

THE NESSECITY OF ZAKAT

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**THE
NECESSITY
OF
ZAKAT
AND THE PROHIBITION
OF FUNERAL FEASTS**

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THE NECESSITY OF ZAKAT

Question: What is the verdict of the learned scholars of Islam if a person does not pay *Zakat* on his wealth but spends the money in good deeds i.e. he distributes money and grain among the poor in charity, builds a mosque and gives a village as a gift with the money from *Zakat* so that he will employ its profit in good deeds for the whole of his life. On this subject one person says that no kind of charity is justified with money which has not been paid in *Zakat*. Daily charity, the construction of a mosque and the gift of the village are in vain.

And so we request your verdict on whether the money whose *Zakat* has not been paid, is allowed to be used in deeds of welfare in Islam or is not allowed. Perhaps the gift of the village should be taken back and it should be further endowed so that its profit may be used to pay the unpaid *Zakat* of the past? May Allah Ta'ala reward you!

Answer:- *Zakat* is one of the greatest obligations (Fard) and important fundamentals of Islam and so it has been mentioned along with the ritual prayer (Salat) thirty-two times in the Holy Quran and Allah Ta'ala has called His slaves to this important obligation in various ways and declared clearly that whatever you paid as *Zakat* doesn't decrease your wealth but your wealth is increased due to this.

Allah Ta'ala says:

“Allah Ta'ala destroys the interest (Riba) and increases the charity”. (2.276).

Harmful growths affect some trees so that they check their blooming. The foolish will not prune them

because they think that so much will be taken from the plant, but a wise person knows that pruning them will help a tree to bloom. The same is the case with *Zakat* wealth.

Hadith 1. Bazzaz and Baihaqi report from Ummul Momineen (The mother of the believers) Hazrat Ayisha Siddiqa (Radi Aliahu Ta'ala Anha) that the Holy Prophet (Sail Aliahu Ta'ala Alaihi wa Sallam) says:

“*Zakat* money will not destroy wealth but it will be added to it”.

Hadith 2. Tabrani quotes in ‘Ausat’ with reference to Hazrat Abu Hurairah and he reports from Amirul Momineen Umar-Farooque (Radi Ailahu Ta'ala Anhuma) that the Holy Prophet (Sail Allahu Ta'ala Alaihi Wa Saliyam) says:

“Whatever wealth goes to waste in land and sea is destroyed due to non payment of *Zakat*”.

Hadith 3. Ibn Khuzaima in his ‘Sahih’, Tabrani in ‘Ausat’ and Hakim in ‘Mustadrack’ report from Jabir bin Abdullah (Radi Allahu Ta'ala Anh) that the Holy Prophet (Sail Allahu Ta'ala Alaihi Wa Sallam) says:

“Undoubtedly Allah Ta'ala removed the evil of his wealth from him who paid *Zakat*”.

Hadith 4. Bahaiqi reports from a group of Companions (Radi Aliahu Ta'ala Anhum) that the Exalted Prophet (Sail Aliahu Ta'ala Alaihi Wa Sallam) states:

“Protect your wealth as though in a strong fort by paying its due *Zakat* and treat your sick with charity”.

See how an unwise villager who has no wheat seed, gets it with many difficulties through debt and then sows it in the earth. At that time he mixes it into the dust with his hands but he hopes that Inshallah this loss will be turned into much grain. Haven't you the same sense as that villager, with the result that you rely on outward means, and do not believe in Allah Ta'ala's saying and do not sow the seed of **Zakat** to increase your wealth and so turn every grain of yours into a tree. He says that if you pay **Zakat**, your wealth will be increased. If you do not completely believe this, this is definite infidelity. Who is more foolish than you, who sacrifices such great worldly and religious gain and invites the trouble of the loss of both Worlds?

Hadith 5. Bazzaz reports from Alqama that the Holy Prophet (Sail Allahu Ta'ala Alaihi wa Sallam) says:

“The completion of your Islam is that you pay **Zakat** on your wealth’

Hadith 6. Tabrani reports in ‘Kabeer’ from Hazrat Abdullah Ibn Umar (Radi-Allahu Ta'ala Anhuma) that the Holy Prophet (Sail Allahu Ta'ala wa Sallam) says:

“To pay **Zakat** on his wealth is a duty for him who believes in Allah Ta'ala and His Messenger i.e. It is the demand of Iman that **Zakat** has to be paid.”

