

# *Fard, Sunnah, Halāl, Harām, Wājib*

## And other Terminologies Related to the Rules of Islam

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Some terms related to the rules with which the Prophet came, rules that govern our lives as Muslims, include Fard, Wājib, Sunnah, and Nafl, Fard Kifāya and Sunnah Kifāya, Harām and Halāl, Makrūh Tahrēman and Makrūh Tanzēhan, Mustahab, Ja'iz, and Mubah. All these are terminologies used in Islamic Fiqh.

### **Fard**

Let us start with fard. What is fard? Sometimes *Al-Wasāyā al-'Ashr* – the Ten Commandments – are called fard, but this is for the Christians and the Jews. In fact, we, the Muslims don't have Ten Commandments – we have *tens* of commandments! But all the commandments in Islam are not in the same category of power. For example, in the hierarchy of power, the command of fard is more powerful than the command of wājib. Translated into English, the term “fard” means “obligation”. Wājib, in a literal translation, would be “duty” or “a must”. But the meanings of these terms and their connotations are very specific when used in the context of prayer (salah). For example, fard prayer, wajib prayer, sunnah mu'akkadah prayer, sunnah ghayr-mu'akkadah prayer, nafl prayer, harām prayer, or makrūh tahrēman prayer - all these terms have specific meanings in Islam.

Always, we find in the Qur'an “aqeemus salah”.

“Aqemu” is an order – a command – referred to in grammatical terms as “an imperative”. So when the Qur'an says “aqemus salah” it is referring to an obligatory prayer. What are the obligatory prayers? We normally speak of the five daily prayers, but the Qur'an did not tell us that. There is no single verse in the Qur'an which says the prayers are five in number. The closest we can get to infer the number of prayers is from a verse in Chapter Al Baqarah, which says, “Guard your prayers, especially the middle one.” It means, first of all, that the number of prayers is an odd number; otherwise there would be no “middle one”. It is not four, it is not six, it is not eight; it must be three, seven, or nine, or 11 – any odd number – so we have a prayer in the middle. And what is the meaning of “Guard your prayers, especially the middle one?” This will show you the depth and width of the Qur'anic language and the beauty of the Qur'an.

“Especially the middle one” made the ulama<sup>1</sup> think. Some ulama said the prayer in the middle is the *Maghrib*.<sup>2</sup> Why? Because it is in the middle, between the day and the night. Some said no, it is the *'Isha*,<sup>3</sup> because *'Isha* is located between the day and the night, since the day does not end until

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<sup>1</sup> Scholars

<sup>2</sup> Sunset prayer

<sup>3</sup> Late night prayer

the twilight disappears from the horizon. Others said no, it is *Al-Fajr*<sup>4</sup> because it is in the middle between the night and the day. Some others said no, it is the *Zuhr*<sup>5</sup> because it is located in the middle of the day when the sun is in the middle of the sky. Still others said no, it is *‘Asr*<sup>6</sup> because *Fajr* and *Zuhr* are on one side, while *Maghrib* and *‘Isha* are on the other side, and the *‘Asr* is in the middle. Who is right, and who is wrong? Only God knows! This shows that there is no clear-cut explanation for it, but the Qur’anic verse came in a form that can be interpreted; it can puzzle the brain, and it came, originally, to challenge the mind of human beings. So, in other words, if we want to talk about “the prayer in the middle” it includes all the prayers!

The command is “aqemus salah”, and the number of prayers is an odd number, according to that verse. How did we come to have five prayers? Here, the sunnah plays its role, because the Prophet said: “Pray as you have seen me pray.”

The prayers consist of a number of units called *rak’ats*. With regard to the Fard prayers, the *Fajr* is two *rak’ats*, the *Zuhr* is four *rak’ats*, the *‘Asr* is four *rak’ats*, the *Maghrib* is three *rak’ats*, and *‘Isha* is four *rak’ats*. How did we get to know the number of *rak’ats* of these prayers? We know from observing the Prophet. This is called *Al-Sunnah Al-Fi’liyya* – the sunnah which is based upon the actions of the Prophet.

