

Al-Mahmood



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RAMADAN - A MONTH OF BLESSINGS

In order to derive the utmost benefit from the sacred month of Ramadan, it is crucial to recognize the spiritual significance and importance of this month. Abdullah ibn Mas'ud رضي الله عنه states, *“The master of months is the month of Ramadan and the master of days is the day of Jumu'ah.”* (Shu'ab al-Iman v.3 pg. 315, Ilmiyah) Ramadan is the month which Allah Ta'ala has designated for the revitalization of the soul and one's spiritual ascension after a year full of sin and spiritual retrogression. Ramadan is the month wherein a servant once again is able to draw closer to his Cherisher after drifting away from Allah. However, all this will only be possible if we value this precious month and prepare for it accordingly.

Preparing for Ramadan

It is reported that Rasulullah صلى الله عليه وسلم used to commence his preparation two months prior to Ramadan by reciting the following supplication at the beginning of Rajab, *“O Allah, bless us in Rajab and Sha'ban and make us reach Ramadan.”* (Ibid v.3 pg. 375) This shows the importance of conditioning oneself mentally and spiritually for the advent of this month. Ramadan is a long-awaited celestial guest; accordingly, we ought to prepare the grandest reception in appreciation for all of its concomitant blessings and barakah. It is only through such yearning and longing that the significance of Ramadan will develop in our hearts serving as a catalyst to increase our good deeds and to fulfil the objectives of Ramadan.

Objectives of Ramadan

There are three main objectives to attain from this blessed month, namely absolution of one's sins, attainment of piety and enhancing one's communion with Allah Ta'ala. In regards to absolution of sin, Rasulullah صلى الله عليه وسلم mentioned, *“Whosoever fasts and stands for worship in Ramadan out of faith and anticipation of reward, all of his previous sins will be forgiven.”* (Ibn Majah, pg. 94, Qadeemi) The main element mentioned in this Hadith is that our effort and striving in worship

throughout the month should be with the zest of Iman and zeal of reward. The recompense of this will be a thorough effacement of sins. The veil of inhibition that impedes a person from his Rabb will be removed and the doors to a life of spiritual bliss, ecstasy and harmony will be flung open. Allah Ta'ala states, **“O you who believe, fasting has been made compulsory upon you as it had been made compulsory upon those before you so that you may become Allah-fearing.”** (2:183) Fasting is one of the best spiritual exercises to establish piety and a perpetual consciousness of Allah Ta'ala. What is it that prevents a person from breaking his fast before sunset? It is only the consciousness of Allah and fear of His divine reproach that prevents a person from breaking his fast secretly or before sunset. Once the realization sets in that the same Omniscient and Omnipotent Allah who knows about the state of our fast is aware of all our actions throughout the year, it will be extremely easy to abstain from any other type of sin. Once a person feels the bliss of being completely pardoned and relieved from the burden of sin coupled with the feeling of Allah's figurative omnipresence, he or she would have reached a very high pedestal of divine communion. This pedestal is what is referred to as the stage of Ihsan; where a person worships Allah as if he or she is seeing Him or with the full conviction and cognizance that Allah is watching him. All that is required is valuing the month of Ramadan and making a firm intention to sacrifice and reform oneself. May Allah grant us the ability to reap the benefits of Ramadan. Ameen.



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Q: Is there any basis for placing the hand on the forehead after Salah. In that case what should be read?

A: Sayyiduna Anas رضي الله عنه reports that it was the practice of our beloved Nabi صلى الله عليه وسلم to place his right hand on his forehead (and in some narrations on his head) after salah and recite the following supplication:

”بِسْمِ اللَّهِ الَّذِي لَا إِلَهَ إِلَّا هُوَ الرَّحْمَنُ الرَّحِيمُ، اللَّهُمَّ أَذْهِبْ عَنِّي الْهَمَّ وَالْحُزْنَ.“

Bismillah Al-ladhi Laa Ilaaha Illaa Huwa Al-Rahman Al-Raheem, Allah humma Adhib Anni Al-Hamma Wa Al-huzn.

