

Firm Ground Day 1

Friday, January 29, 2016

7:23 PM

- There was a study done at the University of Michigan, they asked for people who would be willing to describe themselves as ex-Muslims to come forward. They had around 600 people who were willing to openly say they were ex-Muslims. They were asked a series of questions:
- What caused them to doubt Islam? Top 8 responses:
 - Status of women in Islam
 - Apparent contradiction of Sharia with reality
 - Apparent problematic nature of the Quran
 - Problematic nature of leaders and the bad character of the Prophet
 - Arab centricity of Muslim community
 - Dubious of Quran and hadith being preserved
 - Damnation of good Muslims
 - Unscientific beliefs
- Why did they leave Islam
 - Encounters with bad Muslims
 - Muslim society as an oppressive entity
 - Muslim communities were too backwards
 - The ill treatment and non-Muslims
 - Some felt they were being brainwashed into accepting Islamic values
- Authors of the study said this could be summarized into two points:
 - Attraction to non-Muslim live styles
 - Truly repulsed by Muslim conduct
- What they found from surveys
 - 73% male, 27%
 - 20% of Arab origins, 5% of Turkish, 1% African, 32% South Asian
 - Those who lived around a large Muslim population, would join another faith group, those who lived in Muslim minority populations were more likely to just withdraw from the Muslim community and not join another faith based group
 - Half of them would try to pursue their crisis, they would study Islam and religion
- Stages of conversion
 - Context of the person, various economic, family issues, communal problems that each of the members of the survey were going through
 - Some major crisis happened in their lives
 - Went on a quest
 - Encounters with people of other faiths and ideologies
 - Interaction, which made them more and more drawn, found in those people things they were lacking in previous community, found acceptance
 - Commitment when they were greeted with acceptance
 - Consequence, were ostracized
- Why people doubt Islam
 - Lack of Knowledge
 - Oversimplification of religious concepts

- Biased or dogmatic approach to texts
 - Lack of clarity
 - Unable to ask questions or receive satisfactory answers.
- Ali (RA) said: Speak to people in a manner that they can understand and comprehend. Speak to people to help them understand. Do you want people to reject Allah and His messenger?
 - What does (وضربوا هن) mean?
 - It is talking about some type of physical contact, but we have a problem with translation. It is talking about some way, or some manner to physically communicate the severity of the situation. It is provided as the exception and not the rule. Many scholars held the position that the physical communication of the severity of the situation is disliked. It's a last ditched effort to try and save the marriage, if the women is completely dismissive. But it can't be translated into beating, that is outrageous. The Prophet(SAW) saw a man hit a slave and reprimanded him so much that the man freed the slave.
 - Some commentators, some scholars not particularly fond of this, but sometimes there are words in the Arabic language that have multiple meanings. The rule of legal theory is that you can't act upon it until you know for sure its interpretation. The word (ضرب) in the Quran itself has 13 different meaning and interpretations. Some means are traveling, conducting business, giving an example, to strike. What they are saying is that you can't legislate the legitimacy of the husband hitting his wife until you can justify the meaning. But the problem with the interpretation of traveling in this ayah is that it is limited linguistically
 - Hanbalis take this position as well as some Malikis, ibn Ashur (famous muhaddith) : taking this type of physical measure, all the instances in which someone is allowed to take physical measures against someone else are governed by the state. In allowing the husband to take physical action against the wife, we can't ignore the premise at which this is founded. Whenever you give one individual power over another, there is a system of checks and balances. During the time of the Prophet (SAW), most of the time, the husbands authority over the wife was rarely problematic because they were built on the spiritual foundation of the Prophet(SAW). Giving the husband that license in a very severe situation is established on the fact that the husband is a human being and has an established spiritual foundation. But in our time and age, giving men that authority would lead to domestic violence. People don't have the God-consciousness to know where to draw the line.
 - Objective behind this entire exercise, is the fact that we lack confidence in who we are and what we believe. There are reasons behind it, like lack of knowledge and understanding, but ultimately it's the lack of confidence. That's where the name comes from (asluha thabit) its roots are firm.
 - Nobody can answer your questions like Allah can, you have to get good with Allah, that is the first step to solving the problem.
 - What does confidence look like?

This is a narration about a sahabi named Haritha, he was an Ansari. The Prophet(SAW) saw him and asked how he was doing. He said I am a strong, firm believer this morning. The Prophet(SAW) told him to think about what he said, he said there is a reality behind every statement, you have to be able to back it up. So how would you justify what you just said. Haritha said: I no longer obsess over material things, I spend my nights praying and my days fasting, and when I am praying I feel like I am standing in front of the throne of God, and I could practically hear the people in Paradise enjoying their time, and the people in Hell suffering. The Prophet(SAW) said: You have got it, no hold on to it. This is a slave of Allah and God has enlightened his heart. He had such confidence and clarity.