Hadith 7. ‘Bukhari’ and ‘Muslim’ quote from Hazrat Abu Hurairah (Radi Allahu Ta'ala Anh) that the Holy Prophet (Sail Alaihi wa Sallam) says:

“He who has gold or silver and does not pay **Zakat**, will be punished in such a manner that on the Day of Judgement this gold and silver, shaped

into plates, will be heated in the fire of Hell and his forehead, side and back will be branded with them and when those plates go cold again they will be heated again and he will be branded with them, and this will go on the whole day until the account of every creature is cleared. Note that the Day of Judgement is equal to fifty thousand years of this World.”

Allah Ta’ala says: “And those who hoard gold and silver and spend not in the path of Allah Ta’ala, give them the good tidings of painful torment. The day when their wealth shall be heated in the fire of Hell, and their foreheads, sides and backs shall be branded with it. This is what you have hoarded for yourselves. Now taste the hoarding!”

And do not think this branding will be merely a touch of the fire or will only be enough to make the forehead, back or side sweat, and no more. But listen to its description in the Hadith.

Hadith 8. ‘Bukhari’ and ‘Muslim’ quote with reference to Ahnaf bin Qais that Hazrat Abu Zar (Radi Allahu Ta’ ala Anh) says:

“The hot stone of Hell will be kept on their nipples and will burst the chest, and then will be held to their sides and their bones will burst the chest”.

He further reports that the Holy Prophet (Sail Allahu Alaihi wa Sallam) says: “The stone, after breaking the back will emerge from the side and break the nape of the neck and will emerge from the forehead”. This Hadith has been reported by ‘Sahih Muslim’.

Hadith 9. Tabrani reports in ‘Kabeer’ from Hazrat Abdullah bin Masood (Radi Allahu Ta’ala Anh): “Neither will any penny rest on another nor any gold coin touch another but rather the body of the person who didn’t pay Zakat will swell so much that if there were millions of pennies, every penny would brand separately.”

Do you consider the Commandments of Allah Ta’ala and His Messenger (Sail Allahu Alaihi wa Sallam) merely a joke and fun or think that the suffering of heart breaking pains for fifty thousand years will be easy. For a while just keep a heated coin on your body and compare this little heat with that fire of anger, and this one minute’s pain, with thousands of years of catastrophe, and this light touch with that anger which breaks bones. May Allah Ta’ala guide the Muslims. Amen!

Hadith 10. Ibn Maja, Nisai and Ibn Khuzaima report from Ibn Masood (Radi Allahu Ta’ala Anh) that the Chosen Prophet (Sail Allahu Ta’ala Alaihi wa Sallam) says:

“The wealth whose *Zakat* will not be paid will be shaped into a bold dragon and fall on the neck of the person who hasn’t paid *Zakat*. Further, the leader of the Universe (Sail Allahu Ta’ala Alaihi wa Sallam) confirmed it with the Holy Quran where Allah Ta’ala says: “What they were mean with, will be their necklace on the Day of Resurrection”. (Ale Imran. 180)

Hadith 11. ‘Muslim’ reports from Hazrat Jabir (Radi Allahu Ta’ala Anh) that the Holy Prophet (Sail Ailahu Ta’ala wa Sallam) says:

“A dragon with an open mouth will run after him. He will escape. Allah Ta’ala will say to him,

‘Take the treasure which you concealed and about which I don’t care.’ When he sees that there is no refuge from the dragon, helpless, he will put his hand in its mouth and it will chew it as a camel chews.”

Hadith 12. Bazzaz, Tabrani, Ibn Khuzaima and Ibn Habban quote with reference to Sauban (Radi Allahu Ta’ala Anh) that the Holy Prophet (Sail Allahu Ta’ala Alaihi wa Sallam) says:

“When the dragon will run after him, he will ask, ‘Who are you?’ It will say, ‘I am your unpaid **Zakat** which you left after your death.’ When he sees that it goes on following him, he will put his hand in its mouth. It will chew his hand and then his whole body.”

Hadith 13. Bukhari and Nisai report from Hazrat Abu Hurairah (Radi Allahu Ta’ala Anh) that the Holy Prophet (Sail Allahu Ta’ala Alaihi wa Sallam) says:-

“The dragon taking his hand in its mouth will say, ‘I am your wealth, I am your treasure!’”

Hadith 14. Tabrani reports from Hazrat Au (Karam Allahu Ta’ala Wajh) that the Holy Prophet (Sail Allahu Ta’ala Alaihi wa Sallam) says:

“The poor will suffer hunger and nakedness in the World only because of the rich. Listen! Allah Ta’ala will judge the rich’s account very harshly and punish them in a heartbreaking way.”

Hadith 15. Ibn Khuzaima, Ahmad, Abu Yala and Ibn Habban report from Abdullah bin Masood (Radi Allahu

Ta'ala Anh), "A person who fails to pay *Zakat* is cursed as the Holy Prophet (Sall Allahu Ta'ala Alaihi wa Sallam) described."