Meaning: In the name of Allah there is none worthy of worship but He, The Most Gracious The Most Merciful, O Allah, free me of worry and depression.

(Al Mu'jamu Al Aawsat Li Tabrani, Vol. 2. Pg. 57. Dar Al Kutub Al Ilmiya); (Mu'jamu Al Zawaid, Vol. 10. Pg. 110. Mataba Al Qudsi)

This dua is very beneficial for grief and depression.

Q: Graphology is becoming common among Muslims. Is it permissible?

A: Graphology is the study of handwriting and is used to analyse a person's character. Graphologists believe that the manner a person writes, such as the spacing between the letters, the manner of dotting the i's and crossing the t's, the extent of slant, speed, and consistency in one's writing reveals much about the person's character as well his thoughts and feelings. However, the results of graphology are neither completely accurate nor are they universally acknowledged. In fact, it remains a debated issue on whether graphology is considered to be a science at all. Shari'a does not prohibit graphology nor does it attach any conclusive significance to its findings. At most, it can be used to aid and give some insight in determining a person's character. Graphology is similar to physiognomy (Ilm al-Firasa & Ilm al-Qiyafa) as practiced by many in the past. Imam Shaf'i رحمه الله was known to be an expert in this field. (*Abjad al-Ulum p. 455 Dar Ibn Hazm*)

Q: I would like to know exactly when is the ruku' completed? Is it when the Imam says "Sami' Allahu liman hamida" or when he starts to move from the ruku' position to qauma?

A: The Muqtadi's rak'at will be considered if he obtained at least one tasbeeh with the Imam in ruku. If the Imam raised his head before the Muqtadi could recite one tasbeeh, that rak'at will not be considered.

Q & A

(Durr e Mukhtar Vol. 2 Pg. 60, H.M. Sa'eed)

Q: I have a bank account in the USA and in India. I transfer US Dollars to Rupees to my Indian account when the US dollar is strong. At times, I transfer Indian Rupees to my US account when the dollar is weak. In this way, I make money in Rupees or Dollars. Is this permissible?

A: The procedure mentioned in the query is permissible. If one wishes to use the dollars when the rate has appreciated, and exchanges the dollars for rupees, it will be permissible for him to do so. The extra rupees derived will be regarded as appreciation of the dollar and not interest. This is also similar to goods stored whose value has increased since the time of purchase. The extra amount acquired because of the increase in value will not be regarded as impermissible. The ruling will be the same whether you do it on purpose or with the intention of earning money.

Q: Is it permissible to buy one's grave in advance?

A: It is permissible to buy one's grave in advance. Our illustrious fuqaha mention that one will be rewarded if one prepares one's own grave. (*Al-Hindiyyah, v. 1 pg. 182 Rashidiyyah*)

Q: Is it permissible to move around in Salah to fill gaps?

A: It will be permissible to move in order to fill a gap in the row in front of you or to the left or right of you. However, whilst moving to fill the gap, it will be preferable to take a step and then pause and thereafter take another step. (*Ghunyah pg. 353, Suhail Academy*)

Q: Is it permissible for females to wear permanent or non permanent artificial nails?

A: Artificial nails is a branch of manicure (cosmetic beauty - treatment of nails) and is a fashion. Furthermore, it involves the use of acrylics, UV gel, glue or nail polish. These are insoluble substances and prevent water from reaching the nails which renders the wudu invalid and in turn results in the invalidation of Salah. Severe warnings have been mentioned in the Ahadith of Nabi صلى الله عليه وسلم regarding those who adopt practices symbolising non-Muslims and those whose actions are immoral and unethical. It has been narrated on the authority of Ibn 'Umar رضي الله عنهما that Nabi صلى الله عليه وسلم said, "Whosoever imitates a tribe or nation will be regarded from amongst that tribe or nation." (*Abu Dawood, v. 2 pg. 203 H.M. Sa'eed*)

Q: What is the minimum distance for a person to be classified a Musafir?

