heads - implementing what Allah had said immediately. On the next prayer - it was like all of the Women were wearing black birds on their head. This iah clearly shows us that hijab is for all woman and that this was what was immediately understood by the people. Also, that allah is telling them to cover their head - this was clearly understood by them. Allah also says to not throw it behind but to also cover the chest area (women used to tie the scarf and throw it behind and show their lower neck and upper chest area as a sign of beauty before this commandment).

Benefits of Hijab

1. Purity of the heart - mentioned in the Quran - "This is better for your hearts and their hearts." It means evil thoughts don't come and interactions occur in a more dignified manner. Men are programmed to be attracted to sexuality - when men speak to a woman who is dressed inappropriately our mind wonders and our concentration is not pure. Therefore it is not just better for the hearts of men but also for the women as well!
2. Sign of chastity - Allah says that the hijab is supposed to be the mark of women. That they may be recognized as a dignified person. It is supposed to set the woman apart and have a pedestooled appearance.
3. Promotes healthiness in marriage. A society who was not bombarded with so much sexuality. Your wife would become attractive to you. But when models are right in front of you - it is hard to feel that in your marriage anymore. And it is not a coincidence that homosexuality is on the rise in society.
4. Increases modesty - she will have an extra amount of modesty in her that may prevent her from doing something she might have otherwise have done. Same goes with men.
5. Hijab curbs perverted behaviour.
6. Protects the natural beauty of women from being exploited.
7. Part of the inner beauty of woman. When we interact with woman who are dressed modestly we are attracted to these woman for who they really are inside and not just their outward appearance. If a woman acts in the best of ways then the right brother will be attracted to you.

Requirements of Woman's Hijab

- Must be thick and loose and not transparent.
 - Refer to hadith on page 42: Mailat = turning themselves away from the truth (drawing attention to themselves) and mumilat = causing others to turn away from the truth (causing others to also do the same). The basic connotation is that they are misguiding themselves and others. Also their heads will be like camel humps - some said that this means that their hair will be put up in a bun (became a fashion later). Allah knows best what this means. And they will not enter Jannah.
 - The hadith tells us that it is possible to be clothes yet still naked!
- To not be eye-catching in-and-of itself. If Allah says not to stamp your feet to draw attention by sound then how much more for other factors that may catch attention. So to wear a hijab that is flashy will defeat the purpose of hijab. To have hijab beauty contests is an oxymoron and defeats the whole purpose of hijab all-together. It is not the hair only that needs to be covered. The hijab and jilbab cannot be flamboyant. It is supposed to be simple and plain and there are many evidences of this as well in the sunnah.
- Do not imitate other cultures and do not be flamboyant and do not imitate the opposite gender.
 - Refer to that in men's section. Applies to both men and women.
- That it should cover her awrah.
 - Unanimous consensus without any difference of opinion - women's entire body is awrah. Except for 1 area of difference of opinion which is the face, hands, and feet. Her whole body including the hair is awrah.
 - Infront of other women: same awrah as men. Women breast-feed children infront of other women - it is permissible but to be more conservative is even better. Should be modest still.
 - Infront of mahram relatives, she can wear pants, shirt. This here can change from culture to culture infront of mahram!
 - Your mahram are those who are immediate inlaws but not the others through marriage.
 - Muslim women in front of other non-Muslim women - takes same ruling as muslim women as long as you trust her and she will not take pictures or describe you and so on.
- She should wear an outer garment that is above and beyond what she regularly wears. A sister must wear jilbab for the minimum requirements of hijab to be met when she goes out or when any non-Mahram male is in front of you.
 - Jilbab = a large scarf (1 definition) or a type of over coat or a type of large shawl. These definitions are all correct.
 - She must wear something above and beyond what she regularly wears like what she wears in the house.

Evidences of Jilbab

- A verse in the Quran - that they should put their jilbab over themselves (explicit mentioning of the jilbab being required when they go out) - and this is a mark of Muslim women and they should wear it when they go outside.
- Also ladies of that age can remove their outer garment - showing that there is something else above and beyond what they usually wear. Another point here is that even at this age if they wear it, it is better for them! So shows its importance further here as well.
- Hadith in bukhari - where Prophet (saws) commanded women to attend the eid prayer...
 - How do 2 sisters wear 1 jilbab? Jilbab of those times were not the sown piece people wear in this time - just take a large shawl and 2 women cover themselves with it. The jilbab is like a long overcoat back then but is not the only type. The Egyptian hijab is a huge long scarf that goes below even her waist.
 - The modern style scarf and overcoat (jilbab since the scarf is small). This is permissible.
 - Pants are too narrow to be worn outside really. If she has a loose skirt for instance and a scarf going up to the skirt would be acceptable.
- Surah an-noor: verse 60 - those who have no hope for marriage and are past age of child-bearing - they can remove their outercovering (their jilbab), but it is better for them to keep it on

(even with regards to these old ladies) - there is a concession but if they cover it is better for them!