Hadith 16. Asbahani reports that Maula Ali (Karam Allahu Ta'ala Wajh) says:

"The Messenger of Allah (Sall Allahu Ta'ala Alaihi wa Sallam) said that usurers, persons encouraging usury, witnesses to usury and writers of the documents of usury are cursed on the Day of Resurrection."

Hadith 17. Tabrani and Abu Shaikh report from Anas (Radi Allahu Ta'ala Anh) that the Messenger of Allah Ta'ala (Sail Allahu Ta'ala Alaihi wa Sallam) says,

"There is an evil for the rich which is brought by the poor on the Day of Resurrection. The poor will ask. 'Our Lord! They usurped our rights which you made obligatory for them towards us.' Allah Ta'ala will say, 'I swear by My Honour that I will grant you nearness to Me and keep them very far from Me.'"

Hadith 18. Bazzaz reports from Hazrat Abu Hurairah (Radi Allahu Ta'ala Anh):

"The Holy Prophet (Sail Allahu Alaihi wa Sallam) saw some people who were wearing dirty rags on their front and back sides and were eating, like animals, the hot fire of Hell, and stone, and cactus and hard, sour, burning and evil smelling grass. He asked Hazrat Gabriel (Alaihi Sallam), who they were? He replied that they were defaulters on *Zakat* and Allah Ta'ala had not been unjust to

them. Allah Ta'ala does not tyrannise over His slaves.”

Hadith 19. Tirmizi, Darqutni, Ahmed, Abu Dawood and Nasai report from Abdullah bin Umar (Radi Allahu Ta'ala Anhumu):

“Two women wearing gold bracelets attended to the Holy Prophet (Sail Allahu Ta'ala Alaihi wa Saliyam). He asked them if they had paid their *Zakat*? They replied humbly that they hadn't. He asked them if they'd like Allah Ta'ala to make them wear bracelets of fire. They replied humbly, 'No!' He then ordered them to pay *Zakat* on them.”

Hadith 20. Abu Dawood and Darqutni report from Ummul Momineen (Mother of the Believers) (Radi Allahu Ta'ala Anha):

“A lady was wearing silver rings. The Holy Prophet (Sail Allahu Alaihi wa Sallam) asked, 'Will you pay *Zakat* on them?' She refused to pay more than a little. He said that this was enough to carry her to Hell.”

Hadith 21. Tabrani reports from Hazrat Anas (Radi Allahu Ta'ala Anh) that his Honour the Holy Prophet (Sail Allahu Alaihi wa Sallam) says,

“A person who fails to pay *Zakat* will be in Hell on the Day of Resurrection”.

Hadith 22. Ibn Khuzaima and Ibn Habban report from Hazrat Abu Hurairah (Radi Allahu Ta'ala Anh) that the Holy Prophet (Sail Allahu Ta'ala Alaihi wa Saliyam) says:

“First of all three types of persons will go to Hell. Amongst them one will be that rich person who does not pay Allah Ta’ala’s due from his wealth.”

In short, heart breaking disasters for failure to pay *Zakat* are such as cannot be tolerated. A person who fails to pay *Zakat* should expect to be involved in these heart breaking torments for thousands of years. A weak man couldn’t bear this. If these were inflicted on mountains, they would be turned into fine powder and dust. Then who is more foolish than he who uses his wealth in all sorts of charity and lets Allah Ta’ala’s due remain unpaid? This is a great deception of Satan who destroys a man under the guise of virtue. The fool thinks that he is doing good deeds but does not understand that the Nafil without Fard is merely a false pretence. There is no hope of its acceptance but torment is inflicted for failure to pay it properly.

How sad! Fard is a Royal debt and Nafil is like a gift and offering. If you do not pay the due and offer excessive and useless gifts, how can they be accepted particularly in the court of that Emperor Who has no need of the entire Universe? If you do not believe this, imagine the men who are called the rulers of the World. Imagine if any landlord stops the payment of the land revenue and uses it to send presents of fruit etc. See if he is found guilty or if his presents of fruit bring any good result. For a while a man should do a little heart searching. Suppose there is a contract of sugar cane juice between the dealers and a sugar cane crusher owner Imagine if, when the time to supply comes, they do not supply the juice but instead present mango and musk melon. Will the cane crusher owner agree with these dealers and hold back the harm he can inflict on them for defaulting, and give up the juice in return for those mangos and musk melons?

Praise be to Allah Ta'ala! When this is what a crusher owner will demand, how can we expect to avoid severe torment for debts to the King of Kings and the Greatest of all Rulers? There can't be any doubt!

