KABEERAH, SAGHEERAH, MAKROOH TAHRIMI, AND MAKROOH TANZIHI

"BEWARE OF TRIVIALIZING SIN"
(Hadith)

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"The Kitaab (Record of Deeds) will be placed. Then you shall see the criminals (sinners) fearful of what is contained in the Kitaab. They will exclaim: 'Woe to us! What is this Kitaab that does not omit any Sagheerah (sin) nor any Kabeerah (sin), but it has recorded it."
(Al-Kahaf, Aayat 49)

Rasulullah (Sallallahu alayhi wasallam) said: "The Mu'min will not attain the status of the Muttaqeen as long as he does not abandon permissibilities for the fear of falling into impermissibilities."

The Fuqaha said: "Israar (persistence) in the commission of Makrooh Tanzihi transforms it (the Tanzihi act) into Makrooh Tahrimi."

INTRODUCTION

The Maqsood (Objective) of Islam

What is the *Maqsood* of Islam? For what purpose did Allah Ta'ala despatch to this world 124,000 Ambiya (Alayhimus salaam)?

Every Muslim is supposed to know and fully understand that the great Purpose was to guide mankind to the everlasting success and salvation in the Aakhirah – to save mankind from eternal perdition in Jahannam. This is the *Maqsood* of the Ta'leem of Rasulullah (Sallallahu alayhi wasallam) on whom the long Chain of Nubuwwat had terminated.

Thus, every act which supports this *Maqsood* is part of Islam and its cultivation is imperative for the attainment of the Objective. Conversely, every act which is inimical for and diversionary from this Objective is accursed and can never be part of Islam. It can never find accommodation in the Shariah regardless of the labyrinthal and meandering pathways of the technicalities of Fiqhi classifications, etc. of the Ulama.

It is necessary to understand that the academic discourses of the Fuqaha are not for diluting any

aspect of the Shariah or of the Sunnah as imparted by Rasulullah (Sallallahu alayhi wasallam) and his noble Sahaabah (Ridhwaanullah alayhim ajma-een). The purpose of Fiqhi classification of the Ahkaam (practices) of the Shariah was never to open a gateway for the lackadaisical attitude and neglect which Muslims have acquired from the misapplication of the purpose and meanings of such classification. This damnable attitude has been engendered by molvis and sheikhs who ruin their lives and destroy their Aakhirah as well as the lives of the masses, with their base *nafsaani* demands for the fulfilment of their worldly objectives of *hub-e-maal (love for wealth)* and *hubb-e-jah (love for name and fame).* These are the evils which exercise a profound shaitaani effect on all these Y-Tube and internet satanic 'celebrities' posing as Ulama.

Also, aiding and abetting shaitaan in the plot to dilute the Shariah are the muftis – maajin muftis – who dig out from the kutub such juridical technicalities which create in the masses the attitude of *Istikhfaaf (insignificance/of little or no importance)* of the Ahkaam of the Shariah.

They structure their mis-concepts on the basis of the classification of sins. To minimize the notoriety of sin and transgression, these wayward molvis/sheikhs drag out from the domain of Fiqh the technical

classification and discourses pertaining to *Sagheerah/Kabeerah* and *Makrooh Tahrimi / Makrooh Tanzihi.* The Fuqaha have coined these terms, not for diluting the Imaan of the masses. Whatever, the objective of the juridical discourses may be, it never ever was the purpose to cultivate the attitude of *Istikhfaaf* which today has become the bedrock on which the masses structure their understanding of Islam.

When a mufti answers the question of a layman, he (the mufti) should understand that he is not giving an academic discourse to the Talaba in a Madrasah. Presenting a mass of Arabic *ibaaraat* (texts) for a layman is simply a misguided attempt by the mufti to portray *Ilmi* erudition. The layman does not understand head or tail of the academic discourse. Then on the basis of such misguided citation, the mufti sahib offers the layman a zig zag answer which dilutes the hukm.

The mufti has to provide the answer which brings the person closer to Allah Ta'ala. He has to proffer the fatwa which will facilitate the *Maqsood.* He will be guilty of grave *khiyaanat* (abuse of trust) if he provides such a fatwa which distances the person from the Deen thereby defeating the Purpose of life on earth.

