

STUDY GUIDE

Al Qawa'id Al Fiqhiyyah

PART 4

by Shaikh Assim Al Hakeem

From the Series:
Al Qawa'id Al Fiqhiyyah

COURSE OUTLINE



Course Topics

1. Subrules to the rule 'Al Mashaqqatu Tajlibut Tayseer'
2. Understanding the rule 'Laa Dharar Wa Laa Dhiraar'
3. Types of harm that are exempted
4. Subrules to the rule 'Laa Dharar Wa Laa Dhiraar' – I
5. Subrules to the rule 'Laa Dharar Wa Laa Dhiraar' – II
6. Subrules to the rule 'Laa Dharar Wa Laa Dhiraar' – III
7. Obedience to unjust rulers for greater good
8. Donation of organs after one's death
9. Understanding the rule 'Al 'Aadatu Muhakkamah'
10. How to recognise a custom?
11. Subrules to the rule 'Al 'Aadatu Muhakkamah' – I
12. Subrules to the rule 'Al 'Aadatu Muhakkamah' – II

COURSE OUTLINE



Course Objectives

1. To understand about the different rules of Shariah
2. To understand the importance of customs in Ijtihad and other rulings
3. Understanding the importance of not harming others or reciprocating the harm

Question & Answer Bucket

Transcripts

Assessment

Multiple Choice Questions

Match the Columns

True or False

Course Duration

Video – 2 hours 20 min

Study Guide – 45 min

Assessment – 10 min

Total Duration – 3 hours 15 min

LESSON 1

KNOW

the

RULES

The Third Major Rule:

HARDSHIPS WARRANT CONCESSIONS – PART 6



1

Subrules to the rule 'Al Mashaqqatu Tajlibut Tayseer'



Al Idhtirar Laa Yubtilu Haqq Al Ghair – Necessity does not void the rights of others

For example, if you're stranded in a desert and you have no Halaal (permitted) food with you, but you see a stray camel roaming about. You slaughter the camel and eat of its meat



to save yourself from starvation, but when the owner comes and demands that you compensate him for his camel, you are obligated to compensate him for his camel because though you were in a necessity, it does not give you the right to void the rights of others.

But if the same camel attacks you, and the only way for you to defend yourself was to kill it, you are not obligated to compensate the owner for his camel because the harm was initiated by the camel, and you only acted in self-defence.





ii

**Ma Jaaza Li Uzrin Batula Bi Zawalihee -
Whatever is permitted for a necessity,
becomes unlawful when the necessity
has passed**

For example, if one isn't able to find water for Wudhu (ablution), he/she is permitted to perform Tayammum and complete their Salaah (prayers). But if before he/she begins their prayer, it rains and water for ablution is available, therefore in such a case one is obligated to perform Wudhu and not permitted to perform Tayammum because the necessity of Tayammum has passed away.





iii

Al Waajibaat Tasqutu Ma'a 'Adamil Qudrah – Obligations are not required to be performed when there is no ability



“So, fear Allah as much as you can.”

(Al Qur'an 64:16)



Ability is not confined to only one thing, it can either be physical, financial, and the ability itself. And there are a number of subrules that one can derive from this, but the most famous rule is: There is no obligation when unable, and there is no prohibition when needed.



For example, one is required to pray Salaah standing up under normal circumstances, and can only pray sitting, or lying down due to a necessity (sickness or disability etc).

Therefore, if one is handicapped and cannot stand up, you are not required to do the mandatory (pray Salaah standing up), but you must pray it sitting or lying down.



LESSON 2

First do
no harm



The Fourth Major Rule:

**NEITHER HARM NOR
RECIPROCATE HARM
- PART 1**



2

Understanding the rule 'Laa Dharar Wa Laa Dhiraar'