Normally, the fard or obligations, are stipulated in the Qur’an in the form of orders – imperatives – such as “aqemus salah” (establish prayer) and “ātuz zakah” (pay the poor due). But, at other times, the Qur’an uses a different type of language to indicate an obligation or fard. The Qur’an did not say “*hujju*” (perform Hajj) as an imperative command, but, it says, *وَلِلّٰهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ*<sup>7</sup>. *Hujju* is the imperative, while *hijju* (حِجُّ) is the noun meaning “pilgrimage to” (the House of God). When it is put in this form, it means that it has become a *debt*. It is more, or, stronger than *hujju*. It has become an obligation, a debt around the neck of the people, to be paid to God by going there once in a lifetime, if one can afford it.

An obligation, or *fard*, in the Qur’an sometimes even

comes in a passive voice such as in the case of fasting. [Imam quotes Arabic verse. The English translation is:] “O, you who believe! Fasting (الصِّيَامُ) has been prescribed (كُتِبَ) for you as it was prescribed for those before you. . . .” If we translate it literally, it means: Fasting is written (كُتِبَ) for you as it was written for those before you. *Kutiba* is an Arabic word in the passive voice and it means, “To prescribe, or to make it a written law”, while *kataba* is the active voice. The Qur’an did not say: “*katabal-Lahu ‘alaykumus-siyam*”, but, to give it more assurance and more power, it was put in the passive voice so as to mean that it *already* has been done – has already been prescribed for you; it has taken place already. So, it means, start it immediately. So this is another form of an order in the Qur’an.

Sometimes, there is an obligation that God did not impose upon us, but we imposed it upon ourselves. This is called *nathr*. For example, if someone has a sick child and he vows “If God cures my son, I am going to pay that amount of money to the poor in the cause of God,” or, “If my son is cured I am going to fast one week.” This is not an obligation from God, but the person made it obligatory upon himself.

The *nathr* is very famous in our countries. In Lebanon, somewhere, there is the grave of a man known as Ash-Sheikh Musafir, at whose shrine people give *nathr* and light candles and all that. In Ajmeer Shareef, in India, they have the shrine of Mohiyuddin Chisti. His birthday is celebrated in the first three days of the month of Rajab, and millions of people pledge money, as *nathr*, at that shrine, because they vowed it – they made *nathr* for that. I remember, in 1960, the box for the *nathr* – like our donation box here – gathered about 3 million Indian rupees in those three days of Rajab. We have lots of similar sheiks in Egypt: Imam Shafi’i, Imam Hussain, Sheikh al-Arba’een – wherever you go, you find a Sheikh al-Arba’een. I don’t know how Sheikh al-Arba’een exists in so many different places. I used to say to my mother, when she made *nathr*, that she should give me the money, because, I, as a student at that time, learning and acquiring knowledge deserved the money more than Sayyidna Hussain and Sayyidna Badawi and all those other saints. I used not only to tell my mother this, but also proclaimed it as a “fatwa” when I was in the first year in Al Azhar! Imagine! How much

<sup>4</sup> Dawn prayer

<sup>5</sup> Mid-afternoon prayer

<sup>6</sup> Late afternoon

<sup>7</sup> 3: 97

<sup>8</sup> Which would mean “God has prescribed for you”

of an *'alim* could I have been at that time?<sup>9</sup>

Here, there is an important point to be noted – something about which most of us may be mistaken. We have to know, with regard to *nathr*, that if you vowed to make *nathr* for the sake of anything, or anyone, other than God, then it does not become an obligation for you to fulfill that promise. So, making *nathr* for this sheikh or that sheikh is not *nathr*: it does not become an obligation on you. The *nathr* should be for God. If you impose it upon yourself in the name of God, then, you are *obligated* to fulfill it. If you make the *nathr* for other than God, then just forget about it, as if you didn't say it. Some of our people make *nathr* to recite *mawlood sharif*.<sup>10</sup> There is no such thing. That is a sort of a farce which we make obligatory on ourselves, because, first of all, it is not in the name of God, and secondly, you have a feast for the participants after the *mawlood* recitation, not for the poor people, but for people who can afford to eat in their own homes.