The academic discourses pertaining to *Sagheerah / Kabeerah sins* and *Makrooh Tanzihi / Makrooh Tahrimi acts* cast sincere devotees of Allah Ta'ala into confusion, and it creates nafsaani gratification for those who are inherently corrupt.

Of primary importance for the *Awwaam* (masses) as well as for the *Khawaas* (Ulama and Buzrugs) is to act in conformity with the demands of the Shariah. If an act is disapproved by the Shariah, it must incumbently be shunned. The true Mu'min will abstain from any practice which is deprecated by the Shariah regardless of its technical Fiqhi classification of *Sagheerah* and *Makrooh Tanzihi*. These classifications are not for fostering in Muslims the attitude of *Istikhfaaf.*

The attitude which Muslims should have for the Shariah must compulsorily be in the Shadow of the Attitude of the Sahaabah. While, admittedly, it is not possible for us, so far from the Age of Nubuwwat, to attain the lofty pedestal of Ibaadat and Taa-at of the Sahaabah, it remains our imperative obligation to plod along the Path of the Sunnah to the best of our ability, and this necessitates abstention from the shaitaani attitude of *Istikhfaaf.*

The Sahaabah were not aware of the Fiqhi *Sagheerah / Makrooh Tanzihi* technicalities and classification which the later Fuqaha had coined. As far as the

Sahaabah were concerned every command, instruction and approval of Rasulullah (Sallallahu alayhi wasallam) was Fardh/Waajib, and every prohibition, disapproval and dislike of Rasulullah (Sallallahu alayhi wasallam) was Haraam. Summing up the Attitude of the Sahaabah, Ibnul Mulaqqeen states in his *Al-I'laamu bi Fawaaid Umdatil Ahkaam:*

"From the Hadith is gained the difference between Tanzeeh and Tahreem prohibition….And that (difference) in the Urf of the Sahaabah is related to Ilm. However, with regard to amal (practice), they did not differentiate in it. But they would totally abstain from Makrooh Tanzeehi and Tahreemi. Whoever has investigated their actions, statements and the principles of the Shariah will find the issue to be so."
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The Sahaabah were not trapped in the incongruity of Sagheerah / Kabeerah and Tanzihi / Tahrimi. They only knew that every act of the Sunnah was Waajib to follow. And this should be our attitude. Minus this attitude, the *Maqsood* of Islam will not be attained.

EVERY MAKROOH IS ABOMINABLE

Question
The Majlis mentions in its booklet, MAKROOH, that persistence in practising Makrooh Tanzeehi

transforms the act into Makrooh Tahreemi. However, some Muftis say that this is not supported by the Fuqaha. Persisting in practising Makrooh Tanzeehi does not transform it into Makrooh Tahreemi. Please explain.

Answer

What some Muftis have said in this regard is technically correct. In fact, it is half-correct. Our article on MAKROOH dealt primarily with the gravity of Makrooh Tahrimi. We emphasized that according to all our Fuqaha, Makrooh mentioned in the Kutub refers to 'haraam'. That is: Makrooh Tahrimi is the same as Haraam.

……..

As far as practical expression of the Ahkaam is concerned, it is incumbent to abstain from all undesirable acts regardless of their Fiqhi designations. The Fiqhi designation of *Tanzih* is not to be regarded as a licence for free commission of such acts which are described technically as 'Makrooh Tanzihi'.

……

The permanent Sunnah practice is Waajib irrespective of the technical categories to which the Fuqaha have assigned the ahkaam. Ibnul Mulaqqeen states in his *Al-I'laamu bi Fawaaid Umdatil Ahkaam:*

"From the Hadith is gained the difference between Tanzeeh and Tahreem prohibition….And that (difference) in the Urf of the Sahaabah is related to

Ilm. However, with regard to amal (practice), they did not differentiate in it. But they would totally abstain from Makrooh Tanzeehi and Tahreemi. Whoever has investigated their actions, statements and the principles of the Shariah will find the issue to be so." Vol.4, page 468

Our discussions generally centre around practise in daily life. In the course of such discussion, we do not adhere strictly to technicalities which are misunderstood and even mis-applied by the masses and even by most molvis of this age.