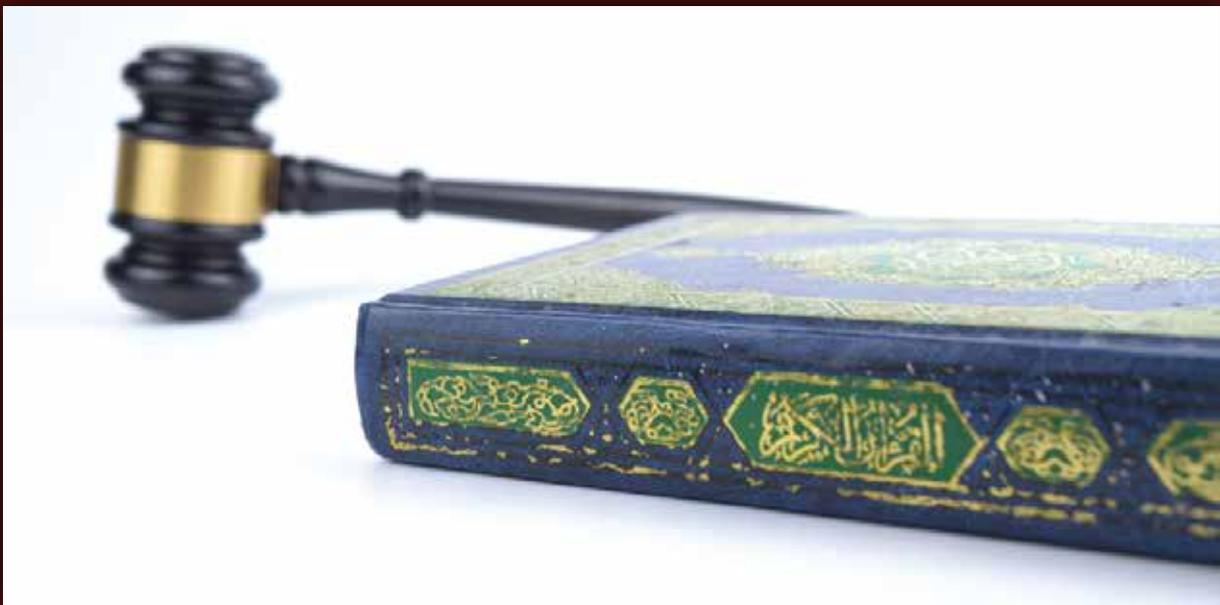


The Major Fiqhi rule 'Laa Dharar Wa Laa Dhiraar - There should be no harm nor any reciprocating harm' is also known among the jurors as 'Ad Dharar Yuzaal - The harmful must be removed.'

Some scholars prefer using the first statement because it matches the exact words of the Hadith of the Prophet (pbuh).



The Prophet (pbuh) said:
“There should be neither harming nor reciprocating harm.”



The Shariah prohibits initiation of harm towards anyone or anything without a valid reason.

For example, you bully and hit children in school without reason. Is there any reason that necessitates this or gives you benefit? No. This is prohibited for you.



The Prophet (pbuh) said:
“A Muslim is the one from whose tongue and hands the Muslims are safe.”



Scholars say that Islam is based on two things:

- i Attaining and bringing benefits
- ii Preventing and eliminating harm



No matter what aspect of life we look at, we find this rule applicable in them that focuses on attaining and completing the good, and preventing and reducing the evil.



3 Types of Harm that are exempted

Among the types of harm that are exempted from the above rule are -

i Harm of inflicting the Hadd (prescribed punishments)

The harm of implementing the Hadd punishments prescribed by the Shariah are exempted from this rule because they are necessary deterrents for others and part of the Shariah.

For example, amputating the hands of a thief.





ii If the harm is negligible

If the harm is negligible that not knowing about it would cause no effect to either party, it does not come under the above rule.

For example, a retailer sells a jacket of good condition without any defects to his customer, but if they do not know about the inner material used for the jacket it is permissible because not knowing about the material is negligible.



iii Personal harm

In instances wherein one personally accepts to void and waive off his/her right in a certain harm, it is permitted.

For example, according to the Islamic ruling, if one accuses someone of adultery, he must provide four witnesses and if he fails, he should be flogged 80 lashes.



But since it is the personal right of the accused, and if he/she forgives the accuser by waiving of their right, they shall be forgiven.

But, this exemption has condition attached to it, that is 'a private right can only be forgiven before it reaches a judge. If the private right reaches the judiciary for a decision, then the decision of the judiciary would be final, because it no longer remains a private right but converts to a public right.



An incident from the Sunnah of the Prophet (pbuh) explains the condition, while a Sahaabi (companion) was sleeping in the Haram, someone stole his clothes. When the thief was caught, the matter was brought before the Prophet (pbuh) to judge. The Prophet (pbuh) ordered the hands of the thief to be amputated according to the Hadd prescribed by the Shariah.

When the Sahaabi heard this, he said that I give my clothes to him as a gift and forgive him, but the Prophet (pbuh) refused his request because the matter had already reached the judiciary, making it a public right.



4

Subrules to the rule 'Laa Dharar Wa Laa Dhiraar' – I

i

Ad Dharar Yuzaal – The harm should be removed

This is similar to the main rule 'La Dharar Wa Laa Dhiraar', but it has actually stemmed from it.

It applies to all four possible instances:

- a. partial removal of harm after its occurrence
- b. total removal of harm after its occurrence
- c. partial prevention of harm before its occurrence
- d. total prevention of harm before its occurrence



For example, your neighbour grows a tree in his yard whose leaves and branches hang over into your yard. Though you clean the yard, this tree is causing a hinderance to you, so you are permitted to get rid of the harm that is caused to you. You can remove them partially first, but if it still does not help you have the right to request your neighbour to remove the tree completely or get a ruling against him for the complete removal of the tree because of the harm caused to you.



ii

Ad Dharar Yudfa' Bi Qadril Imkaan - Harm should be avoided to the best of your possibility

Similar to the above situation, the best option to start with would be to cut off the branches that intrude into your yard, but if cutting off the branches does not help then the next step would be to remove the tree completely.

Taking steps to ease one's job, and removing such harm is either for the good of the community and one's personal benefit.