Muhammad bin Mubarak bin Tabbakh in his '*Juzil Imla*', Usman bin Abi Shaiba in his '*Sunan*', Abu Naim in '*Hilyatul Awliya*', Hannad in '*Fawaid*' and Ibn Jareer in '*Tahzibul Asar*' report from Abdur Rahman bin Sabit, Zaid bin Zubaid bin Hans and Mujahid:- "At the last breath Sayyidina Siddique Akbar, the Caliph of Allah Ta'ala's Messenger (Sail Allahu Ta' ala Alaihi wa Sallam) called Amirul Momineen Farooque Azam (Radi Allahu Ta' ala Anhum) and said: 'Umar! Always fear Allah Ta' ala and know that there are some duties due to Allah Ta' ala by day, but if you perform them by night, He will not accept them. Some are due by night. If you perform them in the day, they will also not be acceptable.'"

Allama Ibrahim bin Abdullah Yemeni-Madni-Shafii has mentioned this incident in the 13th chapter of his book '*Al Qaul us-Sawab Fi Fadle Umar bin ul Khattab*'. (On the excellence of Umar bin Khattab) and in the 19th chapter of the book '*Attahqiq Ti Fadl as-Siddique*' (On the excellence of Siddique) and this is in the first part of the book '*AI-Iktifa Fi Fadlil Arbatul Khulfa*' (On the excellences of Four Caliphs). Imam Suyuti (Rahmatullahi Alaih) has also reported this in 'Jami al Kabeer' through the statements of Abdur Rahman bin Sabit, Zaid bin Zubaid bin Hans and Mujahid that they made which begin, "At the moment of his last breath Farooque Azam attended him and soon."

Ghausul Azam Sayyidina Shaikh Abdul Qadir Jilani (Radi Allahu Ta'ala Anh) has given heart breaking

examples in his book '*Futuhul Ghaib*' of persons who give up Fards and perform Nafils. He says his example is this:

A King calls a person for his service but he does not attend him and remains busy in the service of his slave. Further he illustrates this with an example from Amirul Momineen Sayyidina Ali (Karam-Allahu Ta'ala Wajh) when he says:-

“The condition of such a person is like that woman who is pregnant but at the time of delivery, has an abortion. Now she is neither pregnant nor the mother of the child due to the abortion on the day it was due. She suffered all the pain but the result was zero. Had she borne the child, it itself would be the result. If the pregnancy had remained, there would be a hope. Now there is neither the pregnancy, nor the child, nor hope, but all she has is all the pain. Similarly, the money which was spent by the performer of the charity is unacceptable as Nafil, since he gave up the Fard. He spent his wealth but gained nothing. In the same book there is a statement of Hazrat Ali (Radi Allahu Ta'ala Anh):- “Those who abandon the Fard and do the Sunnat and the Nafil will be humiliated and these deeds will not be accepted.”

Likewise Shaikh Abdul Haque Muhaddith Dehlvi (Radi Allahu Anh) stated in the commentary on it:- “It is quite unwise to perform unnecessary deeds, giving up the compulsory and the necessary. For a wise person, to remove loss is more important than to make a gain. In fact there is no gain this way.”

Hazrat Shaikh Shahabuddin Suharwardi (Radi Allahu Ta'ala Anh) quotes in the 38th chapter of '*Awarif*' with reference to Hazrat Khawas:- “We came to know that Allah Ta'ala does not accept even a single Nafi unless the Fard are performed. Allah Ta'ala says to them that they are like a bad slave who offers a gift before paying a debt.”

The Hadith itself shows it, Imam Ahmad reports in his '*Musnad*' from Ormara bin Hazam (Radi Allahu Ta'ala Anh) that the Holy Prophet (Sall Allahu Ta'ala wa Sallam) says:- "Allah Ta'ala has placed on us four duties in Islam. Even the performance of three of them will not benefit you unless you perform all four - Salat, Zakat, Fasting in Ramadan and Hajj.

Tabrani reports in '*Kabeer*' a Sahih Hadith that says that Sayyidina Abdullah bin Masood (Radi Allahu Ta'ala Anh) says: -

"We have been ordered to perform Salat and to pay *Zakat* and he who does not pay *Zakat*, his Salat is not acceptable."

Praise be to Allah Ta'ala. When Salat, Fasting and Hajj are not acceptable from someone who fails to pay Zakat then what good in this life can be expected from Nafil? On the other hand Asbahani reports from the same reporter:- "He who performs Salat and does not pay Zakat is not a true Muslim and his performance is of no use."

May Allah Ta'ala guide the Muslims, Amen!

Also note! Whatever charity he gave, (he built a mosque, and registered the village as a gift), he may neither take the charity back nor has he the right to withdraw the registered gift nor use the profit of the village to pay *Zakat* nor use it for his own purpose and other deeds because the Waqf is definitely encumbered.