Firm Ground Day 2

Saturday, January 30, 2016

10:03 AM

- Whenever we have an intellectual discussion, there are certain guidelines to how to approach it
- The consequence of having information at our disposal has made us info junkies and has made us lose respect for the process of acquiring knowledge.
- The more instant something becomes, the less value it has
- We should familiarize ourselves with the process of acquiring the knowledge and then build on it to approach the discussions
- In our religion, authority belongs to Allah, which means Allah is the legislator, so the Quran, which is the literal speech of God, is the most authoritative book
- From there, the Prophet (SAW) is also a figure of authority, what he said and did is what defines the law.
- Even the sahaba who do things from what they were taught, have some weight of authority.
- The tradition doesn't supercede revelation, it's a means to understand it and interpret it, but it can't replace the Quran and sunnah. Just because the scholars were better people than we were all around, doesn't mean they were always right. The reason why the tradition is what it is, is because those scholars approached the tradition very critically.
- Example: Allah says in the Quran: The mushrikoon are Najis (impure)
 - Some of the sahaba in their rational literally interpreted that ayah, that if you touch a kafir, you have to wash your hands because you touched najasa. Scholars like Al-Hasan al-Basri took this position
 - But after deeper research, scholars of the seventh century looked back at this interpretation and then established a consensus on the fact that this ayah should be interpreted figuratively, not literally.
 - Not agreeing with a certain ruling or interpretation or reevaluating it isn't a sign of disrespect towards those previous scholars
 - The tradition isn't as binding as the Quran and sunnah
- **15 fields of Mastery for proper Quranic Interpretation**
 - Classical Interpretation
 - Reason for this: might be certain words with different meanings under different context
 - Ex. The word 'ayn' which means eye, spring, essence
 - So we have to be familiar with the language
 - Arabic Philology
 - Arabic syntax, how do words interact with each other
 - Any change in the harakat in the Arabic language can affect the meaning
 - Ex. Qatala dawoodu jaluta, means David killed Goliath, changing it to qatala dawooda jalutu means the exact opposite, you rewrote history
 - Arabic Morphology
 - The changing of words to change the meanings
 - Changes in the configuration of verb and nouns forms change the meaning
 - Ex. How you can change one word, like (ذهب), to mean different things
 - Al-ishtiqaq
 - The roots of words, historical, philosophical look at the meaning of a word
 - Ilm al-Ma'ani

- Is this the optimal method to communicate the meaning I am trying to communicate, optimizing words
- Ilm al-Bayan
 - Draw on the figurative meanings of words
- Ilm al-badi
 - Beautifying words by using emphasis and other literacy tools?
- Ilm al-Qira'at
 - The different types of recitations and modes of recitations of the Quran
- Ilm al-Aqa'id
 - We can't attribute the literal meaning of some ayat to Allah. In this case, one will be required to interpret the ayat
- Usul al-fiqh
 - Logical framework of the religion
- Asbab an-Nuzool
 - The circumstances of revelation
- Ilm al-Naskh
 - The knowledge of the abrogated ayah
 - There was a previous ruling in the Quran and a verse comes later on that amends the previous ruling
 - Ex. The ayah about how a widow has to wait for a year when her husband dies was abrogated with another verse that says she should wait four months and ten days, both in baqarah
 - Ex. Of how Allah allowed people to divided their inheritance how they wanted, and then this ruling was abrogated with specific rules how to split the inheritance.
- Fiqh
- Ilm al-hadith
 - Knowledge of the ahadith that explain mujmal ayat
 - Allah sent the Quran, then he sent the Prophet (SAW) to explain the Quran, you can't assume that both are incompatible, that's nonsense. The sunnah is absolutely necessary to understand the book of Allah
- Ilm laddani
 - Ultimate goal of these endeavors is spirituality, to get closer to Allah. If we don't feel like it isn't getting us closer to Allah, then we have missed the point
- **The information we can gain from the life of the Prophet SAW is three**
 - Ilm al-hadith (quotes and actions): a huge part of what our theology and rulings of legality are based on
 - Seerah: this has some legal bearing, philosophical bearing, and code of conduct and provides context
 - And the physical characteristics of the Prophet (SAW) (الشَّمال): Don't have legal bearing or authority
- **Types of Tafsir**
 - Tafsir bi- ariwaya: tafseer by transmission, also known as tafsir bil ma'thur
 - Its tafsir by using the Quran
 - First step: look at the specific issue in the Quran and then look for the specific context and then look throughout the Quran and see if its discussed anywhere.
 - Second step: go to the sunnah and do the exact same thing, understand the language, the context and the general concept

- Ibn katheer and ibn tabari are very good tafasir by transmission
- Tafsir bil-ra'y: tafseer by analysis
 - Primary mechanism is the language, or any other discipline that has a logical framework in usul
 - Tafseer that analyzes a lot of fiqh
 - Famous tafseers: tafseer Imam ar-razi, tafseer of imam al-qurtubi
- Tafsir bil isharah: tafseer by reflection
 - Reflective tafseer
 - Has no legal bearing, just a personal reflection that you have, a personal meaning
 - Can be general observations and reflections
 - If you don't agree with it, its ok
 - Ex. Ruh al ma'ani
 - They can sometimes get a little out of control, some scholars made a fourth category called tafseer batini, which is strange tafseer
- It's important to know all of the different types of tafseer is because a lot of times, confusing is caused because we read or were taught certain ideas and understandings from reflective writing, not from transmission
- **Principles of Understanding the Hadith**
 - Imam as-Suyooti put together these principles from all of the previous scholars
 - The chain of narration
 - Have to make sure it got to us properly
 - There are particular types of chain of narrations needed if you want to use a hadith as a proof for a theological thought, legal ruling, an understanding or a supplement to some other text, motivation
 - So we should know what level of acceptance the hadith has depending on what we are trying to use it for.
 - Text of the Hadith
 - Matn and subject matter
 - Literacy appreciation of the Arabic language
 - True for both Quran and sunnah, but more importantly for the sunnah
 - The Prophet (SAW) is the most eloquent human being ever, but he speaks in a human style
 - The language of the hadith is so sensitive and complex, and you have this human element present in the hadith that can lead people to twisted conclusions without proper understanding of the figure of speech or adjustments for emotions and different expressions
 - Understanding the occasion of the hadith
 - Hadiths are excerpts of the Prophet (SAW)'s conversations with people
 - So if you don't have any appreciation and understanding of the circumstance of what was said, you are missing out the whole picture
 - Interpretation in the light of the Quran
 - There is a more "moderate" school or thought within the Quran only philosophy who say they will accept the hadith that are justifiable within the light of the Quran
 - But who justifies it? This is not what we are saying
 - We will not accept or reject a hadith based on what we think is right
 - We accept the hadith, but we look at the Quran to consolidate between the two, to try and understand it so that there are no contradictions, because

contradictions are not possible since the Prophet SAW was sent as an explanation of the Quran