Anything disliked and discouraged by the Shariah is to be shunned. It may not be practiced on the basis of it not being a sin technically. Thus, regardless of the Fiqhi classification, giving practical expression to it is abominable, and despite it not being a sin in terms of the Fiqhi classification, the perpetrator shall rue his commission on the Day of Qiyaamah.

There are innumerable episodes of 'punishment' in the dunya and in Aakhirah for acts which in terms of Fiqhi classification are not sinful. What does the Muftis say about a man who exclaims: *"The yoghurt of Hindustan is tastier than the yoghurt of Madinah."*? What does the honourable Muftis rule? While the Muftis who fail to apply their brains constructively will say that it is "not sinful", hence no punishment,

Rasulullah (Sallallahu alayhi wasallam) by means of 'Kashf', reprimandingly said to the Buzrug: *"If the yogurt of Hindustan is tastier than the yoghurt of Madinah, then "**GET OUT FROM MADINAH"!!!*** Can this be a bearable punishment for a Mu'min? Consult your heart and your conscience!

While the short-sighted muftis cater for superficiality, we cater for reality and have the best interest of Muslims at heart, and their best interests are applicable to the life of the Aakhirah. *Ilm* is pursued for *amal,* not for debating with technicalities which overshadow and defeat the *Maqsood* of life on earth.

Our advice to the honourable Muftis of the Madaaris is to confine their technicalities to the Talaba who are pursuing *Ilm* at the academic level. They should not create confusion among the masses with superficialities and technicalities. The *Mansab (lofty pedestal)* of a genuine Mufti demands that he keeps his focus on the practical life of Muslims.

THE CRITERION

What is the Criterion for Najaat and Falaah (Salvation and Success)?

The Criterion is not the technical Fiqhi classification of the Ahkaam. The Criterion is the Demand of the

Sunnah. Whatever was approved by the Sunnah and whatever was disapproved constitute the Criterion for the Ummah to adopt. It is gross deviation to believe that one is free to practice acts which are designated *Sagheerah* sins and *Makrooh Tanzihi.*

In fact, due to the lackadaisical attitude of the muftis, even *Kabeerah* sins technically described as *Makrooh Tahrimi* are accepted as minor acts of sins, hence condonable and which do not warrant castigation and reprimand. This attitude has ruined the Ummah. There are numerous examples of acts and practices which are described as *Sagheerah ('small' sins)* and as *Makrooh Tanzihi* which in reality are grave sins regardless of the appellation which creates the opposite understanding.

Constructing a mansion

Once Rasulullah (Sallallahu alayhi wasallam) with a group of Sahaabah passed by a plot of land on which a double-storied building was in the process of being built. When Nabi (Sallallahu alayhi wasallam) enquired regarding the ownership of the building, the name of the Sahaabi (the owner) was mentioned. Thereupon Nabi (Sallallahu alayhi wasallam) was silent. He did not make any comment.

When Rasulullah (Sallallahu alayhi wasallam) was conducting his usual *majlis (gathering)*, the Sahaabi whose mansion was being built, also attended as usual. When he made Salaam, Rasulullah (Sallallahu alayhi wasallam) turned his blessed Face away without responding. In this way he displayed his disapproval thrice. Needless to say, the Sahaabi was torn with grief and fear.

For understanding the anger of Rasulullah (Sallallahu alayhi wasallam), the Sahaabi enquired from the other Sahaabah. They said that the only reason that came to mind was the disapproval of Rasulullah (Sallallahu alayhi wasallam) they had discerned when he had seen the building being constructed.

After all, the Sahaabi was a sincere Companion of our Nabi (Sallallahu alayhi wasallam). He immediately understood the reason for the anger of Rasulullah (Sallallahu alayhi wasallam). Now for him, the proposed mansion was accursed. Anything disliked by Rasulullah (Sallallahu alayhi wasallam) was accursed. Without saying a word, he quickly went to the site with his team of workers and razed the building to the ground. He carted away the rubble and left no sign of the building.

After some time Rasulullah (Sallallahu alayhi wasallam) again happened to pass by the site with

some Sahaabah. When he saw the vacant land, he enquired about the building that was being built. After the episode was explained, Rasulullah (Sallallahu alayhi wasallam) commented:

"Every expenditure is in the Path of Allah, except (what is spent in) sand (building)."