This is quoted in '*Durr al Mukhtar*':

"The Waqf becomes compulsory (Allah Ta'ala's property) and its repudiation is unlawful. Its possession is not lawful and this is the Islamic judgement."

But despite that, unless *Zakat* is completely paid, there is no chance of the acceptance of the performance of those deeds because a deed may be correct but still not be accepted and obtain any reward in Allah Ta'ala's Court.

For example if a person prays only for show, the prayer has been correct, and the duty has been performed but neither will it be acceptable nor he will get the reward but on the other hand, he will be guilty. The condition of this person is similar.

Satan who is a clear enemy of man, and aims to destroy you completely and to cut the little thread of intention to do charity which causes a gain to the poor, will make you believe the clever remark, "What is the use of charity which is not acceptable?" Reject it, then, and serve Satan completely! But if Allah Ta'ala is willing to free you from such severe temptation, He would put in your heart that it was not the answer of the religious law that the enemy of Islam taught you and thus finally made you proud and a traitor. You must work hard to avoid the Royal Verdict condemning you so that the hope might rise of the acceptance of your charity, and of the construction of the Mosque and also of the registered gift. Think a while. Is it better that your failure be changed into success and bring a new result or (Allah Ta'ala forbid) better to be rid of the so called remaining service of Allah Ta'ala and to find yourself in the list of those who are proclaimed traitors. This is the only right path: beg for pardon heartily and pay the up to date *Zakat* so as to obey and appease Allah Ta'ala so that your name may be written in the list of the obedient slaves of Allah Ta'ala, being struck froth the list of traitors, and thus find a way of coming proudly before your Affectionate Lord Who has granted you your soul, organs, wealth and millions of blessings, and thus get the good news that if you do so there will rise a hope of the

acceptance of your up to date charity, of the registered gift, and of the construction of the Mosque, which gifts were not acceptable because of your mistake. Now when these crimes have been wiped out by Allah Ta'ala's Order, these will also have the honour of acceptance and this is the only remedy for anyone thinking about his success or failure. If, because a long time has passed, you cannot calculate the accurate amount of Zakat, you should calculate an excess amount to purify the life of the Hereafter.

If you pay excess money, it will not be wasted but will be deposited with your Affectionate Lord in case something happens to you. He will grant you a complete reward beyond your imagination. If you pay less than the due, then this is a debt to the Triumphant King and there is no difference between a debt of one penny and of one thousand pence. If there is due a huge amount owing from many years and giving so much will upset you, then first of all think seriously that this is an omission you yourself made. If you had paid year by year it wouldn't have been so great. Further see the kindness of the Affectionate Lord that He did not Order you to give only to strangers but allowed giving to relations, so that He has made possible two separate rewards; one for charity and the other for piety. So give it to those who are your Kith and Kin such as brothers and nephews and this will hardly displease you but remember that they should neither be rich nor minor children nor have a rich living father, neither should you have a direct blood relation with them i.e. they should not be amongst your offspring. But if this amount is so great that after payment you will become penniless still there is no remedy other than to pay. To suffer the severe verdict of Allah Ta'ala will be beyond your ability to bear. The few breaths of this World will pass by somehow or other. But still if this person gives charity to his relatives with the intention of Zakat and makes them absolute owner, but then

without any compulsion they show mercy on him and of their own free will, return the amount as a present, there is a total gain for all. The payer gets liberation from the condemnation of Allah Ta'ala, His debt and duty have been paid and done and his wealth remains, and his relatives gain wealth in this World and reward for the Hereafter on account of helping their Muslim brother in the payment of Zakat and returning him the wealth as a gift which shows pity. Further if he has complete confidence in his relations, he need not calculate how much is due, but give them his total wealth and make them absolute owner so that then they can return it to him if they so choose, as a gift. Whatever was due, was paid and has achieved its aims and both parties have gained the profit of This World and of the Hereafter.

May Allah Ta'ala guide us with His Generosity!
Amen, Amen!

Question 2

Should *Zakat* be paid gradually or is there any harm in lump sum payment?