- Study of all the variant text
 - Combining all of the subtle differentiations between the same hadith and then coming to a conclusion
 - Ex. extracting understanding of different responses to the same question posed to the Prophet (SAW)
- We can't have shot gun conclusion to these complex issues. It requires a lot of deep understanding, thought and research. Shouldn't oversimplify complex issues
- **Usul al Fiqh**
 - Rules of interpretation
 - The explicit meaning (ibarat al-nas)
 - Ex. The ayah in surah al-baqarah about how Allah made trade halal and interest haram, the explicit meaning is that there is a difference between trade and interest
 - The Inferred meaning (dalalat al-nas)
 - Ex. The ayah about how those who consume the wealth of orphans will be punished by Hellfire
 - In consuming something there are two dynamics
 - Depriving someone of something that is rightfully theirs
 - Benefiting from it yourself
 - Both groups of people are inferred in the previous ayah
 - The required meaning (iqtidal al-nas)
 - Ex. (rufiah an ummati al khata wa an nisyan)
 - Translated as: Removed from my ummah are mistakes and forgetfulness
 - Someone might misunderstand this as no one in his ummah will make mistakes or forget
 - This must mean there is something implied, in this case, is the word sin. So its properly interpreted as, removed from my ummah are the sins of mistakes and forgetfulness
 - The Alluded meaning (isharat an-nas)
 - Quran 3:159, means consult them in serious matters
 - Quran 16:43, ask those who know if you don't know
 - Alluded meaning from these verses, it is similarly required for the ummah to build the foundations and institutions and opportunities that can produce people of knowledge who people can consult.
 - Textual implications
 - Clear words
 - Thahir: manifest meaning of a word
 - Most obvious meaning associated with it, might be open to some interpretations, but there is a manifest meaning
 - Ex. Quran 4:3, manifest meaning of this is that marriage is between men and women
 - Nas: literally means explicit
 - Same verse: objective of the verse is the fact that polygamy is permissible, but the number of wives can't exceed 4
 - Unequivocal (mufassar)

- It is when a word is explained within the Quran itself, quite literally means it has a tafseer.
 - When God explains the meaning of the verse Himself, there is no further discussions of it.
 - Ex. Surah al-Qadar, Allah explains what the nature of the night is
 - Ex. Surah al-Mujadilah, Allah explains the penalty of someone who does dhihar is to fast and Allah explains explicitly how many days
- Perspicuous (muhkam)
 - Ex. Quran 33:53, Allah didn't leave any room for discussion about marrying the wives of the Prophet(SAW), it's a set ruling with no compromise, its absolute
- Unclear words:
 - Unclear means you don't know how to immediately apply the words, further research is needed. Ex. is like ayaat talking about prayer and making athan
 - Obscure (khafi)
 - words that are not immediately clear in their implications, can't implement them until you gain clarity
 - Ex. What is the definition of a thief?
 - Difficult (Mushkil)
 - Ex. The ayah about the idda of a divorced women, what is the meaning of the word quru'?
 - It has two completely opposite meanings, it could mean the days of menstruation or the days of purity
 - Ambivalent (Mujmal)
 - The word in and of itself doesn't have a lot of clarity
 - Not even sure what the meaning is unless it is explained
 - Ex. The word haloo3 in surah Ma'arij, the Arabs of the time didn't even know what this word meant. But then in the next two ayaat, Allah explains what the word means.
 - Intricate (Mutashabih)
 - Something that we won't be able to logically deconstruct
 - Ex. The disjointed letters, no one knows what it really means, and we will never know its true meaning, its beyond us.
 - Ex. (Ar-rahman ala al-arsh istawa)
- Homonym (mushtarak)
 - One word has multiple meanings in the Arabic language
 - Important to understand the meaning and the context to grasp the true meaning
- Literal (haqiqi) vs. metaphorical (majaazi)
 - Ex. (khalaq al insaan) Allah created man, is literally understood because there is nothing preventing its literal interpretation
 - The rule in the Arabic language, fiqh and usul is:
 - as long as the literal meaning can be understood, don't switch to the metaphorical understanding, switch to metaphorical understanding has to be justified
 - Go back to ancient Arabic text and see if the word was used in its literal sense or metaphorical sense