Forget now about the Fiqhi classifications and the fatwas of the muftis regarding the permissibility of constructing a double-storied mansion. Assuming that there had already existed a Darul Uloom in Madinah teaching the Fiqh of today. Would it have been proper for the Sahaabi to have vindicated himself with the Makrooh Tanzihi argument? Would such an argument for defending his desire for a mansion have been tolerated by Rasulullah (Sallallahu alayhi wasallam) or would it have culminated in the destruction of his Imaan to proceed with his building whilst causing grief to Rasulullah (Sallallahu alayhi wasallam)? The criterion is therefore, the approval and disapproval - the likes and dislikes of Rasulullah (Sallallahu alayhi wasallam).

The Prohibition of cutting hairs and nails during the 10 days of Zil Hijjah

It is Makrooh (PROHIBITED) for those making Qur'baani to cut their hair and nails during the initial 10 days of Zil-Hijjah. They should cut their hair and nails on the 10th after their Qur'baani has been done.

Minimizing this prohibition or outrightly refuting the prohibition, many molvis/sheikhs and so-called muftis say that it is *only Makrooh Tanzihi*, hence cutting nails and hair during these days is permissible. In this regard, Rasulullah (Sallallahu alayhi wasallam) said:

*"Whoever has an animal to slaughter, should **never** cut anything from his hair and nails until he has slaughtered (his animal)."*

Take note that Rasulullah (Sallallahu alauhi wasallam) emphasized the prohibition.

Thus, the Hadith says: *"Never, never ever cut…."*. Despite the emphasis on the Prohibition stated by Rasulullah (Sallallahu alayhi wasallam), there are those who claim that it is *"only Makrooh Tanzihi",* therefore permissible. They should hang their heads in shame, repent and regret their contumacious indiscretion and infraction. Understand well that *'only'* in the context can lead to kufr.

Imagine yourself in the presence of Rasulullah (Sallallahu alayhi wasallam) instructing you: *"Never, never ever cut your hair and nails…"* . Will you

attempt to nullify the emphatic command of Rasulullah (Sallallahu alayhi wasallam) with the Makrooh Tanzihi 'daleel'? Will you say: *'Yaa Rasulullah! Since it is only Makrooh Tanzihi, I intend to cut my hair and nails during these days.'*

We do not think that there is any Muslim who would dare to reject what Rasulullah (Sallallahu alayhi wasallam) would command him to do or not to do. Therefore, understand well that even if Rasulullah (Sallallahu alayhi wasallam) is not present with us today, Allah Ta'ala is Present and the command of the Nabi is the Command of Allah Ta'ala, and He is ever present. Thus for practical implementation of The Sunnah, the focus is not on the Kutub of Fiqh. Guidance is sought from the Sunnah and from Kutub of Islaah of the Auliya who have thoroughly understood the meanings and operation of the Principles of Fiqh. Never may these principles be utilized to dilute any aspect of the Shariah.

The Izaar below the ankles

Once while Rasulullah (Sallallahu alayhi wasallam) was walking in the street he saw a man in front of him with his *izaar (lungi)* below his ankles and touching the ground. Rasulullah (Sallallahu alayhi wasallam) exclaimed: *"Raise your izaar!"* The Sahaabi turned to see who was calling. When he saw Rasulullah (Sallallahu alayhi wasallam), he responded: *"It is old*

and tattered." In other words, it does not matter if it drags on the ground.

He was presenting a reason to justify his action. Then Rasulullah (Sallallahu alayhi wasallam) commented: *"Is my Sunnah not sufficient for you?"* The Sahaabi looked and saw that the *Izaar* of Nabi (Sallallahu alayhi wasallam) was midway between the knees and ankles. He immediately corrected his error.

