Islaamic Rulings for Incarcerated Muslims

Compiled by:

Authentic Statements

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Introduction from Authentic Statements

Al-hamdullaahi Rabbil-Aalameen was salaatu was salaamu 'alaa Ashrafil-Anbiyaa' wal-Mursaleen, wa ba'd.

By the Mercy of Allaah, people in the prison systems are accepting Islaam in large numbers and some of these same individuals are entering right into our communities upon release. So, if we help to educate and cultivate these brothers, by way of books, tapes, and qualified volunteers of this blessed *Da'watus Salafiyyah*, then they will have a better chance of being productive in whichever communities they enter. We also recognize that there are times while incarcerated that these brothers have some serious problems, issues and circumstances. So, by allowing these Muslims the opportunity to ask some of their most serious questions, *inshaa'Allaah*, it will facilitate ease for them in their application of this religion. Questions sent to Authentic Statements will be limited and in turn posted on our website while we await a reply from one of the scholars, students of knowledge or *Du'aat* (callers to Islaam), along with their proofs and evidence. The answers will then be sent back to the questioner. Inshaa'Allaah (if Allaah wills) an e-book or published book will later be derived for the benefit of other brothers and sisters who are incarcerated.

We ask Allaah to extend His mercy to you and us, we ask that He preserves all of the Muslim scholars and that He rewards everyone involved with the publishing of this work.

Your brothers at Authentic Statements

Acknowledgement from Authentic Statements

All praises are due to Allaah, we praise Him, we seek His aid and we seek His forgiveness. We seek refuge with Allaah from the evils of our souls and from the evil of our actions. Whomsoever Allaah guides, then there is no one to misguide him and whomsoever Allaah leaves to go astray then there is no one to guide him. I bear witness that none has the right to be worshipped except Allaah, alone, without any partner and that Muhammad is His Slave and Messenger.

To Proceed:

The Messenger of Allaah said,

لاَ يَشْكُرُ اللّهَ مَنْ لاَ يَشْكُرُ النَّاسَ

"Whoever has not thanked the people then he has not thanked Allaah." [1]

So in trying to implement this *Hadeeth*, we would like to sincerely thank our noble brother Aboo Razaaq Taahir Ibn Wyatt. Also, we invoke Allaah to increase him in success, guidance, uprightness,

[1] Aboo Daawood (4177), at-Tirmidhee (1877), and declared *Saheeh* by Imaam al-Albaanee in his *Saheehah* (417)

firmness and stability upon the Sunnah, for assisting us in getting our questions answered by the people of knowledge.

In this book are answers from the people of knowledge to questions posed by incarcerated Muslims in the United States over the past 3 years.

We had the privilege of recording some of these questions and answers. Afterward, we were able to transcribe them to text with the help of our brother Shareef 'Abdur-Raqeeb, may Allaah ﷻ reward him and place this work upon his scale of good deeds.

During 'Umrah 1426H, we asked Shaykh Wasee'ullaah 'Abbaas Al-Hindee about compiling all the questions and answers, then formatting them into book form. The Shaykh approved of our project with some conditions, may Allaah preserve him.

After returning back to America we contacted our brothers at Tarbiyyah Bookstore requesting their expertise and help in putting this book together. May Allaah ﷻ bless the incarcerated Muslims with a better understanding and implementation of their religion. Also, May Allaah ﷻ bless us with success and add this work to our scale of good deeds.

May the peace and blessings of Allaah be upon his final Messenger, Muhammad, his family, his companions and all those who follow their way until the Last Day.

* Authentic Statements *

Naseehah (advice) from The 'Ulamaa (Scholars) for Compiling this Book [2]

Question: For about three years I have been compiling questions about the issues facing incarcerated Muslims (in America) and now I want to publish them in a book form what is your advice to me?

Answer: Shaykh Wasee'-ullaah 'Abbaas responded: Gather the *Fataawa* (rulings) of the well-known scholars, those scholars who are known to have knowledge. They are firmly grounded in knowledge and are scholars known to give *Fataawa* (rulings) from the *Sunnah* of the Messenger of Allaah ﷺ with the correct *Ijtihaad* (independent judgment in a legal or theological question), the *Ijtihaad* which is *Saheeh* (correct) then that is excellent. However, you must look at your collection yourself and at your translation. You look at your translation and make sure that you interpret all those words in the correct manner.

You go to those brothers who have the knowledge and experience and ensure that the translation is *Fard* (lawful). Likewise, you are to translate the speech of every single scholar because some scholars are known for being overly lenient in some affairs. So, translate those *Fataawa* from those scholars who are known to be upright and stand upon the *Kitaab* (Qur'aan) and the *Sunnah* and not possessing some shortcomings or laxity in different affairs.

[2] This question was posed to Shaykh Wasee'-ullaah 'Abbaas by Authentic Statements during *'Umrah* 1425 (2005).

The most important thing here - so long as you have the *Fataawa* of the *'Ulamaa*, the well known scholars who have that knowledge and they give the *Fataawa* according the Book and the *Sunnah* - is that you correct the translation and that you present the translation to someone who is knowledgeable in the field of the translating. This is so that you may fix all mistakes and all errors in the translation. As for more questions from the prisons and the jails then *Inshaa' Allaah* you send them to the well known scholars, like the group of the big permanent scholars (standing committee) and the other *'Ulamaa* who are well known for their knowledge. And if you do this and get the *Fataawa* with the correct translation, then *Inshaa' Allaah*, you have a reward for this.

CHAPTER 1

Questions related to *Wudhoo'* (Purification)

Q-1) When making *Wudhoo'* is it permissible to wipe over the shoes then take them off and pray in socks, or should you take off your shoes and wipe over the socks?

A-1) Shaykh 'Alee at-Tuwayjaree responded: It is permissible for him to wipe over the shoes or sneakers if he is going to keep that on until the time period of wiping runs out. [3] This is with the condition that the shoes that you wearing covers the obligatory area, meaning that the area that is obligatory for you to wash up to, and including your ankles. If the shoes do not cover up to your ankles, then no, you do not wipe over them at all.

Q-2) Is it correct to use the *Miswak* (tooth brush) with your left hand?

[3] **Translator's note:** There is a certain time period allotted for you to wipe over socks, *Khufs* (leather socks) or your shoes, so if you are going to wipe over them and you are going to keep them on during that time period then that is permissible. If you are going to take them off, then you need to take them off and wipe over your socks, (or whatever you are going to wear while performing the prayer).

A-2) Shaykh 'Ubayd al-Jaabiree responded: From the *Sunnah* of the Prophet ﷺ, is that he used to love to do things with the right hand and start with the right when he put on his shoes. Even when he combed his hair he would start with the right side first. Likewise, when he would purify himself he would start with the right side in all his affairs. This hadeeth is agreed upon from the narration of Aa'isha رضي الله عنها. As for the *Siwaak* (cleansing of the mouth) it is from the good things which is why it is recommended for the Muslim to use the *Siwaak* and to use it with the right hand and to start with the right side of the mouth. This is the *Sunnah* of the Prophet that he would start with the right when it came to the good and pure things.