- ex. (wash ta3ala ar-ra'su shayba), literally means my head is lit on fire with white hair, Arabs used this phrase metaphorically to mean I am very old in age
 - Ex. (ishatara al-kufr bil eeman) literal means bought kufr with iman, but understood metaphorically which means they chose disbelief over belief
- Default is to take the literal meaning, but if the phrase is known to have a metaphorical meaning, the metaphorical understanding should be taken, as the literal meaning could be problematic
- Side notes:
 - hyper literalists breed extremism, so do hyper rationalists
 - Our deen is full of principles, some are literal, some are metaphorical
 - There is no allegory in our faith, in our religion, in understanding who Allah is
- General ('Am) vs. Specific (Khas)
 - Specific: limited in scope, applies only to a few things, can be limited by
 - Number, ex. The idda after a divorce, number three is stipulated here
 - Qualifiers, ex. The call to hajj for only those able to go
 - Ways to know if a source text is general or specific
 - Stated in text
 - Might be another source text that clarifies that it is meant to be specific
 - Base rooted within the context
 - Specific is always given preference
 - If there is one singular source text than can be interpreted generally and specifically, the specific interpretation is more authoritative legally than the general interpretation
 - Ex. Hadith in Abi Dawood, narrated by Abdullah ibn Masood, says that the prayer of a women inside her house, is better than the prayer in the courtyard. And a prayer in a closed off area is better than an open area in her house.
 - Understood from the narration that the prayer of a woman at her house is better than her prayer at the masjid
 - Now let's look at context: Hadith in Bukhari, narrated by Aisha about how the women used to go pray fajr at the masjid with the Prophet (SAW) when it was still dark. So why would they go pray at the masjid if praying at the house is better?
 - To reconcile, the scholars say that the first hadith in Abi Dawood is specific to a situation, not a general ruling. It was given to a group of women who felt bad for not being able to pray at the masjid because they couldn't either because it was too far or they had other obligations. The Prophet (SAW) said this hadith to make them feel better because of their intentions and that they would get rewarded for taking care of their other obligations and not letting it deter their spiritual growth.
- Unconditional (mutlaq) vs. Conditional (muqayyad)
 - Quran 2:21, Allah says "Oh people" no prerequisites, its unconditional
 - When Allah says "Oh you who believe" that's conditional

- Hermeneutics: Interpretations/ Intentions
 - Deals with issues like:
 - What is formal interpretation of text?
 - For us, it refers to Quran and hadith
 - What is the official interpretation of the text?
 - It's the linguistic analysis
 - How did scholars interpret text?
 - What was the intent of the author?
 - Is the use of a particular word, tense, grammatical construction significant?
 - In our case, this is always true, it's always significant
 - Who were the audience of the text?
 - The immediate audience was the Arabs, but it was revealed so that it would be relevant to people in the future across the globe
 - What did the contemporaries have to say about the interpretation of the text?
- Faith Related Issues:
 - Gender Inequality
 - Aql
 - We are going to deal with it from a textual standpoint, are the sources of the religion fundamentally disrespectful towards women?
 - We are going to look at a hadith in Muslim, so that we don't have a question of authenticity:
 - On the authority of ibn Umar, the Messenger (SAW) said: "Oh community of women, give charity and frequently ask Allah for forgiveness, because I have seen you as the majority of the people of Hellfire" One of the women in the gathering said, 'Why would we be the majority of people in Hell?' He said, 'You curse frequently and are ungrateful towards your family and in spite you lacking of wisdom and failing in religion.....' (Rest in book)
 - This was an address from the Prophet (SAW) to the women specifically, it was an exclusive event to his women at his time. He was speaking to his followers, people directly under his rule. Ibn al-Qayyim said this can't be used to belittle women.
 - This was the Prophet (SAW) privately admonishing the women
 - The next issue coming up in this narration is the fact that the Prophet (SAW) said I have seen you guys as the majority of the people of Hell. Ibn Hajar said all of the commentary about when he saw it is unnecessary because that is not what is meant
 - The word ra'a isn't translated as seen, but I can foresee, I am fearful that you will be the majority of the people of Hell
 - The question occurs with use of the word akthar (majority). It sounds like men will always be spiritually better than the women
 - In another text, there is an authentic hadith that says that for every man in paradise there are two women from the children of Adam, so women will outnumber the men, two to one
 - Many commentators of the hadith say that (3asheer) means husbands, so you are ungrateful to your husbands

- There is an ayah in surah at-Tawbah that uses this word, but it means family, so in the hadith, it means family
- Some people extrapolate from this hadith that women are intellectually and spiritually deficient
 - First thing we have to look at is the fact we aren't looking at the entirety of the text
 - What he meant is that, you might not be geniuses, but you are still smarter than a lot of the guys
 - So he isn't defining the women as being deficient, but even with their imperfections and their issues, they are smarter than guys
 - Then a women stood up and asked what he meant by limited in intellect and deen, as if she was offended
 - The Prophet (SAW) gave her examples of how their two testimonies was replaced with one man and how they go a number of days without praying, these are their limitations
 - But how can someone be accused for something that is not in their control? It was stated as an observation, not a criticism. And this limitation of not being able to pray and fast isn't permanent. So the Prophet(SAW) only responded this way because of the way the question was asked. He was telling them what they already know
 - The Prophet (SAW) is saying: In spite of your limitations, intellectually and spiritually, you are still smarter than most men
 - No one is free from limitations, but he mentioned the ones the women had specifically in this address to his women.
- Ration of 2:1 (women:men) as witnesses
 - Ayah in surah al-baqarah
 - First issue, is this specific to a notarization of a loan, or is it in all testimonies?
 - Majority of the scholars are of the opinion that this is only for the notarization of a loan
 - Some scholars use this to analogies and use this in all court testimonies
 - Ibn katheer as well as al-Quratabi say this is only in financial related issues
 - The highest form of testimony that exists within our religion is narrating hadith and Quran and the testimony of one woman is sufficient as a narrator
 - So this can't mean it is true in all testimonies to have two women to one man
 - The market place is usually and generally mostly the domain of men since they are financially responsible to take care of their family, women aren't as well versed in the financial transactions as men are generally speaking. There might be a few women who are well versed, but we don't make rules out of exceptions