But today, miscreants override the Sunnah with their 'logical' arguments of the nafs. Some say that the prohibition is only if the action is with pride. Some say that it is Makrooh Tanzihi. But overriding their arguments and rejecting their *nafsaaniyat,* Rasulullah (Sallallahu alayhi wasallam) said: *"Is my Sunnah not sufficient for you?"*

It is most noteworthy and significant that Rasulullah (Sallallahu alayhi wasallam) refuted the Sahaabi's argument with his Sunnah. His Sunnah overrides all logical reasoning. Thus, Muslims should understand that the criterion is the Sunnah of our Nabi (Sallallahu alayhi wasallam), not the Fiqhi classification of the acts of the Sunnah.

THE MUSTAHABBAAT

Just as acts disliked by the Shariah are treated with *Istikhfaaf*, similarly are the Mustahab practices demoted from their lofty and vital pedestal by creating in the minds of the masses that these acts are permissible for discarding. *If practiced, reward is obtained while abstention is not sinful.* This dilution of the Mustabbaat is corrupt and haraam.

There are thousands of Mustahab acts which are vital for the protection of Imaan and development of Taqwa. Minus strict observance of Mustahabbaat, it is not possible to acquire Taqwa. The Qur'aan Majeed is replete with commands for the cultivation of Taqwa from page 1 to the end.

Consider the act of Wudhu. Beginning with Tasmiyah, washing thrice, applying water into the nostrils, masah of the entire head, masah of the nape, khilaal of the fingers and toes, *tawaali* (i.e. washing one limb after the other without any pause), etc. are among the *Mustahabbaat* and *Mandoobaat* (which is lower than even Mustahab). Some misguided miscreant labouring under the corrupt notion of an understanding acquired from the corrupt interpretation of Makrooh decides to forgo all the Mustahab and Mandoob factors of Wudhu. He suffices with the four Faraaidh. The validity of the Wudhu being the effect of fulfilling the

four Fardh acts soothes his conscience. Therefore, he discards the Mustahabbaat and Mandoobaat persistently and permanently. What do the honourable Muftis rule? What is their fatwa?

What type of Makrooh is this persistent abandonment of all the Mustahab factors of Wudhu termed? In the absence of correct cognitive application, which is the general acquittal of the muftis of today, they cannot and will not say that it is haraam because according to them discarding Mustahab is not sinful, hence that which is not sinful is permissible and a permissibility cannot be labelled haraam. On the basis of this incongruous understanding they will settle for Makrooh Tanzihi.

But even a layman will understand that permanently sufficing on only the four Fardh acts without any valid reason, can never be permissible nor Makrooh Tanzihi. The very same argument could be extended to Salaat, Hajj, etc., etc. The conclusion of the Makrooh Tanzihi concept of today's molvis/sheikhs leaves us with an emaciated Islam and an Imaan dangling on a thread.

In terms of their understanding of the Fiqhi definition of Mustahab and Mandoob, this miscreant is not guilty of any sin. But even the Awaamun Naas (masses) understand the gravity of the folly of the person who

persistently discards the Mustahab and Mandoob acts of Wudhu, in fact of all acts of Ibaadat.

ISRAAR (PERSISTENCE) IN MAKROOH TANZIHI

While some Muftis whose *Mutaala-ah (research)* of the subject is defective say that *Israar* (persistence) on Makrooh Tanzini does not transform the act into Makrooh Tahrimi, they are in error. For their edification, Allaamah Abdul Hayy Lucknowi (Rahmatullah alayh) said:

"If the act is Makrooh Tanzihi (according to the Fiqhi definition), then its commission is *Sagheerah* (that is, it is among the *Sagheera* sins). But with *Israar* (persistence) on it, and making it a habit, it becomes a *Kabeerah* (sin)."

(Tarweehul Janaan)

Allamah Maulana Abdul Hayy states that Makrooh Tanzihi is among the Sagheerah sins and *Israar* transforms it into Kabeerah sin.

Thus, *Israar* on Makrooh Tanzihi transforms it into a Kabeerah sin. It is the logical conclusion of executing an act of Ibaadat in conflict with the method ordered by Rasulullah (Sallallahu alayhi wasallam). If there is

no valid reason for discarding even a Mustahab act, the perpetrator is sinful regardless of the technical import of the Fiqhi definitions and classifications.

