Islamic Rulings for Incarcerated Muslims

Compiled by:

Authentic Statements

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Introduction from Authentic Statements

Alhamdullaahi Rabbi-l-Aalameen was salaatu was salaamu ‘alaah Ashrafil-Anbiyyaa wal-Mursaleen, wa ba’dd.

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’wattus Salafivyah, 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, insha’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. Insha’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,

\[
\text{لَا يَشْكُرُ الَّذِينَ مُنْتَزِحُونَ لَا يَشْكُرُ النَّاسَ}
\]

"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 Razaq 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)
Naseehah (advice) from The Ulamaa (Scholars) for Compiling this Book

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 Ijtihad (independent judgment in a legal or theological question), the Ijtihad 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).
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. 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?

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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).