Similarly, when it comes to issues of greater public interest like Jihaad. It may inflict harm, but the harm is justifiable because it is for the defence of Islam.

Jihaad was never mandated for one to be an aggressor and inflict harm on others, but it was mandated for the purpose of Da'wah and self-defence.

LESSON 3

FIRST, DO NO HARM

The Fourth Major Rule:

**NEITHER HARM NOR
RECIPROCATE HARM
– PART 2**



5

Subrules to the rule 'Laa Dharar Wa Laa Dhiraar' - II



i

Al Qadeem Yutraku 'Alaa Qidamihi - The ancient or old must be left as it is

This subrule explains that if something old existed previously and is still existing until today, then there is no reason for bringing change to it without appropriate evidence.



For example, someone has been living in a house for around 50 years, but he does not have any documentation to prove the house as his. And we get a group of people coming and saying that the house is ours, and they do not have any proofs for their claims too.

So in such situations, as long as there is no evidence to prove otherwise, then what is ancient and old remains as it is (unchanged).



ii Harm cannot be upheld for being old or ancient

This subrule explains that harm cannot be justified and upheld or allowed to continue just because it's old and has been occurring since ages.

For example, two neighbours have been living near each other for a long time, and one of the neighbour's house is overlooking the other neighbours windows.



One fine day, the second neighbour complains and asks his neighbour to cover his windows because they are overlooking into his house.

The second neighbour cannot justify this harm by saying that this harm has been happening since long and therefore should be left as it is. No, but the above rule applies herein, that a harm cannot be allowed to continue even though it is old and ancient.



iii

Ad Dharar Laa Yuzaalu Bi Mislih – Harm should not be removed with equal

The above rule explains that substituting harm with an equal harm is not what is approved by the Shariah, because substituting one harm with one another of equal measure is as if no change has been made.

When one witnesses evil, he/she should indulge in Inkaarul Munkar (try to prevent vice and evil) from continuing.



But there are levels of Inkaarul Munkar too:

a. Complete prevention and substituting it with good

The highest level of Inkaarul Munkar is to have evil stopped and removed altogether and substitute it with something that is good and virtuous.

For example, you have a friend who's listening to music. The highest form of Inkaarul Munkar in this situation would be to advise him against it and get him to turn it off and instead listen to the Qur'an.

The vice is removed and substituted with something that is good and virtuous.





b. Prevention of the vice, but not substituting it with another good.

For example, you have a friend who's listening to music. The second form of Inkaarul Munkar in this situation would be to advise him against it and get him to turn it off.

The vice is gone, but not substituted by any good or bad.



c. Reducing the harm or evil

This is when the harm has not been stopped completely but reduced from its current level.

For example, you have a friend who's listening to music on a loudspeaker. The third form of Inkaarul Munkar in this situation would be to tell him that he's annoying everyone and disturbing the peace. So, he attaches his headphones and listens to it alone.



The harm has been reduced from everyone listening to music to him alone listening to it.



d. Substituting the harm or evil with another evil

This level is an issue of Ijtihad, one has to evaluate whether the harm that would substitute the current harm be equivalent or less or more?

If it is more than the current harm, then it is Haraam.

For example, someone who is playing cards and wasting his time. You advise him that he's wasting his time and should utilise it better, so he goes and watches pornography. You have to evaluate this; pornography is the greater evil of the two and so you can't let him continue with it. It is better to send him back and play cards.



iv

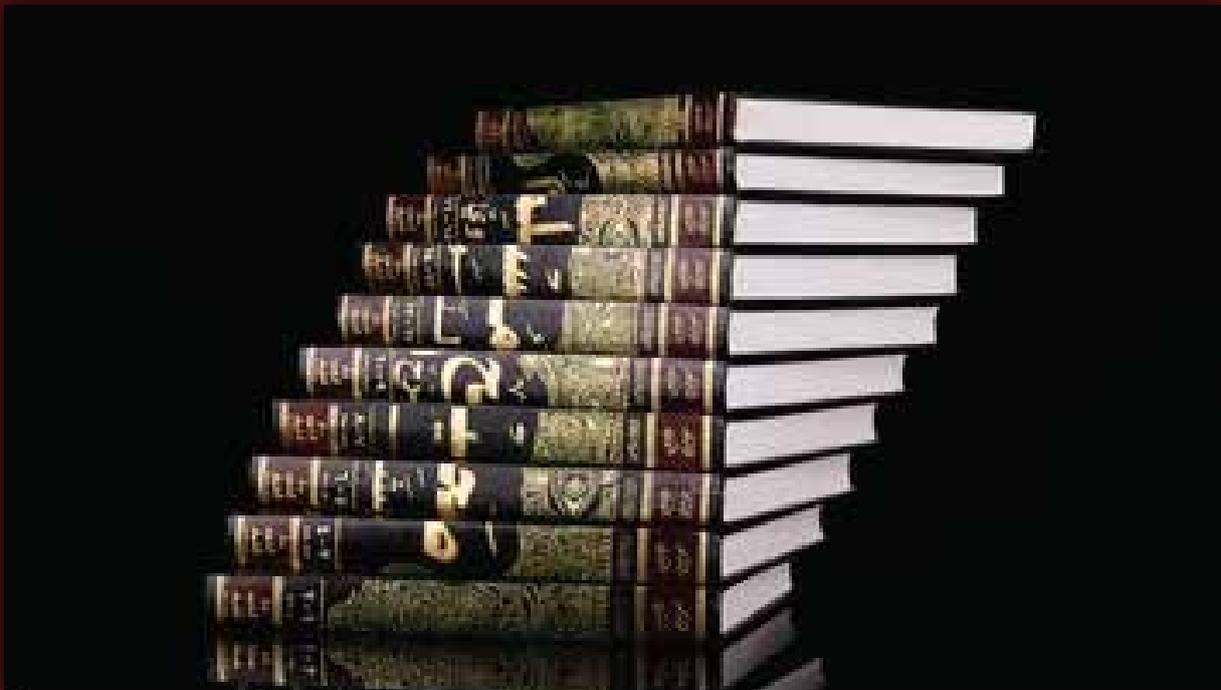
Ad Dhararul Ashadd Yuzaalu Bid Dhararil Akhaff – The greater harm should be removed by the lesser harm