Consider another example. Rasulullah forbade sitting on the skins of wild animals. The skin of a wild animal is taahir (pure/clean) after treatment. There is no doubt in its *tahaarat*. Yet Rasulullah (Sallallahu alayhi wasallam) forbade sitting on it. This is not the occasion for explaining the reasons for the prohibition. At this juncture the concern is restricted to the likes and dislikes - commands and prohibitions of Rasulullah (Sallallahu alayhi wasallam).

Irrespective of the Fiqhi ruling of the permissibility of using such skins, the Mu'min's primary concern is the command of Rasulullah (Sallallahu alayhi wasallam) which in reality is the command of Allah Ta'ala. The Qur'aan Majeed states repeatedly: *"Obey Allah and His Rasool." He who obeys the Rasool has obeyed Allah."*

Just as there will be *hisaab (reckoning)* in Qiyaamah for Kabeerah sins, so too will there be *hisaab* for Sagheerah sins. Allah Ta'ala states in the Qur'aan Majeed:

"The Kitaab (Record of Deeds) will be placed. Then you shall see the criminals (sinners) fearful of what is contained in the Kitaab. They will exclaim: 'Woe to

us! What is this Kitaab that does not omit any Sagheerah (sin) nor any Kabeerah (sin), but it has recorded it."
(Al-Kahaf, Aayat 49)

Giving the tafseer of this Aayat, Imaam Auzaai' (Rahmatullah alayh) who was among the illustrious Aimmah Mujtahideen of the Tabiee era, said:
"The meaning of Sagheerah sin means to laugh silently (suppressing the voice), and Kabeerah sin means loud laughter."

This tafseer is in stark conflict with the understanding which molvis / sheikhs have extravasated from the technical designations stated by the Fuqaha.

Imaam Shaatibi (Rahmatullah alayh) said:
"Makrooh (i.e. Tanzihi)- there is no sin in it as long as there is no such accompanying factor which causes it to be a sin, e.g. ***Israar*** *(persistence) in committing it because* ***Israar*** *on Sagheerah transforms it into Kabeerah. Similar is* ***Israar*** *on Makrooh (i.e. it transforms Tanzih into Tahreem)…" (Al-I'tisaam)*

Ibnul Hajj (Rahmatullah alayh) said:
"Regarding Makrooh, Verily, our Ulama (Rahmatullah alayhim) said that ***mudaawamah*** *(persistence) on Makrooh renders the perpetrator a faasiq." (Al-Mudkhal)*

Imaam Al-Ghazaali (Rahmatullah alayh) said:
"Verily, ***mudaawamah*** *(persistence) on even Mubah (that which is permissible) renders it Sagheerah sin just as persistence on Sagheerah sin renders it Kabeerah.*

(Al-Muwaafiqaat Lish-Shaatibi)

Ibnul Muneer (Rahmatullah alayh) said:
"He who commits Makrooh abundantly goes towards haraam….
He who indulges abundantly in Mubah goes towards Makrooh."

(Naulul Autaar li Shaukaani)

Allaamah Abdul Wahhaab Sha'raani (Rahmatullah alayh) said:
"Committing Kabaair is lesser (in evil) than regarding Saghaair to be insignificant… There is no sagheerah with israar (persistence)….
There is la'nat (curse) for the perpetrator of kabeerah, la'nat for the perpetrator of sagheerah and la'nat for the perpetrator of Makrooh.

Mufti Rashid Ahmad Ludhyaani (Rahmatullah alayh) states in his *Ahsanul Fataawaa)*:
"Performing Namaaz with such clothes which one finds embarrassing to wear when attending a gathering is Makrooh Tanzihi. However, persistence

(dawaam) in it renders it close to Makrooh Tahrimi." (Ahsanul Fataawa)

Mufti Muhammad Kifaayatullah (Rahmatullah alayh) said:
"Commission of Makrooh Tanzihi is also sinful." (Kifaatyatul Mufti)

Obviously, the Honourable Mufti Sahib meant *Israar on Makrooh Tanzihi.*

Israar on all disliked and discouraged acts is abominable. It leads to a change in the status of the acts. The Fiqhi classes of actions are Mubah, Haraam, Makrooh Tahrimi and Makrooh Tanzihi.

Mubah is a permissible act. As long as disliked or haraam factors do not become associated with Mubah, the act will remain Mubah. There are hundreds of Mubah acts in which all people indulge and which the Shariah condones.