### Fard Kifāya

An example of *fard kifāya* is the *janaza*<sup>11</sup> prayer. *Fard kifāya* means that if a Muslim dies in a city, like Toledo, and no one prays the funeral prayer, then, all the Muslims in Toledo will be sinners. But if two or three people perform the *janaza* prayer, then the obligation of *janaza* prayer has been met on behalf of all the Muslims of Toledo, and they will not be regarded as sinners.

### Sunnah Kifāya

It is said that *Taraweeh Prayer*<sup>12</sup> is *sunnah kifāya* or *wājib kifāya* which will be very close to *fard*, and the meaning is that if *some* people in a certain locality pray the *Taraweeh* during the month of *Ramadan*, then, those Muslims in that area who did not participate in the *Taraweeh* prayers will not be sinners, but if nobody performed the *Taraweeh* in that locality, then all the Muslims in that locality are sinners.

### Wājib

What is *wājib*? *Al- wājib* is an act that falls between *fard* and *sunnah*. An example of this, in *salah*, is the three *rak'ats* of *Al-*

*Witr* which we pray after *'Isha*. It is not as powerful or obligatory as the *fard*, and it is not as weak or optional as the *sunnah*. That is why if you missed your *'Isha* prayer and you are making up for it in the morning, according to some Muslim scholars, you need to pray the *fard* only, while others maintain you have to pray the *fard* and the *witr*.

### Al-Sunnah

It is of three types:

- 1) The actions of the Prophet – *Sunnah Al Fi'liyya*
- 2) The sayings of the Prophet – *Sunnah Qawliyya*
- 3) *Sunnah Taqrīriyyah*, practices prevailing at the time of the Prophet which he did not oppose or prohibit.

The most dangerous of these three types is the *Sunnah Qawliyya* or *ahadith*. When you look at a book of *hadith*, you find that there are a series of names before a *hadith*: “*Abu Hurayrah* narrated that he heard from so-and-so, that he heard from *Omar bin Khattab* who said that he heard the Prophet saying this, this, this.” This sequence of narrators is what makes the science of *hadith* a very difficult science, and if someone quotes *hadith* he has to be well-versed in that field. Very few people are. In the history of Islam, it is known that many Jews converted to Islam, not in their hearts, but they converted to corrupt Islam, e.g. *Abdullah Ibn Ubai Ibn Saloul* who converted to Islam and distorted many *ahadith*. The same thing happened with Christianity. You know, the disciple, *Paul*, is considered by some Christians to have been a Jew who converted to Christianity to distort Christianity, while other Christians highly respect him. So, when it comes to the *hadith* we have to be very careful.

In the science of *hadith*, the *hadith* are divided into four different categories, and each category indicates a certain level of authenticity. In descending order of authenticity these categories are:

1. *Hadith Mutawatir*
2. *Hadith Hasan*
3. *Hadith Da'eef*
4. *Hadith Madssoos*.

There is a whole science taught in the graduate college of *Al-Azhar* known as the *Al-Isra'eliyyāt* (*hadith* inserted into Islam by the Jews to distort Islam). Even today, most of our old *tafseer*<sup>13</sup> books contain a lot of these Israeli *ahadith*. As a result,

<sup>9</sup> Imam would have been 11 years old at the time

<sup>10</sup> Singing songs in praise of the Prophet

<sup>11</sup> Funeral

<sup>12</sup> Performed at night in the month of *Ramadan*

<sup>13</sup> Qur'anic exegesis

I say, when you come to uncertain hadith, the safest thing is to be neutral – don't falsify and don't confirm.