When we have two harms facing each other, the greater harm or evil of the two should be eliminated. And the evidence for it is found in the Qur'an and the Sunnah too.



The Prophet (pbuh) said:

“A bedouin urinated in the mosque and some people rushed to beat him up. The Prophet (pbuh) said: “Leave him alone and pour a bucket of water over it. You have been sent to make things easy and not to make them difficult.”





The Prophet (pbuh) forbade them from stopping him because stopping him would cause greater harm. One harm would be physical, because he would interrupt his process of urinating causing him illnesses and the other greater harm would be that startling him would cause him to run in the Masjid, dripping urine all around the Masjid.



Some of the other rules that have the almost same meaning as the above rule are:

- a. Izaa Ta'arada Mafsadataan Roo'iya A'zamuhuma Dhararan Birtikaabi Akhaffihuma – If two harms clash, the more harmful of them is avoided by committing the lighter of them
- b. Izaa Ta'arada Mafsadataan Yukhtaru Ahwanu Ash Sharrayn – If two harms clash, you choose the lesser evil



iv

Yutahammalu Ad Dhararul Khaas Li Daf'i Dhararin 'Aam – A general harm must be prevented if possible by inflicting a private harm on an individual

In capitalism, the rights of privileged individuals are more honoured and sacred than the rest of the whole community.

But, this is not acceptable in Islam. A balance is maintained, you can possess and do whatever you want with your money. The harder you work, the more you get paid and lose out if you don't.



There is nothing in Islam as personal freedom, you have the right to do whatever you want as long as you do not harm others and infringe upon their rights.

For example, if there is a licensed doctor performing surgeries outside the hospital and his patients are dying due to it. Though he is a licensed doctor, and it is his right to practise, it is the duty of the governor/ruler to prevent him from practicing though it infringes upon his personal right to protect the right of the greater community.

LESSON 4

FIRST

DO NO HARM.

The Fourth Major Rule:

**NEITHER HARM NOR
RECIPROCATE HARM
– PART 3**



6

Subrules to the rule 'Laa Dharar Wa Laa Dhiraar' – III



Dar'ul Mafaasid Awlaa Min Jalbil Masaalih – Preventing harm takes precedence over acquiring benefits

The above rule explains that if faced with the choice of preventing a harm or acquiring benefits, the prevention of harm takes precedence.