Answer

If he pays *Zakat* in advance then the year will not yet have passed, so that the fulfilment of *Zakat* would become obligatory. He may be either the owner of the '*Nisab*' (The owner of gold or silver or articles of trade beyond basic needs for life), but the year has not yet come to an end, or he may have paid *Zakat* for the last year and the current year is not yet over. Clearly then he has the full right to pay little by little. In fact there is no harm in that at all, because the fulfilment of *Zakat* has not become obligatory by that time. It is stated in '*Durr al Mukhtar*' that for the fulfilment of the obligation of *Zakat*, your

wealth must be in your possession for the whole year. If Islamic law does not demand payment from him until then, how can it then demand a lump sum payment? Advance payment is 'Nafil' so that one will get more reward due to advance payment when both 'Nafil' and Fard have been fulfilled. And it is clear that 'Nafil' is not compulsory. But if the year has passed and fulfilment of *Zakat* has become obligatory then gradual payment is prohibited but rather one must pay the complete *Zakat* immediately, as according to genuine doctrine and justified and reliable verdicts, the obligation of *Zakat* must be fulfilled at once and delay is a matter of sin.

On the other hand many of our Imams (Religious Chiefs) have made it clear that one who pays the obligation of *Zakat* late cannot be a witness in an Islamic Court. The same is reported from Sayyidina Imam Muhammad (Rahmatullahi Ta'ala Alaih). Once it is obligatory, the harm of gradual payment is more obvious than the Sun and even if he only delays immediate payment, he will become sinful. According to the doctrine of '*Tarakhi*' (i.e. whose doctrine teaches paying at the last moment) this delay is also improper because there are calamities in delay. Allah Ta'ala says: 1

(1) "And run towards the Forgiveness of your Allah Ta'ala." (3.3)

(2) "Then desire that you may surpass others in good deeds." (2.148)

No one knows, of course, when they will die. If death comes before payment, then by the consensus of Muslim opinion, the deceased will become sinners. If one suffers a financial and bodily accident, who can then protect themselves against Satan when they cannot protect

themselves against Satan even when he moves along with the human blood? He may deceive, and the intention to pay today may vanish tomorrow. Sayyidina Hazrat Imam Muhammad Baqar (Radi Allahu Ta'ala Anti) had a fine jacket sewn. He went to the bathroom and there he thought of giving it away in the way of Allah Ta'ala. He at once called the attendant. The attendant approached the bathroom. Hazrat took off the jacket and gave it to him and ordered him to give it to such and such a person. When he came out of the bathroom, the attendant enquired of him respectfully the reason for so much hurry. He asked whether anyone could know whether the intention would change before he came out. Praise be to Allah Ta'ala, this was the caution of a person who was brought up in the cradle of the Verse "verily over My bondmen, you (Satan) have no control" and took a bath in the river of the Verse saying "Allah Ta'ala only desires, of the members of the family of the Prophet (Sail Allahu Alaihi wa Sallam) that He may remove from you every uncleanliness and purify you well after thorough cleaning." And we who are merely a game in the hand of Satan, are so lacking in fear and ready to do evil!

I think certain ideas persuade people to pay little by little. Sometimes there comes an idea that they should pay this Zakat at that time which is more suitable for the needy persons. Sometimes an idea comes to their mind that since the poor persons come in such large numbers, it is best to keep this money for them and give it to them as time goes by.

Sometimes payment in a lump sum causes a burden on the Self and one thinks that if it is paid little by little, it will not be felt so much. Those who think this way, should pay the due in advance and this is the only way to save themselves from such ideas. For example, if the due time is the Ramadan of 1308 Hijra, they begin to pay from the

Shawwal (10th Islamic month) of 1307, and go on paying little by little. In this way it may suit their convenience so that may achieve their aims and remain safe from blame and from the prohibition of delay.

IV THE PROHIBITION OF FUNERAL FEASTS

Question:- What is the verdict of the Ulama on the custom in many cities of India that the ladies belonging to the family of the friends and relatives of a dead person gather at his home from the day of his death in the same way they gather for marriage ceremonies. Among them some return the next day, most of them on the third day, and some remain till the funeral rites on the fortieth day of his death. During this period the members of the family of the dead person provide their meals, betal and betal nut etc. This causes them excessive expenditure. If at that time they are penniless, they borrow money for this purpose and if they fail to get a loan, borrow the money at interest. If they do not do so, they are blamed and slandered. Is this allowed in Islam or not? May Allah Ta'ala reward you.

Answer:- Allah Ta'ala be praised! Believers! Your question is whether this is allowed in Islam or not? You should ask about how this dirty custom includes very many ugly and harsh aspects and burdensome and wicked evils in it.

Firstly, this feast is itself unlawful and a bad and evil heresy. Imam Ahmad in his 'Musnad' reports from Hazrat Jareer bin Abdullah Bajli (Radi Allahu Ta'ala Anh) :-

"To gather and prepare food at the house of the dead person, we, the group of the Companions of the Holy Prophet (Sail Allahu Alaihi wa Sallam)

considered to be lamentation, to the unlawfulness of which continuous Hadiths are categorical witnesses.”