Nowadays, there are a lot of people, who, if you say something, will right away reply with a hadith, and they don't know what they are talking about. You note that I don't quote ahadith here, and some people interpret this as my non-belief in the sayings of the Prophet, but that is not so. It is that I am scared; I am not that good a scholar in hadith to dare to talk about it. That is why I am reticent sometimes. I don't quote any hadith except in two situations: if I am sure of its authenticity, or the hadith, even if it is a weak hadith, will not touch upon your religion, that is to say, it will correct your behavior in some way but does not connote halal or haram. Only then will I quote it.

### **Sunnah Al Fi'liyya** (the actions of the Prophet)

It is of two types: Sunnah Mu'akkadah and Sunnah Ghayr-mu'akkadah, both of which refer only to the ritual prayers.

**Sunnah Mu'akkadah**, when translated, means *confirmed* sunnah. It means that the Prophet performed certain prayers most of the time during his life, but not always. Why did he *not* do it a few times? Because, if he had done it all the time, people would have interpreted it as fard. Examples of Sunnah Mu'akkadah are the two rak'ats of sunnah prayer in the *Fajr* and *Maghrib*. Some ulama define it in another way: they say that Sunnah Mu'akkadah is that action for which Muslims will be rewarded if they do it, and they could be "blamed" for not doing it, but will not be punished.

**Sunnah Ghayr-mu'akkadah**, when translated, means *unconfirmed* sunnah. This is the opposite: it is the prayer which the Prophet performed sometimes and did not do it most of the time, for example, the four rak'ats of sunnah before *Asr*. Some ulama define Sunnah Ghayr-mu'akkadah as the sunnah for which a Muslim would be rewarded if he did it, but will not be punished for ignoring it.

We hear a lot of talk about sunnah, for example, "It is sunnah that a man marries four wives, because the Prophet married four wives." Can we take it that way? I don't take it that way, because there are Qur'anic verses which contradict that. The Qur'anic verse which allowed marriage with more than one wife is *conditional*. That Qur'anic verse starts by a *condition*: "in khifatum" (*if* you fear) that you cannot establish

justice among the orphans, then, marry two, three or four..." *So there is a condition*. We cannot come blindly and say that the Prophet married four wives, or nine wives, so we have the same right. Moreover, the Prophet married for certain reasons. This sunnah is something which is subject to analysis.

### **An-Nafl**

This is a prayer (*salah*) which you do out of your own sweet will. You come to the mosque and would like to pray 100 rak'ats – go ahead, help yourself. It is not obligatory, it is not sunnah; it is not fard, its not wajib; it is your own wish. That is an-nafl. If you would like to spend all your time in praying nafl, then help yourself.

Nowadays, there are Muslims who emphasize things which we can do without, such as staying overnight in the mosque (*i'tikāf*), and praying. Many such persons not only don't earn their living, but are living on public assistance. I am reminded of October 1973 when Egypt had a war with Israel, and for the first time in our lives, Jews in this country and in Canada were quitting their work and going to Israel to fight. Compare this with the Muslims of nowadays; Muslims are being beaten everywhere, and the most we do is to condemn it orally rather than supporting our brothers physically and financially. We lack action. And some people are contributing to the poor plight of the Muslims by engaging in *i'tikāf* – praying all night and, then, sleeping all day long. They can afford to do that because they are collecting welfare; that is part of Islam, in their view. If you don't believe me, go to the welfare office, here, in Toledo and Detroit, and see how many Muslims are on welfare. And when you talk to these same Muslims, they don't talk the normal talk which we are talking, but they reply by quoting Qur'anic verses and ahadith. And do you want to know one more secret about the Muslims of nowadays? Some Muslims are divorcing their wives on paper, then renting a room in her house, signing a lease for \$200.00 per month, and living there in the house with her, and both are collecting welfare. And these are the very Muslims who talk by the Qur'an and the hadith. And they display their holiness and righteousness, and say they are Muslims. Scandalous!