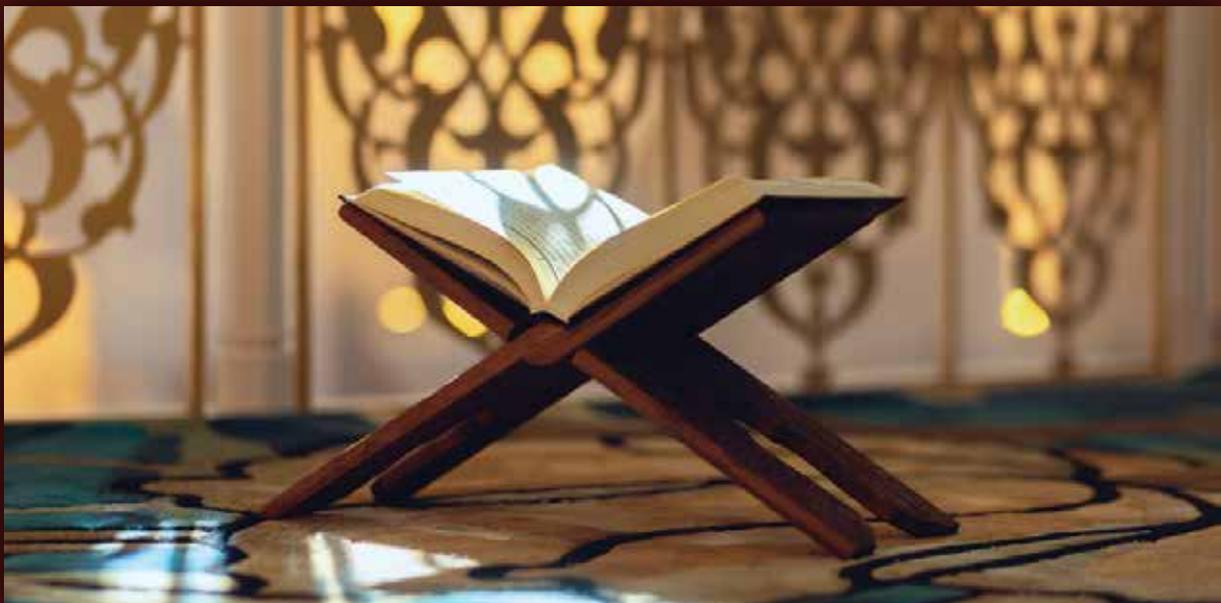


The above rule can be applied in many circumstances giving you a compass to make the correct choice. If the benefits and the harm are equal, the prevention of harm must be given preference, but if the benefit is greater than the harm, then the benefit must be given precedence.



“Revile not you those whom they call upon besides Allah, lest they out of spite revile Allah in their ignorance.”

(Al Qur’an 6:108)



Though some may consider insulting idols as a good thing because worshipping idols is committing Shirk and therefore insulting and speaking ill of the idols would show people the reality of the idols and their actions.



But, Allah (swt) orders against it because preventing harm (Allah (swt) being abused and spoken ill of) takes precedence over acquiring benefits (idols being spoken ill of and exposing the truth.)



“They ask you concerning wine and gambling. Say: ‘In them is great sin, and some profit, for men; but the sin is greater than the profit.’”

(Al Qur’an 2:219)

Similar is the ruling for alcohol, though it has some benefit, it also is a cause of great harm. Therefore, according to the above rule – though alcohol has benefits, preventing harm is given precedence over acquiring benefit and therefore it is Haraam.



7

Obedience to unjust rulers for greater good



The Prophet (pbuh) said:

“You listen and obey the Ameer (commander/ruler) even if your back is struck and your wealth is taken, listen and obey.”



The safety and security of the whole community is of utmost importance to the extent that the Prophet (pbuh) said that you must obey your rulers even if he flogs your back or takes your money.

You have to obey him, ask Allah (swt) for what is yours and give them what is theirs of obedience because the security, the stability of the whole community and society has precedence over few of the things that you believe that are needed.

But, if one is destroying your honour, attacking your women and children and committing all kinds of crime, you must stand for your right because defending your right is something that is sacred.





The Prophet (pbuh) was asked that what should be done if a man wants to take my money. He said, 'Don't give it to him.' The man said, 'What about if he fights me?' The Prophet said (pbuh) said, 'Fight back.' The man asked, 'What if I kill him?' The Prophet (pbuh) said, 'He is in Hell.' The man asked, 'What about if he kills me?' The Prophet (pbuh) said, 'You are in Paradise.'

So, fighting back to protect yourself and your family from harm is your right, but the Hadith of obeying your rulers is in the context of opposing them for things one might think they are entitled to (like raise in allowances, decrease in taxes; etc.)

As for cursing one's leaders and rulers, a Muslim must abstain from it as much as possible because a Muslim always purifies his heart and his tongue.

Though it is disliked, the Prophet (pbuh) said: "The worst of your leaders, are those who you curse, and they curse you back." proving that there would be a time when people would be ruled by unjust and tyrants which would cause people to curse them.



8

Donation of organs after one's death



The issue of organ donation after one's death is an issue of dispute among the scholars, the most authentic of which is that it is not permissible to donate anything after your death because your body is not yours, but an Amaanah (trust) from Allah (swt) and a Muslim should be respected and buried with dignity after his/her death.

As long as one is alive, one is permitted to donate organs that would not cause him harm or endanger his life or can be replaced.

For example, one can donate a part of the liver because it will grow back again.

LESSON 5



The Fifth Major Rule:

CUSTOMS ARE BINDING - PART 1



9

Understanding the rule 'Al 'Aadatu Muhakkamah'



The Major Fiqhi rule 'Al Aadatu Muhakkamah – Customs are binding' explains the importance of customs and the rulings and the conditions attached on their practise.

This shows the beauty of the Shariah that not every single thing is stated in the Qur'an and the Sunnah, because Allah (swt) wants to give humans the freedom to practise in certain aspects of life as long as it doesn't go against the basic guidelines of the Qur'an and the Sunnah.



“Hold to forgiveness; command what is Ma’roof (right); But turn away from the ignorant.”

(Al Qur’an 7:199)

The Qur’an does not use the word ‘Aadah - customs’, but rather uses the word ‘Ma’roof – something that is good and accepted by people’, because even though something may be a custom it may not necessarily be good.