- Some possible wisdoms: Because the market place is primarily and was historically the domain of men, it might have been so that she won't be alone
- The language of this ayah is very intriguing: its talking more than just forgetfulness, the word used isn't the word for forgetfulness, it's more like if she errors or makes a mistake or isn't following, then the other one can help her and be her support. It shouldn't be interpreted that a women is half a man or her testimony is half the value.
- So ultimately, there is one women who is testifying, the other one is there for support.
- So the text doesn't say both have to testify, but that one is signing the paper, but the other is there for support
- Wives obey husbands
 - The word obedience means to submit to all of the wills of someone else, this is reserved to Allah and his Messenger
 - Compliance is a better word, a wife should be compliant to her husband in cases where he is liable and accountable
 - The issue we are going to discuss is the issue of submission, which is predicated off of the authentic hadith in at-Tirmidhi about the Prophet (SAW) saying if he were to anyone to prostrate to anyone it would be the wife to her husband
 - Some say this is ordering submission to the husband because sajdah is a sign of submission
 - Let's look at examples of another being doing sajdah to someone else:
 - Angels to Adam
 - Family to Yusuf
 - Of the people who made sujud to him was his mother and father, who was a Prophet(SAW). This wasn't a sign of submissiveness or superiority, it was a sign of love and respect. This is the same sort of gesture the Prophet(SAW) was talking about between a believing man and a believing woman.

Side notes: Three steps to seeking knowledge:

- Prep before going to class
- Pay attention in class

Follow up, review

Firm Ground Day 3

Sunday, January 31, 2016

10:22 AM

- Faith Related Issues
 - Gender Inequality (cont.)
 - Traveling alone
 - An authentic narration in Sahih al-Bukhari that says that a woman should not travel for more than three days without a male family member
 - A few things:
 - Overall, we should look within the rest of the sources to explore what other information is available to us
 - Ibn Hajar in Fat al-Bari says: There is another hadith that is found in Sahih al-Bukhari itself where the Prophet(SAW) tells the sahaba that they will see a situation where a women will leave from Hira and she will intend to come and visit the Ka'aba, she won't have any type of protection with her, she will be alone and reach Makka unhurt and unharrassed. This shows the impact that Islam will have on that region, that it will be safe enough for her to travel alone
 - Some say it is a prophecy, not some sort of legislation, but the Prophet (SAW) is praising it, and when the Prophet(SAW) praises something it becomes some sort of legislation
 - Imam an-Nawwai mentions that the wives of the Prophet(SAW) wanted to make ummrah during the khilafa of Umar. Some of the wives didn't have a male relative to go with them. During that time Umar came up with a solution, they would go in a large group. Uthman was in charge of that group. So some of them traveled alone without a muhram.
 - Some contend that they were the mothers of the believers, however they still followed legislation. Ex. They still wore hijab around non family members even if they couldn't marry after
 - Sh. Bin Baz said the issue is with transit, the transit shouldn't be more than three days without a male relative, but there is no ayah or hadith that says that women can't live by themselves. There is no prohibition in living alone, there were a number of sahabiyat that lived alone.
 - Female governance
 - A narration in Bukhari about how a people will not succeed as long as they make a women their ruler
 - People take from this that women can't take positions of leadership
 - Let's look at the context of the hadith
 - The Prophet (SAW) had written a letter to Kisra, the king of Persia, and he ripped up the letter so the Prophet(SAW) said that Allah would rip up his kingdom just like he ripped up the letter
 - In a time span of four years, they had 10 rulers, it was extremely unstable

- At the end of that, they finally appointed the daughter of Kisra as their leader
 - First, the Prophet (SAW) has allowed women to testify, so they are allowed to participate in legal issues
 - Umar had appointed Umm Sulayman, Ash-shifa, as the minister of market places during his khilafa
 - So there wasn't a problem with women serving a position of leadership
 - Some people look at the wording of the hadith and it is seen that the wording used was general, but some scholars of hadith say that a general term can be understood as specific depending on the context. Since the Prophet(SAW) was responding immediately to the news, it is understood to be specific to that particular situation
 - At-Tabari believes this hadith is specific and we can't take legislation from it
 - Some of the schools of thought (Hanafi and Maliki scholars) believe that besides the position of khalifa, a woman can take any position of leadership. And the reason why she can't take the position of khalifa is because the khalifa has to lead prayers and the khutaba and lead the army
 - Abu Bakra was part of Muawiya's forces during the battle of the camel, he was of the opinion to seek justice for the murder of Uthman, but when he saw Aisha leading the army, he was reminded of this hadith of the Prophet (SAW) and he retracted from the army.
 - However, there were other big and senior companions who were in Muawiya's army who didn't have a problem with Aisha leading the army.
 - This particular sahabi understood the hadith to be general and applicable to Aisha, but the rest of them didn't see it as problematic because they followed her leadership
 - When there is a majority of companions who take a certain position, we don't take a single position over the majority position.
- Angels cursing woman who refuses her husband/Salah not being accepted if husband is angry
 - There is another version of the second hadith that has the last one about enslaving a freed person replaced with a woman who sleeps away from her husband (i.e. refusing to have sexual relations with him)
 - When we talk about marriage and the marriage contract in general, there is the written contract and the consummation of the marriage
 - The consummation of the marriage is made by a husband and a wife going to a private place alone, regardless if there is any physical intimacy that takes place, that is their business
 - The word firash is understood to mean a common place that they have, a source of intimacy, it can be physical intimacy or not, it doesn't specifically mean sexual intercourse, it can include that but it's not that specifically
 - It's not sexual servitude
 - Basically, she is using intimacy as a weapon, and that is death to a marriage, it a violation of rights to the other.