Islam is something other than what we are saying and acting. We come to the very small and trifling things and argue about them, e.g. how long is so-and-so's beard, and how high are So-and-So's heels, while we are not thinking of those

Muslims who are dying in Bosnia every day.<sup>14</sup>

### Harām

This is a word that we hear all too frequently. It means “prohibited”. But our understanding of haram is a very narrow one. For example, there are some people who sit all night and talk about the honor of men, and the honor of women: this man is going with this woman, and that man is going with that woman. And it never occurs to them that all their talk is haram. You know what the Qur’anic verse says in this regard? Chapter An-Noor, Verse 4: “Those who are talking about women and they don’t have four witnesses to prove what they are saying, lash them 80 times in an open square and never accept their testimony before a court.” See what the punishment is for someone casually tarnishing the reputation of a woman. Have you ever heard anybody warning someone about this type of haram – that it is haram to talk about other people behind their backs? No. Instead, they talk about the high heels being haram: if a woman is short, and, with the high heels, she appears taller; this amounts to deceiving her husband and so this is haram. They argue about whether the nail polish is halal or haram. But the Prophet did not have nail polish in his time. How could he talk about nail polish and high heels? Where are we getting such ahadith from, where is the Qur’an, where is the reasoning behind all this talk?

Islam says that a woman can display even her bracelets, as this is her ornament (*zeenah*). But, nowadays, we find just the opposite: the men, nowadays, have bracelets and necklaces, and they open their shirts to show their necklaces and hairy chests. And you find men with five or six chains around their necks, not one; you see men with golden lockets with *Ayat-ul-Kursi*<sup>15</sup> written on them, and we don’t say to them this is haram,<sup>16</sup> but, rather, we say to the woman who is wearing and showing her bracelets that she is doing haram.

Islam requires a man to display his manhood in a modest and respectable way, and a woman to display her womanhood in a modest and respectable way. And Islam requires the two to fight the devil, not to escape from the devil.

By this I mean that when you take your 18-year-old daughter and put her in a room and lock it, then you are teaching her how to escape from the devil; instead, teach her what is right and what is wrong and let her resist the devil; that’s what Islam requires. If you lock her up in a room, she could open the window and get a man in through the window, even while you are in the house. And don’t forget, maybe the ladies will be angry with me this time for quoting this, but, when the Qur’an refers to the “schemes of the devil” it says they are “weak”, but when it refers to the “schemes of the woman” it says they are “truly awesome”. Therefore, what we should do is teach our children how to resist temptation, to know our limits within the framework of Islam, and to be good Muslims.

### Halāl

Halal is the opposite of haram, and it means “legitimate”.

### Makrūh Tahrēman

Makrūh Tahrēman is that action which is not as severe as the haram, but it is very close to being haram.

### Makrūh Tanzēhan

Makrūh Tanzēhan is that action which is not halal, but it is very close to being halal.

### Mustahab (Mandoob)

Mustahab means recommended.

### Ja’iz

Ja’iz means permissible.

### Mubah

Mubah means it is your prerogative to do it, or not to do it. How do we know what falls into the category of mubah? We know that something is mubah if there is no mention about it – either to recommend it, or to disapprove of it. Then it is mubah, and it is your prerogative whether you do it or not.

<sup>14</sup> The Bosnians were fighting the Serbs and the Croats, for Bosnia-Herzegovina – their homeland – between March 1992 and October 1995 when a settlement, known as the Dayton Accords, was imposed on them by the United States.

<sup>15</sup> Qur’anic verses

<sup>16</sup> In Islam men are strictly prohibited from wearing any kind of jewelry – even a single chain around their necks – with the sole exception of a wedding band.