A: It was the view of the Darul Iftaa that the minimum distance for a person to be classified a Musafir is 88km. However, it was decided at the last Jameeatul Muftien (“Board of Muftis” comprising of 12 Darul Iftaas of the country) meeting that for purposes of ease and uniformity a unified ruling should be issued on this issue. After extensive academic debate and discussions, it was unanimously agreed by the Board that the minimum distance for a person to be classified a Musafir will be 78km. The Darul Iftaa (being a member of Jameeatul Muftien) therefore adopts the ruling of the Board and accordingly retracts its previous opinion.

Q: Who is most worthy of my Zakah?

A: The Jurists mention that a person ought to distribute his zakah to the needy eligible members of his own family prior to discharging it in other avenues. How could it be imagined that a Muslim would lend a helping hand to strangers when his / her own family is in dire need. The jurists also mention that the order of preference in discharging one’s zakah to family members is as follows:

1. brothers and sisters
2. nephews and nieces
3. paternal uncles and aunts
4. maternal uncles and aunts
5. all other maternal relatives (*Dhu Rahim*)

Another preferable avenue of Zakah is assisting the students of Deen. By discharging one’s Zakah to the students, a person can be rest assured that his zakah will be utilised in the best manner, namely, for the fortification and advancement of the Deen of Allah Ta’ala. (*Radd al-Muhtar v.2 pg. 354 H.M. Sa’eed*)

Q: How should a woman perform Ruku?

A: A woman should place her hands on her knees in ruku’. However, her ruku’ will be different from the ruku’ of men in the following aspects: She will not bend to the extent of her head being in line with her back, but will bend slightly.

- * She will not keep her arms away from her sides, but will them close to her sides.
- * She will not spread her fingers but will keep them together.
- * She will not put the support of her body on the hands when placing the hands on the knees, but will place the hands in such a way that they just touch the knees.

* She will bend her knees slightly.

(*Nihayat al-Murad pg. 487, Dar al-Beirut*) (*Ahsan al-Fatawa, v. 3 pg. 24, H.M. Sa’eed / Al-Hadyat al-‘Alaiyyah, p. 77, Dar Ibn Hazm*)

Q: Kindly explain the broad rules of Zakah.

A: Zakah is compulsory on a sane and mature (baligh) Muslim when his/her wealth is equivalent to the Nisab and this amount of wealth is maintained for the duration of one entire lunar year. The Nisab is 87.479g for gold and 612.35g for silver. Any currency equal to the amount of any of these Nisabs will also render Zakah binding. For example, if the price of silver is quoted at R4.40 per gram, then the Nisab will equal approximately R2,702. If one’s wealth decreases below the Nisab during the year but before the expiry of the year it reaches the Nisab, Zakah will still be binding. However, if it fails to reach the Nisab, Zakah will not become binding. If one loses his entire wealth, a new lunar cycle will begin after reaching the Nisab for the second time. All debts and liabilities will be deducted from his wealth before calculating his estate. In regards to long-term debts such as car/home financing, only that particular year’s liabilities will be considered and not the entire amount of the loan. Loans given and other receivables into one’s estate will be accounted for even if the person is not paid by his debtor for several years. Any gold or silver items such as jewellery, ornaments etc. will also form part of Zakatable assets as long as the percentage of gold or silver in the item is more than the metal alloy with which it is amalgamated. Similarly, any items purchased for trade will be subject to Zakah and must be accounted for in the calculation. A person should add his / her cash savings, values of gold and/or silver, value of the merchandise of trade and any receivables from debts etc. Thereafter, he/she should deduct the amount of debts owed to others. If the value of the net total equals the Nisab of gold or silver, he / she will have to pay 2.5% of the amount in Zakah.