- Hadith of A'isha - women of the sahaba were described as being wrapped up.
- If a sister does not wear the jilbab - then she falls beneath the requirement.
 - o Hijab with loose clothing? Is she sinful for not wearing the hijab. No evidence to suggest that she is sinful. Also, some scholars have defined jilbab as a large khimaar. Therefore if they combine the jilbab and khimaar into one. Extra-large garment would constitute jilbab. Skirt is only what is allowed and not pants. Pants and shirts do not do the job and it doesn't matter what you do even if it is loose it still describes your body parts. If she wears a jilbaab with the scarf - no doubt then she has done the job.
 - o Still dress simple and dignified and even elegant and any colour really. But should not be flashy.
 - o YQ does not tell his wife to wear black jilbabs because of its connotation in this part of the world. Rather wear brown, or blue, etc.
 - o Men are lustful creatures and Allah told her to protect herself from this first.
 - o In N. America, we think it has to be a Saudi type of jilbaab but this is not true. We should have an American jilbaab that meets all the requirements.
 - o For a sister who wants to practice Islam in a more serious manner - we should be more encouraging of that.
 - o We should encourage sisters to dress modestly. Even if they go from dressing like a westerner to dressing with looser clothes (not even the hijab yet) - then we say she made a positive step and not turn her away or rebuke her but at the same time we cannot say that she is meeting that requirement.
 - o Many brothers are harsh and immediately judgemental - this only turns a person away. Rather think, atleast she is in the Masjid, or atleast she is trying, etc.
 - o Brothers have it easier because they can blend in but we are overly harsh on the women - they are out and beyond and stand out so it is harder for them.
 - o And remember the very verse that Allah tells women to wear a jilbab or hijab, it says Allah is oft forgiving, Merciful.
 - o Understand that it is difficult to be pointed out, ridiculed, and to stand out in and of itself. It is not in the women's fitra to be put in such a position. And Allah knows their position and he is Most forgiving and merciful.

Issues of Niqab

- Ibn Masud (said women have to cover their faces) and Ibn Abbas (said it is not waajib) were divided on this issue.
 - Hanbali and hanafi position is that it is not required (not waajib).
 - Niqab was practiced from the time of the Prophet (saws)
 - Do not cover the face and wear make-up.
 - It is a part of Islam! - so we should respect the sisters who want to do it.
 - o It was practiced at the time of the Prophet (saws) only difference of opinion is whether it is obligatory or mustahab.
 - Most scholars say it is mustahab and not obligatory (all 4 madhabs take this position).
 - Ibn Masud said that niqab was obligatory (that only eyes can be uncovered to see) and Ibn Abbas said it was ok for women to uncover her face.
1. "Let not the women of ihram wear the niqab or gloves." - this means that the custom was prevalent just from the fact that the Prophet (saws) said this.
 2. When travellers passed by we covered our face with the jilbab and when they went away we would uncover it again.

Other side - majority opinion

1. Hadith on abu dawud - scholars differed in its authenticity. About nothing being seen of her except this and this (pointing to face and hands). This is explicit in saying that hands and face is not a part of the awrah.

2. Another hadith on how a woman was described as having dark cheeks - therefore the face was not covered and she was speaking to the Prophet (saws) in front of the other men.
3. Hadith of the cousin of the Prophet (saws) - when he was sitting with the Prophet (saws) on a camel and it was said that a woman from a tribe of khatam came and this man started to stare at her and she asked the Prophet (saws) a question and he moved this man's face away to stop staring. This shows that she was probably not wearing the niqaab. Can be refuted by saying, since it is hajj time for instance.
4. Ibn Abbaas said it is ok to go out with the face showing.
 - We cannot ridicule the niqab - related from the earliest of people. It is a part of our religion.
 - Hijab is a total way of life and not just a piece of cloth.
 - Hijab is the same for both genders in terms of interactions. But women have an extra degree of hijab as a cloth as well.
 - When the sisters wear the hijab they should live up to its expectations. Be recognized as a woman of piety.
 - Leave the dawah about dress to the sisters and brothers should not get into this.