- The second hadith talks about violation of rights of another person and is causing detrimental harm to another person
- This hadith is talking about a woman who has consistently been treating her husband like her enemy, not about a random refusal of sexual intercourse.
- Some people take this hadith as a validation to marital rape, because they say he was taking his right
- In a hadith al-Qudsi, Allah said that he had forbidden oppression on himself, and has forbidden us from oppressing others
- There is documentation of Muslim rulers of the past who had punished husbands who have been accused of doing such a thing. Every time a woman brought up this type of case to the court, the husband was always punished for it.
- Hudud
 - The word had in the Arabic language means prevention
 - Technical definition of the word: it is a fixed mandated punishment that is solely the right of Allah
 - The hadd is defined, prescribed and mandated by Allah and has nothing to do with anyone else
 - The only exception to this is the hadd of slander, but even that is disputed as being the right of Allah
 - There are seven listed, categorized differently by different people
 - There are two statements of the Prophet (SAW)
 - Refrain from the hudud based on the slightest bit of doubt
 - Refrain from the hudud as much as you can
 - One of the philosophies of Islam when it comes to the hudud is to refrain from it
 - If someone commits one of these crimes and all the evidence is established and they have been sentenced but they have become repentant, then in some cases the hadd is lifted like the danger to public safety
 - The hadd is the right of Allah, if the person has amended his relationship with Allah, then we don't have to carry out the hadd, it can be lifted.
 - Some people say that aside from the hadd for the danger to society, none of the other hudud can be lifted, by some scholars like imam Ahmed say otherwise. If the person fixes their relationship with Allah, and since the hadd is the right of Allah, then the hadd is lifted.
 - Different types of Ahkam:
 - Ahkam takleefiya: general law
 - Ahkam wad3eeya: conditional, specialized rulings. There is no sin on the person for not implementing these
 - Implementation of hudud has prerequisites:
 - Must be an established Islamic rule that is representative and formed by the agreement by the vast majority of the scholars and authorities in the ummah at that particular time.
 - The basic needs (i.e. spiritual, educational, physical) have to be met and provided

- Imam Ahmed said that implementing the hadd on people who are far away from the scholars and knowledge and spiritual nurture would be considered oppression
- Hudud doesn't exist in the absence of these prerequisites and we won't get punished for not implementing it
- Imam Malik mentions in his book al-Muwwatta, that Umar had paused the penalty of stealing during a famine in Medina and said it was not done outside the scope of the shariah, in fact he was implementing the shariah by not implementing it because he was implementing an ayah in the Quran in surah Maida, it says that someone who is in a trying situation and isn't trying to be sinful, then Allah is Most merciful to that person.
- Fornication
 - A famous scholar of history_____ says that one of the things that is necessary for establishing a case of fornication or adultery is that it was a consenting act of two adults, it DOES NOT apply to rape. The raped individual can't be considered a fornicator. The Prophet (SAW) said the sin of anything forced is lifted from a person.
 - How to prove the case of zina in an Islamic court in order to carry out the hadd, it can only be proven in two ways:
 - Four confessions from the individual, and they can take back their confession at any time, they shouldn't be confined so that they feel trapped
 - Four witnesses:
 - Adult, Muslim, trustworthy members of the community
 - Have to have witness the actual act (i.e. the actual penetration)
 - Witnesses will all be interviewed individually and asked about specific details, details have to match EXACTLY
- Homosexuality
 - There is zero legitimacy around same-sex relationships, this is clear in our religion.
 - Some say the Quran doesn't talk about intimacy with the same sex, or is talking about illegitimate relations like rape with the same sex that is forbidden. However, when looking at the Quranic language, this can be proven false
 - The word ityan in the Quran is the Quranic word for sexual relations, and it also implies consent, not rape
 - The commission of a sinful act doesn't take someone from the fold of Islam, when this happened, we ended up with the Khawarij
 - There are two major scholarly position on the issue:
 - First there is the hadith about killing the people who do the act of the people of Lut.
 - This narration is graded as weak by the scholars of hadith
 - In fact, all the narrations that talk about the hadd of same sex relations are all weak
 - So majority of scholars agree that there is no set hadd for this type of act

- Therefore, big scholars like Imam Malik, Imam Shafi classify it under fornication and adultery, and if it is classified under fornication, the same conditions need to be met in order to carry it out
 - Abu Hanifa has a different opinion
 - He agrees that all the narrations about the hadd are weak and we can't base punishment under that, but we can't categorize it under fornication either because relations between man and woman is natural, and same sex relations are unusual.
 - Therefore, he believes there is no hadd, but there is ta'zeer meaning it is at the discretion of the judge. He can incarcerate, fine, exile, but there is no hadd.
- Slander (qadhaf)
 - qadhaf means to throw a rock and injure someone
 - The reason why it is called qadhaf: because it is an injury that might never be cured because it attacks someone's dignity and honor
 - It is to attribute to accusing someone of fornication or adultery
 - The punishment of slander is lashing
 - Even if an unmarried woman gets pregnant, it doesn't justify implementing the hadd on her
 - One of the most famous case of slander is the slander against Aisha
 - One of the profound lessons of the slander against Aisha is the fact that some good people got caught up in the mess
 - It shows that slandering is something you have to make a conscious effort to avoid, if you don't you can fall into it
 - Allah prohibits actions in the Quran using the word (laa), one form of prohibition
 - Another word Allah uses is (ijtaniboo) which means abstain from
 - He used it for wine, gambling
 - suspicion, gossip, backbiting, spying which is just as destructive as wine and gambling. It can destroy a community just like wine and gambling can
 - If someone accuses someone else of homosexuality, it is as if they accused them of fornication
- These rules and regulations are set in place to keep public decency and morality.
- Theft
 - Defined as the taking of someone else's wealth in a covert method
 - Publicly taking something of someone is not considered theft and the hadh does not apply in this situation
 - Theft is considered armed robbery and home invasion
 - Somebody who swindles you in a business deal, doesn't have a hadd
 - Someone who does shady business deals doesn't get their hands cut off
 - It takes two witnesses to establish a case of stealing against someone