For example, no matter what country one lives in, stealing is considered to be Munkar (evil) and feeding the hungry is considered as Ma’roof (good and acceptable).

When Hind bint `Utba complained to the Prophet (pbuh) “Abu Sufyan is a miserly man and I need to take some money of his wealth.” The Prophet (pbuh) said, “Take reasonably what is sufficient for you and your children.”





The Prophet (pbuh) used the words 'Bil Ma'roof' to signify- what is sufficient for your lifestyle according to the prevalent customs.

However, there are two conditions that a custom must fulfill so that people can follow it,



a. It must be coinciding with the Shariah

If a certain custom goes against the teaching of the Qur'an and the Sunnah, it must be set aside and not followed because the Qur'an and the Sunnah must be a priority for any Muslim.

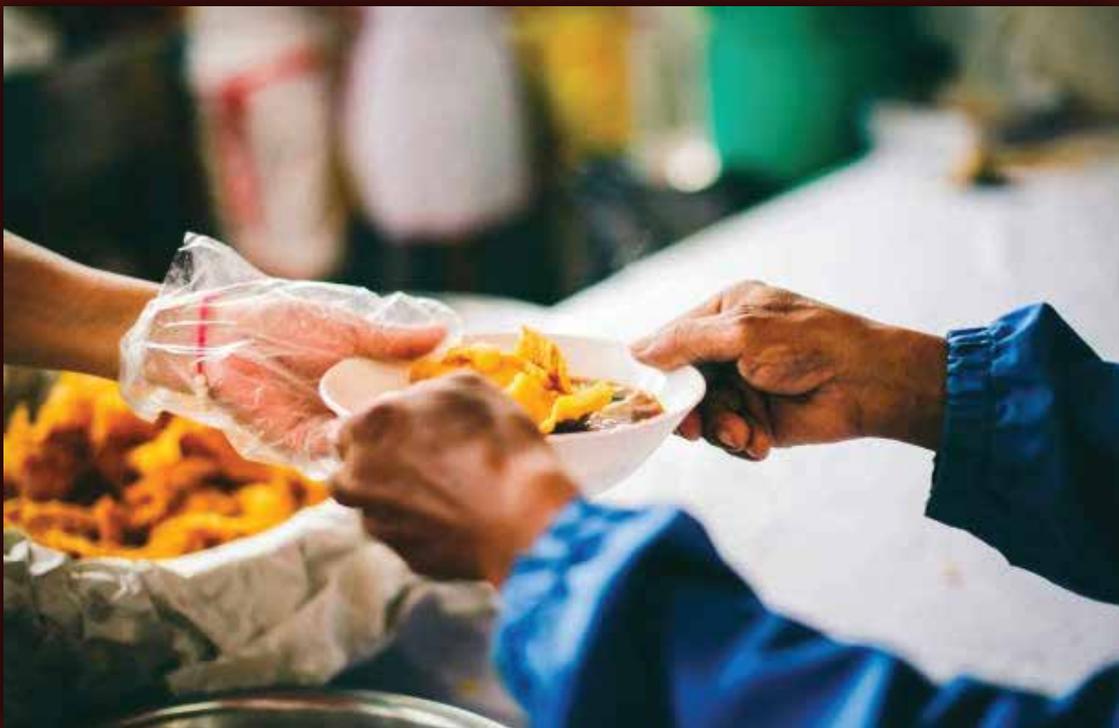


b.

It is used for defining what the Arabic language or the Islamic rulings did not specify

For example, when Allah (swt) mentions the expiation of breaking one's oath, it is to free a slave, or feed 10 poor people from the middle of what you eat or clothe them.

The feeding of ten people from the middle of what one eats is whatever that is acceptable according to the customs around them. It may be a full plate of rice, or some curry with chicken or meat etc.





10

How to recognize a custom?



Among the conditions that a certain thing or action must fulfill for it to be considered a custom are:

i It should be widely spread

For a certain act to be considered as a custom it should not be specific to a certain group or person, but rather widespread and accepted amongst the people.



ii It should be applicable at the present time

The action in question must be widely accepted by the people of that present time. Therefore, the custom has to be matching to the time it was said or done in because every custom differs.



iii It must not go against what is stated

A custom is an action or thing commonly accepted amongst people, but if there is a condition that clearly states otherwise, the condition is given preference over the custom.

For example, if you rent a car, the custom is that you have the right to put your luggage in it.

But if it was stated in the contract that you must not carry anything over 50 kgs, therefore though the condition is against the custom, but because it's a contract, it becomes binding, and the custom is set aside.