1:- Imam Hummam says in '*Fathul Qadeer Sharh-i-Hedaya*':-

“The feast given by members of the family of the dead person is forbidden as Islamic law has allowed feasts on the occasion of rejoicing but not on the occasion of sorrow; and this is a very bad heresy.”

2:- Likewise Allama Hasan Shurumbulali stated in '*Maraqi Al Falah*':-

“The feast given by members of the family of the dead person is disgusting because a feast is necessary on an occasion of joy, and not on an occasion of sorrow and this is a bad heresy.”

3-8:- Its unlawfulness is obvious from 'Fatawa Khulasa', 'Fatawa Sirajiyya', 'Fatawa Zahiriyya' and 'Fatawa Tatarkhaniyya'.

About its unlawfulness there are almost the same words in '*Khazanatul Muftieen*', '*Kitab ul Khairiyya*' (In the chapter of abomination from '*Fatawa Zahiriyya*' and in '*Fatawa Hindiyya*' from '*Tatarkhaniyya*'). The words of the following reference come from '*Fatawa Sirajiyya*':

“A feast on the third day on an occasion of sorrow is not allowed.”

There is more in '*Fatawa Khulasa*' that:- “A feast is a necessity on an occasion of joy.”

9:- It is stated in '*Fatawa Imam Qazi Khan*' (*Kitabul Hazr wal Ibaha*, the chapter of Prohibition and Permission):

“A feast is prohibited on an occasion of misfortune, as these are days of sorrow, and that which is done on a happy occasion, is not worthy of this.”

10:- It is stated in '*Tabyyinal Haqaique*' by Imam Zailiy:-

“There is no harm in gathering for three days or more at the house of the dead person provided no prohibited act is done such as serving meals paid for from the dead person's wealth etc as a formality”.

11:- Imam Bazzazi says in '*Wajeez*':

“The meals which are prepared on the first day or on the third day or a week after the death are all disgusting and prohibited”.

12, 13:- Allama Shami says in '*Raddul Mukhtar*' that the '*Merajul Daraya*' an annotation on the '*Hedaya*' has discussed this issue in detail and stated:

“These are acts of show and of seeking fame and one should refrain from such acts”.

14, 15:- It is stated in '*Jami ur Ramuz*' and '*Akhrul Karahiyya*':

“To sit in the Mosque to receive condolences for three days or less is prohibited and even a feast and its meals are also prohibited during these days”.

16, 17:- It is stated in '*Fatawa Anqarwi*' and '*Waqaatul Muftieen*':

“A three days feast and its meals are disgusting because a feast is only lawful on an occasion of rejoicing”.

18:- It is stated in '*Kashful Ghata*':-

“Feasts and cooking food for the mourners by members of the family of the dead person are disgusting. All reports agree on it because it is difficult to prepare the food”.

It is also reported from the above: “The custom that afflicted persons prepare the above meals for the funeral rites on the third day of the death and distribute them among the mourners and friends is not allowed and is unlawful. This has been made clear in ‘*Khazanatul Muftieen*’ that this is prohibited because a feast is only permissible on an occasion of joy, not on an occasion of sorrow, and this same reason is well known to the majority of people”.

Secondly, among the heirs there may perhaps be only an orphan or another minor child and other heirs may not be present, and if permission isn’t taken from any one of them, then this act is classed as oppressive and strictly unlawful.

Allah Ta’ala says:- “Those who consume the property of orphans unjustly fill their bellies with fire only, and they shall soon enter the flaming Fire”. (Al Nisa.10). Any ownership of another’s property without permission is itself not allowed.

Allah Ta’ala says:- “And do not eat up unjustly the property of each other among yourselves.” (2.188) Particularly to waste the property of a minor child who himself has no right to use it, and also neither do his father nor the executor have this right, is totally unlawful and to involve oneself in calamity. If there is an orphan amongst the heirs of the dead person, this calamity is more severe.

May Allah Ta’ala protect us!

If food is cooked to give to poor persons, there is indeed no harm but rather it is good, provided that some sensible and adult person does this act with his own money. But if this is done with the legacy, all the heirs should be adult and present and agree on this matter.

1 to 4:- It is stated in '*Khaniyya, Bazzaziyya, Tatar Khaniyya and Hindiyya* ':-

“It is good if the food has been cooked for beggars provided that all the heirs are adult but if there is any child amongst them, do not prepare meals from the legacy”.

5. Further it is stated in '*Fatawa Qazi Khan*':-

“If the guardian of the dead person prepares meals for beggars it is better, but if there is any minor among the heirs, do not do this with the property of the legacy”.

Thirdly, if these women gather and perform unlawful acts such as weeping and mourning bitterly and hiding their faces for deceit and other such acts, then these are classed as lamentation which is unlawful.