- There is an alternative, if a thief gets caught stealing and still has the property and is willing to return it to its owner and the owner is willing to forgive, then the hadd is lifted.
- If it is determined that the person who ended up stealing something is very deprived, there is no hadd in that situation
- In order to apply the hadd
 - What has been stolen has to have material value
 - There is a minimum threshold for the value of a stolen item
 - The Prophet(SAW) said there is no cutting of the hand for less than 10 dirhams
 - In our times, that is around \$40.00
 - Has to be ensured that the item stolen was kept in a safe place, not out in the open because that would bring about doubt of intent
- If more than one person steals?
 - Some say the hadd is applied to all
 - Others say that you can't apply the hadd because there is uncertainty as to who actually stole, some might have assisted in the mission, but the hadd is for the one who stole. Since there is no sure way to know who really did it, the hadd cannot be carried out
- No cutting of hand in stealing eatable items
- Danger to public safety (haraba, al-bighat)
 - Rebels, terrorists
 - Allah says in the Quran that the compensation of those who wreak havoc within the earth should be killed, or hung, or their hand and their foot on opposite sides are cut, or exiled from the land
 - The Prophet (SAW) said that whoever raises a weapon on another Muslim is not amongst us
- Public intoxication
 - Hadd isn't on someone who drinks in private, we don't conduct raids and apply the hadd on them if wine is found
 - The penalty is only upon someone who drinks in public
 - Even if you find someone intoxicated in public, there is doubt as to how they ended up in that state so hadd still can't be applied
 - In order to carry out the hadd:
 - Can't be mentally disabled
 - Adult
 - Muslim
 - Weren't forced
 - Have to find out that the person did it purposely
 - Have to confirm that the person understands the impermissibility of consuming intoxicants
 - Has to have had some spiritual resources to them to teach them right from wrong
 - There is no standardized hadd, this hadd as well as the hadd of apostacy is one of the most precarious hadd meaning it's one of the most vague hadd and that is deliberate.

- Later in Islamic history, a set punishment was decided on and it was 40 lashes
- Apostasy
 - It's to publically declare the leaving of Islam
 - The Prophet (SAW) said in a hadith in Bukhari to kill anyone who leaves Islam
 - There is another hadith in Muslim that explains the prior hadith which says that the person that should be executed is a person that leaves the religion while being an enemy to the Muslim state
 - Scholars say this is equivalent to treason to the state, not someone that just leaves Islam
 - Since we don't have an established state right now, this become hukm wad3i
 - This hadd can't be applied to someone who was raised in a spiritually deficient society where the resources for spiritual development were not available
- Violence in Islam
 - You have to look at the entirety of the text
 - Ibn Taymiyya in his Muqdimah of usul at-tafseer
 - Whenever you have a collection of verses that talk about a legal issue, the first thing you have to do after collecting them all, you have to put them in chronological order
 - Have to understand how a proceeding verse was revealed through the filter of the preceding verse, ex. Can't understand the sixth verse without first analyzing the first five in order
 - This ayah is the first ayah revealed giving permission to pick up arms : Surah 22, ayah 39 (Hajj) Allah says that permission to fight was granted to those who were oppressed and attacked kicked out of their homes because they were Muslim...
 - So every other ayah talking about fighting and killing has to be looked at through this filter
 - Examples:
 - 9:29 - Fight those who don't believe in Allah and the day of judgment
 - This verse was revealed at the time when the Prophet (SAW) received news that the Romans were amassing a huge army to wipe out the Muslims (Battle of Tabuk)
 - Language of the verse: the word used for fight is an advanced word pattern which involves both parties, mutual participation
 - 8:39 - And fight them so that there is no longer any fitna
 - The word fitna linguistically means to try by fire, to purify with fire, like separating precious metals from other metals
 - The Quranic meaning of the word fitnah is religious persecution, this can be inferred from the ayah in Baqarah talking about the killing during the sacred months and how Allah lists the different persecutions and then summarizes them as fitnah
 - So the purpose of fighting was to eliminate religious persecution

- 9:5 -
 - Was revealed after the treaty of Hdaybiyah, right before the conquest of Makkah right after the Quraish broke the treaty
 - Standard understanding terms of a treaty: when there is a treaty between two parties, their allies are also protected under that treaty
 - There was an alliance between the Muslims and the Khuza'ah tribe and the Makkans had an alliance with the Bakr tribe
 - Less than a year after the treaty of Hdaybiyah, Bakr attacked Khuza'ah
 - People of Khuza'ah told the Prophet (SAW) and he said he would talk to the Quraish, but once news of this got to the Makkans, they joined the battle with Bakr against Khuza'ah.
- Non-Muslim relations
 - 5:51 - Some might understand this as a proof that we shouldn't have good relations with non-Muslims
 - classically speaking we find the view of non-Muslims within a Muslim community was not one that was vile or negative
 - Muslims now are in a post-colonial mind set, the negative viewing of non-Muslims is sourced from colonialism
 - Still can't be used as a justification of a misunderstanding or a misinterpretation of an ayah of the Quran
 - The scholars like ibn Katheer and at-Tabari write that this particular ayah was revealed at the time of the betrayal of the people of Banu Quraydha during the Battle of the Trench
 - They betrayed the Muslims and took the side of the allied army, and there were some of the Muslims in Medina who had long standing relations with the tribe and were hesitant and Allah is telling them that whoever choses them over the believers is amongst them.
 - 3:28
 - This ayah was revealed as a means of exposing the hypocrites, it was talking about those who secretly took the disbelievers as allies behind the backs of the Muslims
 - Hadith Abu Hurayrah about not initiating a greeting to a Jew and Christians and making them walk on the narrower part of the road
 - First issue: Not initiating greetings with the Jews or Christians
 - Hadith Bukhari titled greeting a group with both Muslims and Mushrikeen
 - The Prophet (SAW) was walking past a group of people in Medina who had a mixture of people (Muslims, mushrikoon, Jews, hypocrites)
 - The leader of the hypocrites Abdullah ibn Ubay ibn Salool covered up his face with his shawl from the dirt being kicked up by the Prophet's camel and said a rude comment.
 - The Prophet (SAW), in order to diffuse the comment, said salam to the whole gather, got down from the animal and talked to them about Islam