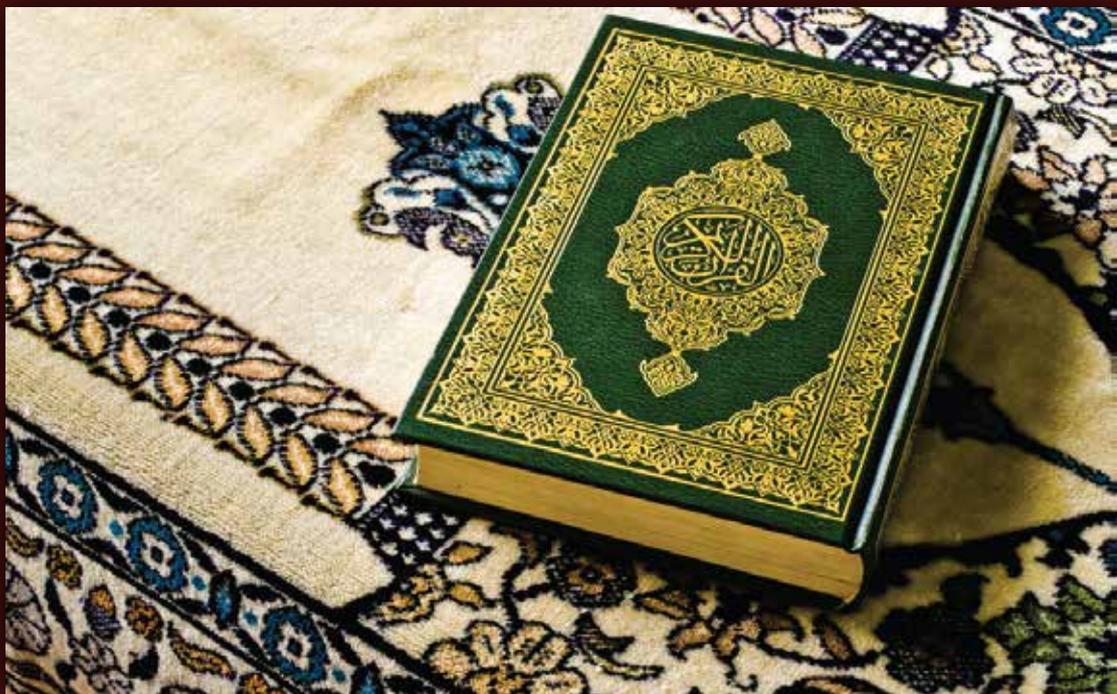


iv

It must not go against the teachings of the Qur'an and the Sunnah

If a certain action goes against the teachings of the Qur'an and the Sunnah, it cannot be considered as a custom and must be set aside.

For example, the racers have a custom that the winners spray champagne on each other. But, for a Muslim, this action goes against the teachings of the Qur'an and the Sunnah and therefore he cannot indulge in it even though it may be considered a custom amongst others.





11

Subrules to the rule 'Al 'Aadatu Muhakkamah' – I



i

Iste'malun Naasi Hujjah Yajibul 'Amalu Bihaa - The people's usage is an authority that must be acted upon

The above rule explains that as long as people agree to a certain thing or action as a custom, it is to be considered as an authority in situations that adhere to it.

For example, it is a custom in Saudi Arabia that an agent gets 2.5% on every deal he concludes. But, after the concluding of a certain deal, the buyer and seller refuse to acknowledge the commission, so the above rule applies and the payment of the commission is binding upon them because it is an acknowledged custom amongst the community.



ii

Al Haqiqatu Tutrak Bi Dalaalatil 'Aadah – The reality is dismissed in light of the customs

If what sounds as reality goes against what the customs point to, the custom is given preference to.

For example, if one takes an oath that 'Wallahi, I will not set foot in your house after today.'

But, after few minutes he gets to know there's a feast in the house, so he gets his friends to carry him on a chair into the house so that he eats and comes back out without setting his foot down in the house due to his oath. This is still not permissible because though according to the reality of the statement it meant that he would not step foot in the house, but the customs dictate that such a statement means that he would not enter the house.

Therefore, the customs would be considered as the rule and he isn't permitted to set foot into the house in any manner possible, and if he does then it breaks his oath.





LESSON 6

The Fifth Major Rule:

CUSTOMS ARE BINDING – PART 2



12

Subrules to the rule 'Al 'Aadatu Muhakkamah' – II



i

Innama Tu'tabarul 'Aadah Izad Taradat Aw Ghalabat – A custom is only considered when it is consistent and established

The above subrule explains that a custom must have consistency among the society.

If it is known only between specific people and not prevalent in the community, then it cannot be a custom because it is not considered as established or consistent.



ii

Al 'Ibrah Lil Ghalib Ash Shaayi' Laal Lin Naadir – Consideration is given to what is widespread, not to the exception

Consideration should be given to something that is wide-spread and not for something that is only limited for a few specific people.

For example, someone leaves on a journey and when he does not return, he is reported as missing.

After a while, the judge declares him to be dead because of no news or reports about him. One might object saying that it is wrong because there is a possibility that he might return.

If he is thirty or forty years old, it may be acceptable, but if he's a ninety five year old, then consideration should be given to what is widespread (his death), and not the exception.





iii

Al Kitabah Kal Khitab – Writing is like speaking

The subrule explains that written words and contracts have the same effect as spoken words.