Everyone understands the abomination of Haraam acts. However, *Israar* on Haraam while drastically weakening Imaan is not kufr because the perpetrator understands and acknowledges that his misdeed is haraam. In most cases he resorts to Taubah. For example a habitual consumer of liquor is a faasiq, not a kaafir. He does not justify his sin. He does not

believe that liquor is halaal. He is therefore not guilty of *Istikhfaaf.*

Makrooh Tahrimi is in the same category as Haraam.

However, the dangerous problem is with Makrooh Tanzihi. *Israar* on Makrooh Tanzihi is the effect of *Istikhfaaf.* The perpetrator rebels against Allah Ta'ala with his deliberate commission of the disliked act in violation of the command of Rasulullah (Sallallahu alayhi wasallam).

While the occasional omission of a Mustahab act of Wudhu or of any Ibaadat is Makrooh Tanzihi, the intentional commission is the effect of *Istikhfaaf*, hence it becomes not only Makrooh Tahrimi. It degenerates into Kabeerah and then into Kufr because the person is in denial of what the Shariah has commanded. The Fuqaha say in this regard: *"Miswaak is Sunnah, but its rejection is kufr."*

In this regard Allaamah Abdul Wahhaab Sha'raani (Rahmatullah alayh) said:
"Committing Kabaair is lesser (in evil) than regarding Saghaair to be insignificant… There is no sagheerah with israar (persistence)….
There is la'nat (curse) for the perpetrator of kabeerah, la'nat for the perpetrator of sagheerah and la'nat for the perpetrator of Makrooh.

Abundant and persistent indulgence in even permissibilities is stated by the Ulama and Auliya to culminate in haraam. Much indulgence in even *Mubaah* is nugatory of Taqwa which the Qur'aan and Sunnah command. Rasulullah (Sallallahu alayhi wasallam) said:
"The Mu'min will not attain the status of the Muttaqeen as long as he does not abandon permissibilities for The fear of falling into prohibitions."

Explaining the prohibition of smoking, Allaamah Abdul Hayy Lucknowi (Rahmatullah alayh) says in his treatise, *Tarweehul Janaan*:

"It has been established with clear and glittering proofs that smoking (cigarettes/tobacco) is not devoid of sin. If it is haraam, then unanimously it is a kabeerah sin even if smoked only once, and the smoker will become a faasiq, and his shahaadat (testimony) will be rejected.

If it is Makrooh Tahrimi, then too it will be a kabeerah sin…, and if it is Makrooh Tanzihi, then it will be a sagheerah sin, but with ***Israar*** (persistence) and addiction it will become a Kabeerah sin.

In summary, ***Mudaawamah*** and ***Israar*** on it (smoking) are not devoid of perpetrating a kabeerah sin. May Allah protect us from it and from its likes."

THE FIQHI CLASSIFICATION

The objective of the Fiqhi classification of the Ahkaam by the Fuqaha was never for providing latitude which is nugatory of Taqwa which the Qur'aan repeatedly commands and which was the most salient feature of the moral character of Rasulullah (Sallallahu alayhi wasallam), the Sahaabah and the Auliya.

The Fiqhi classification is not a licence for the commission of sins and for indulgence in futility. Furthermore, the technical terms of Fiqh have specific applications not intended for providing latitude and scope for diluting the Ahkaam of the Shariah.

Regarding categorization of the Ahkaam, despite technical terms not having been prescribed during the era of the Sahaabah, nevertheless, Rasulullah (Sallallahu alayhi wasallam) had mentioned differences in the categories of sin. There are numerous examples of categorizing sins.

Rasulullah (Sallallahu alayhi wasallam), for example, said: "To abuse (assail with vulgar language – to swear) a Muslim is *fisq*, and to fight with him is *kufr*." Distinguishing between these two sins which are major, vile and severely punishable offences, the

Fuqaha classify *fisq* as *sagheerah* and *kufr* (i.e. the specific kufr mentioned in this Hadith) as *kabeerah.* Thus, sagheerah in the context of sins does not mean 'small', 'insignificant' and 'not punishable'. In comparison to the *kufr* of fighting, swearing is *fisq.* Thus, sagheerah is in relation to kabeerah. It never means a 'small/insignificant' sin. Swearing despite being heinous and haraam is of a lesser degree of notoriety than fighting.