Provision of meals to such a gathering by relatives and friends of the dead person is unlawful and is a help to sin.

Allah Ta' ala says:- “And help not one another in sin and transgression”. (5.2).

“The arrangement of meals by members of the family of the dead person, is completely unlawful, and so the agreement to the meals for this unlawful crowd will be more unlawful”.

It is stated in '*Kashful Ghata*':- "The cooking of meals on the second day of the death by members of the family of the dead person, if there is a crowd of mourners, is disgusting because this is a help in sin".

Fourthly, due to this bad custom, generally people are compelled to spend money beyond their capacity. The members of the family of the dead person, forgetting their sorrow, are involved in this calamity when they provide food, betal and betal nut etc. For this purpose often they need to borrow money. Such borrowing is not liked by Islamic law even for a Mubah (permissible) deed and not at all for an unlawful custom. Further due to this act the difficulties that arise are themselves obvious and if the loan is taken at interest, it has been Haram (unlawful)! May Allah Ta'ala forbid! He gets all the Lord's curses, because to pay interest is as worthy to be cursed as it is to take interest, as is witnessed by Sahi Hadith.

In short, there is no doubt of the evil and prohibition of this custom. May Allah Ta'ala guide the Muslims so that they completely give up such a bad custom which is harmful for their Worldly affairs, beliefs and religion. And Allah Ta'ala is the best guide!

WARNING:- It is Masnoon (Sunnat) for relatives and neighbours to send food on the first day for the members of the family of the dead person sufficient for two meals and to encourage them to eat (because due to sorrow they will not like to eat). But sending this meal only for one day (two meals) is Sunnat. This meal should not be for the gathering as this is strictly prohibited.

It is stated in '*Kashful Ghata* ':- "To send enough meals for the members of the family of the dead person and to feed them continuously with food provided by friends

and neighbours for one day and night is Mustahab. To take meals for other than the members of the family of the dead person is disgusting”.

This is stated in *Fatawa ‘Alamgiri’*:- “To provide meals for the afflicted persons and to eat in their company on the first day is allowed only because they are busy in funeral rites and ceremonies. After this it is disgusting. It is also stated in *‘Tatar Khaniyya’* to the same effect”.

Allah Ta’ala knows best!

Question 2

What is the verdict on preparing meals which the members of the family of the dead person prepare for a feast at funeral rites up until the third day after the death. Also what is said about taking puffed sugar drops which are purchased for funeral rites on the third day.

Answer

Such food in the house of the dead person is undoubtedly not allowed as I have stated in my verdict in detail. But bread and puffed sugar drops for the funeral rites of the third day are not brought for a feast, but with the intention to send a reward to the dead person, and so this is not included in this command in my verdict. If this has been brought for the poor only, then rich persons are not allowed to eat it, but if this has been brought to distribute among the general participants, then if the rich person also takes it, that will not be sinful. If as customary that bread and puffed sugar drops are not specially for the poor, then it is not allowed for the rich to take them. But abstention from taking them is more desirable and I have done this for a long time.

Allah Ta’ala knows best!

Appendix

Question:

When we visit a Wali's (Saint's) Shrine, how do we pray (Fatiha) there and what should be recited in the prayer (Fatiha)?

From:- Hafiz Abdul Rahman, Mohalla Ahata Rohila, Thana Bhelupura, Benaras, dated 28th Muharram, 1332 A.H. 1913 A.D.

Answer

To visit Awliya's shrines, go from the foot of the shrine and stand facing the head of shrine at a distance of about six feet and greet them respectfully with a voice neither loud nor quiet saying 'Assalamu Alaikum Ya Sayyidi wa Rahmatullah wa Barakatuh', and then recite '*Darood - Ghausia*' (*Allahumma Salli Ala Sayyidina Muhammadin Ma 'danil Joodi Wal Karami wa Ala Ahlihi Wa Sahbihi wa Bark wa Sallim*) thrice, '*Al Hamd Shareef*' once, '*Aaytal Kursi*' once, '*Surah Ikhlas*' seven times and if there is enough time, recite '*Surah Mulk*' and '*Surah Ya Sin*' too, and pray to Allah Ta'ala! "O Lord! Give as much reward for this recitation as is worthy to Your Grace and not as much as is worthy to my action and convey it to this Your favourite Slave as an offering." After this make Dua for your lawful good desires, and make the Saint sleeping in this shrine a means in the Court of Allah Ta'ala, and then after offering the greeting, return in the same way. Don't touch the shrine or kiss it. Walking round it is unanimously forbidden and prostration is purely Haram.

And Allah Ta'ala Knows Best!