Personal Wealth	Amounts:
1. Amount of Cash and Savings at home or in the bank	R 10,000
2. Current value of any gold and silver jewellery, coins, utensils etc	R 5,000
3. Value of assets and merchandise for trade	R 20,000
4. Receivables and loaned amounts to others	R 5,000
5. Total these amounts here:	R 40,000
6. Total of debts owing:	R 20,000
7. Subtract the total amount of debts for the year from the above amount.	
8. Nett Total of Zakatable Wealth	R 20,000
<i>if the net total of Zakatable Wealth is more than the Nisab amount then...</i>	
9. Multiply the nett total by 2.5% (nett amount x 0.025) This is the amount due as Zakah.	R 500

Your Business and Economics Page

Q: *In the recent past, there has been a decline in our economy. It is also not easy to obtain an interest-free loan to venture into another business. I have a skill in the textile business and have dealt with many textile outlets in various parts of the world. Is there an Islamic way for me to translate my skills into a financial gain?*

A: You may consider exploring the institution of *salam*. *Salam* is a financial institution wherein the purchaser pays in cash in lieu of a product to be delivered by the seller in the future. If you have contacts with textile industries in various parts of the world, you could conduct a survey of the different local business holdings dealing in textiles, e.g., curtaining, linen, tailoring etc., and offer to sell the material of their choice at a relatively cheaper rate in lieu of cash. You could then obtain those orders from abroad and deliver them to your customers. Through the institution of *salam*, there is benefit for you and your customer. You would have cash to purchase material and sell them for a profit. Your customer would benefit by receiving the material for a relatively cheaper price than the market price, especially considering the material being from abroad and such material being may be in greater demand locally.

Institution of Salam

Shari'a has stipulated guidelines that are necessary to adhere to for the *salam* transaction to be *Shari'a* compliant. Hereunder is a summary of the guidelines of *salam*.

1. It is necessary for the purchaser in *salam* to pay the capital in full.
2. *Salam* is permissible only in commodities that can be weighed, measured, or items of similar units e.g., fabric, grains, fruits, vegetables, building material, motor vehicles, equipment, etc.
3. *Salam* is not permissible on a specific item like "this exact piece of cloth" or "this car".
4. The quality and the quantity of the goods should be stipulated before the conclusion of the deal. No ambiguity or uncertainty should remain. The commodity should be available in the market from the day of the contract up to the date of delivery.
5. The delivery date and place of delivery must be stipulated from beforehand. The Darul Iftaa could assist you in designing a *Shari'a* compliant *salam* contract.

Q: *The developers in Dubai are selling residential and commercial sites off plan. As an investor I purchase some flats/offices off plan and wish to resell them in South Africa on a profit. I am required to put a deposit and remainder to be paid upon completion. As a guarantee, I am issued a certificate of ownership which is also endorsed by the Government of the country. Is it permissible for me to sell these off plan flats/offices on a profit before completion?*

A: The contract between you and the developer in Dubai is regarded as an *Istisnaa* contract. According to *Shariah*, *Istisnaa* is a transaction of producing/manufacturing an item. According to the laws of *Istisnaa*, it is not permissible to sell the flat/office that you purchased off plan until the developer has completed the project and handed the building over to you. Once you have taken possession of it, you may sell it on a profit. Alternatively, you may enter into a promissory arrangement with a prospective buyer. The promissory arrangement will entail a **promise** to purchase and sell the flat/office upon completion. However, it is important to note that the promissory arrangement is **not a binding purchase and sale agreement**. Should any

party renege on the promissory agreement, the other party will have no **legal claim** against the defaulting party.

Report Back on the Shariah Compliant Business Campaign May 2008

Alhamdulillah, the campaign was a great success and was attended by approximately 1200 people consisting of many senior Ulama, professionals and businessmen. The alternative to conventional Medical Aid, Crescent Life Style Club, was announced. For details, contact the Darul Ifta.

The Darul Ifta has also designed an investment product with traditional values. We are currently busy attending to the legal aspects of the product. The Darul Ifta requests the public to make *dua* for the success of this product as well.

Alhamdulillah, the Darul Ifta also runs a service providing research and information on commerce related issues. There are more than 20,000 members currently receiving the most current briefings and articles on a daily basis. You may also join the business-man data for your regular *Shariah* Compliant business updates at:

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