Reminder:

- The earliest plot of shaytan - that Adam and Huwa were led to expose their nakedness and they ate from haram food. These are 2 avenues that shaytan will use to misguide us. Our ancestors fell into this and Allah forgave them and we should learn from this. We should also remember to share food and clothing with others.
- The best of deeds that we can do is to give clothing to a Muslim to wear and give him food and drink. Statement of the Prophet (saws).

Question and Answer:

- A girl is required to start wearing it when she reaches puberty but it is not wise to start here. You should start when she is like 8 or 9 when she starts to be aware of what she is doing.
- Can a husband force a wife to wear the hijab? The husband is also sinful if his wife does not wear hijab. He can force her islamically but by law he can get in trouble.
- Most evil and disgusting practice imported from hinduism and so on - where the woman is decked out and the people stare at her - all men and so on. The elders really don't understand this. YQ even demanded complete separation and segregation and he said perhaps he was a little over-zealous too as a 21 year-old.
- When men are not men and they let their wives all prey to the family members and others then this is a problem. It is a give and take though. You give a little and take a little - there will be some compromise!
- Gheeraa = more jealous of your wives such that no one should see them. This is you being protective of her that you are jealous of your own wife! If you see your wife not dressed well then it is a sign of emaan to have gheeraa here and it makes sense to throw a fit on this matter.
- Children - those who have not reached the age of understanding what sexuality then you do not have to cover in front of. By age 10-11 you should but by 12-13 definitely you should!
- The father and the husband should force their women to wear the hijab otherwise even they can be held accountable.
- What defines the face? By and large the face stops at the chin. As long as she is covering the face for the most part then this is fine. The ears need to be covered as well.
- The acceptable minimum is to cover the entire body except the hands and face.
- Wearing pants is not of the minimum requirement.
- Fiqh of beautification
- Covering feet during prayer?
 - o Umm salamah - can I pray while wearing a long garment - yes as long as it covers the feet - if she wears a long skirt then she does not have to wear socks.
- A woman should not wear beautification outside:
 - o Any woman who wears perfume to attract the attention of men then her salah will not be

accepted.

- A woman should not look filthy and unkept. She should look clean.
- Halal meat cooked by a mushrik is ok
- Khol and eyeliner, etc. - no make-up should be worn when she goes out. It defeats the purpose of hijab.
- Eyebrows
 - o One of those issues where our culture is radically different than our religious requirements. Turns off a non-muslim when they hear this. Our religion says it clearly that a woman should not beautify her eyebrows.
 - o Eye contact first starts the buzz so it defeats the purpose to beautify the eye area.
- Wudu not accepted when done over nailpolish. Nailpolish in public should be avoided.
- Length of hair depends on culture and civilization again before it is labeled as an imitation as that of the opposite gender.
- Deodorant that just covers the body odour is allowed for women.
- We do not attract attention to ourselves generally unless the shariah requires us to.
- The purpose of high-heels is to be attractive and the noise of the high-heels is exactly what people of jahaliya would do with the anklet.
- A proper loose salwar kameez, thick and big decent dupatta then it is permissible. But the classical dupatta that is see-through in pakistan is not permissible.
- A woman's voice is NOT awrah. But there were ultra-conservative imams that said even the voice is awrah.
 - o Women spoke and their presence was known in Islamic society.
- Eyebrows cannot be changed or fixed - this is from the shariah.
- Shaking hands:
 - o Macroo or Haram - depends on situation.
 - o For doctors who need to make patient feel comfortable and they put out hand to shake then it is macroo.
 - o For those who you interact on a daily basis then this should be known and perhaps to shake is haram in this circumstance.
- Saheeh bukhari: Ayesha said that the Prophet (saws) never shook a women's hand.
 - o The hadith on such and such sin for touching a woman is weak.
- Women should go to the masjid because of our culture but in the times of the Prophet (saws) the women hardly left their house. Otherwise it is like saying go anywhere you wish except the masjid. So in our times, we thank allah that sisters come to the masjid.
- Can a woman travel alone?
 - o In the world we live in where woman travel everywhere - then if she travels to an islamic conference then alhumdulillah.
 - o But it should be avoid since it is prohibited in the shariah.
- Anything that draws extra attention to yourself for women is against the shariah.
- If a person owns a restaurant and believe that outside meat can be eaten then their meat is halal for them and is permissible for them to sell.
- Red wine vinegar is not khamar and is permissible.
- Vast majority of scholars say musical instruments is haram and therefore buying and selling it is also haram.

Norman finkelstein - A Jewish man who writes on historical events.