For example, if someone offers to sell his house and the buyer agrees to buy it; and the sale is concluded as a written contract, it has the same effect as that of an oral contract because in normal circumstances, whatever is written down, takes the place of what has been said orally.



However, the case of divorce is an exception. If someone sends a divorce to his wife in writing, we have to look at the circumstances in which it was sent.

If there is nothing wrong between them, the scholars say that the decision depends on the intention. If his intention was to divorce, it's a divorce. But, if the circumstances were encouraging (like they have been fighting or abusing each other constantly) to interpret it as divorce, it is a divorce.



Otherwise, in normal circumstances, the divorce doesn't take place unless he intends it in writing, but if he says it out loud, the divorce occurs.



iv

Al Isharatul Ma'hoodah Li Akhras Kal Bayaan Bil Lisaan – Actions of a mute are equal to speech of a normal person.

According to the rule 'customs are binding', the actions of a mute are considered as an equal for the speech of a normal person.

The Shariah eases it for them and makes it sufficient for him to use sign language to convey his message or acceptance.



v Al Ma'roofu 'Urfan Kal Mashrooti Shartan – That which is known by custom is like that which is stipulated

vi At Ta'yeenu Bil 'Urf Kat Ta'yeeni Bin Nass – Specifying via customs is like specifying via the texts



vii Al Ma'roofu Baiynat Tujjar Kal Mashruti Baynahum – What is customary between traders is just like what is stipulated by them

The seventh, eighth and ninth rule have similar meanings in the sense that whatever we agree upon whether as traders, or as professionals, or as doctors, or as people, it is all considered to be a part of the customs and becomes binding to be acted upon.



For example, one goes to buy furniture from a shop that sells it in parts, and the custom in that area is that if you buy something that is in parts, it has to be installed by the company. So, it is binding on the company to install the furniture free of cost. It cannot back off from its duty or charge you extra for it because customs are binding upon people.





vii **Laa Yunkaru Taghyeerul Ahkaam Bi Taghayyuriz Zamaan – Changes in rulings in different eras should not be denounced**

But there are levels of Inkaarul Munkar too:

a. **Rulings that are stemmed from the Qur'an and the Sunnah**



These rules do not change, no matter the time or the place. You will never find someone telling you that intoxicants were Haraam in the past, but now they're Halaal because circumstances have changed, and people can lock their doors to prevent themselves from going out and doing anything harmful when intoxicated.

No, the Haraam was considered as Haraam and is still considered as the same.



b. Rulings not directly derived from the Qur'an and the Sunnah

The rulings that are not directly derived or entirely related to the Qur'an and the Sunnah, such as rulings related to character etc. are what can change according to time and place.

The Khawarim Al Muruah are the things that people do and they are discredited for it.

For example, previously the norm was that Masjids were open all the time, but now due to increased evil and some evil people of the society steal the sound systems and the microphones. So, the rule changes according to the time and era and therefore we close the Masjids after the prayers are finished.



Changing the rules that are a part of Qiyaas and Ijtihad is not denounced, but changing the rules of Shariah is not allowed.

Q & A

**QUESTION AND
ANSWER BUCKET**



Q1

What's the ruling on praying Jamaa'ah alone in the last row due to insufficient space?

ANS:

If one prays Jamaa'ah alone in the last row even though the previous row has space without any valid reason, the prayer is invalid because the Prophet (pbuh) said: 'There is no prayer valid for an individual praying behind the row.'

But if there is a valid reason like there is no space in the previous rows and he does not have anyone to join him, then he is permitted to pray alone in the last row as a last resort because Allah (swt) says "Fattaqul laaha Mastata'tum – Fear Allah to the best of your ability.'



Q2

Ruling on the sponsoring of Hajj or Umrah

ANS:

If a person offers you money voluntarily without your asking to help you perform Hajj or Umrah, you are permitted to accept and complete your obligation.

It is a common misconception among people that one must perform Hajj only from their own earned money or otherwise it is not permitted or accepted of them.



Q3

Give an example of Ad Dhararul Ashadd Yuzaalu Bid Dhararil Akhaff – The greater harm should be removed by the lesser harm.

ANS:

An example of the greater harm should be removed by the lesser harm is what Al Khidr did with the poor people who were working on a ship.

He damaged a part of the ship while they were not seeing, and when Prophet Musa (pbuh) asked him the reason for it, he said 'it's either a damaging part of the ship and them keeping it or the king would confiscate it and take the entire ship.'

And therefore, he committed the smaller harm (damaging the ship) rather than letting the greater harm occur (confiscation of the ship).



AL HIDAAYAH

الهداية

The Guidance for Humanity

Based on the Glorious Qur'an and Authentic Hadith

www.alhidaayah.com www.zakirnaik.com www.peacetv.tv

[zakirnaik](https://www.facebook.com/zakirnaik) [drzakirchannel](https://www.youtube.com/channel/UCdrzakir) [zakirnaikpersonal](https://www.instagram.com/zakirnaikpersonal) [drzakiranaik](https://www.twitter.com/drzakiranaik)