- So the default rule is that it is ok to say salaam to non-Muslims
 - Can't understand the first part of the hadith without the second part
 - When you look into the second part of the hadith, it is understood that this is only in times of war and conflict to prevent deception. This is the exception, not the rule
- Seerah Related Issues
 - Marriage to Ai'sha
 - References to look into, Yasir Qadhi's seerah series
 - Seerah podcasts by Qalam institute
 - Banu Quraydhah
 - When the Prophet (SAW) arrived in the city of Medina, there were three tribes
 - Qaynuqa'
 - Nadhir
 - Quraydha
 - He got together with everyone in Medina, Muslims and non-Muslims and wrote the constitution of Medina
 - One of the first groups to break this treaty was Banu Quraydha, they joined the enemy to attack the Muslims from the back
 - When the Prophet (SAW) hears the news that the leader of Banu Quraydha had decided to join the enemy army, he sent someone to validate the news and if it was true, to try and persuade them to come back with the Muslim army
 - But the leader of Banu Quraydha was so rude and dismissive that the sahabi that was sent was so angry
 - When the Prophet (SAW) was told the rumors were true, he was stressed out, he didn't know what to do because he didn't expect their whole backs to be exposed
 - They had been defending the city for three weeks and the whole army is so tired
 - Jibreel came to the Prophet SAW and told him to go to Banu Quraydha
 - They laid seige on Banu Quraydha for 20 days until they surrendered. They surrendered under the condition that Sa'ad ibn Muadh decided between them according to their Torah.
 - In the Torah, it is said that if they betray and then surrender, then their able bodied men should be executed and their wives and children taken under custody, so this is what was done
 - Satanic Verses
 - There is an ayah in the Quran 22:52
 - First thing we have to figure out is how to translate this ayah. The first word is the word (tamanna), the second word is (umniyatih)
 - All of the confusion takes place in these two words
 - Some believe it means recitation
 - What some suggest is that Shaytan comes and messes with the head of the Prophet (SAW) to try and make him say something, this is problematic
 - Some say the Prophet (SAW) recites the verses as they are, but the non-Muslims who are listening to the verses and makes them hear certain things, this is also problematic
 - Can't be translated as recitation
 - Most scholars translate this word as hope, longing, wishing

- Allah is saying we never sent any Prophet (SAW) before you except that when he hoped for the guidance of his people, Shaytan would come and diminish his hope for the guidance of his people
 - As the Prophet (SAW) was preaching to the people, they would resist.
 - Then Allah rekindles that hope through his verses
 - One time the Prophet (SAW) entered Makkah while it was crowded and stood up to pray and started reciting surah an-Najm. When he reached the end of the surah, there was an ayah of sajdah so he prostrated and so did everyone else who was in the vicinity of the Ka'abah, even the non-Muslims
 - There is an erroneous report that says that when the Prophet (SAW) was reciting the ayah about their idols, Shaytan threw in two made up ayat praising their idols during his recitation, that is why they fell in prostration. However there is no basis for this report, it was all made up by an orientalist and was later propagated by other orientalists and Islamophobes
- Alleged Quranic Contradictions, Inconsistencies, or Errors
 - The hadith and ayah about the setting of the sun
 - People use this to prove the inconsistencies or errors of the Quran
 - Let's visit the language of the ayah:
 - (tajri): can also refer to something growing in age, not only physical running
 - (mustaqar): a lot of times translated as a physical stopping point, but not completely accurate, comes from qarar which means the end or conclusion of something. It is what we call ism dharr (noun of time and place) which means it is not used to only talk about a place but also a point in time
 - So the sun will continue to operate until its expiration date
 - Now the hadith
 - The Prophet (SAW) says the sun prostrates below the throne of Allah
 - Imam an-Nawawi says about this ayah: The first six generations of scholars literally interpreted this hadith. When we analyze and go back and review this hadith we find that this hadith can't be translated or understood literally. We shouldn't argue something that is completely illogical when we have an alternative, we have figurative language in Arabic. Prostration is a symbol of submission and obedience, meaning the sun absolutely commits to the obedience of Allah. In his time, there was an agreement that this is the way to interpret the hadith
- Conclusion
 - Hadith of Jibreel:
 - Our religion is a lot more than a collection of controversial issues, when we treat it this way, it leads to spiritual confusion and lack of confidence
 - Our religion is an opportunity to worship our Lord and provides a structured way to worship Allah
 - It's a way for us to beautify the sometimes very difficult and ugly world we live in
 - It's a way to bring happiness in a world that is troubled
 - When we do this, Islam will mean something to us
 - This hadith explains the true nature of our deen
 - We have to take ownership of our religion, don't let anyone else define your religion for you, you define Islam to other people, that's the whole point and the whole objective

- Ihsaan translated as elegance, how to live an elegant and beautiful life
- Imam Abu Dawood says don't take Quran from someone who takes all their knowledge from a mushaf or take hadith from someone who gets all their knowledge from books
- This is because knowledge involves engagement like questioning, debating, discussing
- Knowledge is in the heart, not in the lines of pages