The Auliya have said that a person who regards sin to be 'small', do so because he regards Allah Ta'ala as being 'small', *Nauthubillaah!* It is mentioned in the Hadith: *"Beware of trivializing sin."* It is the height of contumacy and irresponsibility to indulge in sin on the basis of it having been classified 'sagheerah'.

Allaamah Ibn Nujaim (Rahmatullah alayh) said: "According to us, every Makrooh Tahrimi is among the Saghaair (plural of sagheerah)." It will be compound jahaalat and the portrayal of abject stupidity to infer that Allaamah Ibn Nujaim had denigrated the gravity of great/major sins. For example, staring at a ghair mahram is a great (major) sin for which severe punishment has been mentioned. Rasulullah (Sallallahu alayhi wasallam) said:

"The person who looks with lust at the beauty of an ajnabi (ghair mahram) woman, hot iron rods will be inserted into his eyes on the Day of Qiyaamah."

If the meaning of *sagheerah* is truly 'small' or 'insignificant', how will the insertion of hot rods into the person's eyes be justified? The severity of the punishment dispels the idea of sins being literally *sagheerah.* The technical designation was not coined to diminish the notoriety of sin and to provide a licence for perpetration.

What shall entry into the Musjid with the left foot and entry into the toilet with the right foot be classified? Is it a *sagheerah* sin or a *kabeerah* sin? Is it *Makrooh Tahrimi* or *Makrooh Tanzihi*? If these infractions are committed persistently or lackadaisically or carelessly despite being aware of the command of Rasulullah (Sallallahu alayhi wasallam), what will be the ruling? If committed occasionally, what will be ruling? There will emerge considerable confusion and conflict in the arduous exercise for the acquisition of a satisfying ruling. There is no unanimity in the classification of sins and infractions of this nature. A variety of factors will have to be considered, and rulings will differ for different persons.

Such infractions are innumerable. Even the principles will crack and collapse in the exercise to classify such

misdeeds which are in flagrant and direct conflict with the Sunnah. Everyone will proffer an opinion based on his understanding of the technical terms which in reality are not all-embracing. Thus, the only valid and all-embracing principle is the likes/dislikes – the approval / disapproval of Rasulullah (Sallallahu alayhi wasallam).

Whatever has been disapproved of by Rasulullah (Sallallahu alayhi wasallam) is sinful, and whatever he has commanded is Waajib regardless of whatever Fiqh has classified it. It never befits a Mu'min to perpetrate a Makrooh Tanzihi act with the idea that its commission is not sinful. Such an idea is from shaitaan.

Hadhrat Sufyaan Thauri (Rahmatullah alayh) is a famous Faqeeh, Muhaddith and Wali of the Tabe Taabieen age. *Thaur* means buffalo. He has been nicknamed 'Buffalo' because of an act which is in conflict with the Sunnah. Once he mistakenly entered the Musjid with his left leg. Immediately, he heard a Voice reprimanding him: *"Yaa Thaur! (O Buffalo!).* In other words: Are you a buffalo – an animal without understanding? What has constrained you to enter the Musjid with your left leg? Are you entering a toilet?

What do the honourable Muftis say about a person who intentionally enters the Musjid with his left foot?

What kind of sin is it? What kind of Makrooh is it? "O people of intelligence, reflect!" (Qur'aan).

THE DECEPTION OF 'SMALL' SINS

Rasulullah (Sallallahu alayhi wasallam) said:

"Beware of trivializing sins"

In practical life there is no sagheerah (small) sin. All sins are acts of disobedience against Allah Ta'ala. Thus, all sins, regardless of their Fiqhi classification, are major, grave and big (kabeerah).

Kabeerah and Sagheerah are of technical import. However, the misunderstanding of even molvis has led to the deception of the idea of sins being 'small' (sagheerah). The Auliya have warned that he who regards sin to be small, in reality believes that Allah Ta'ala is 'small' – *Nauthubillah!*

Even among the Fuqaha there is no uniform definition for Sagheerah and Kabeerah sins.

According to one definition: *"Saghaair are all sins besides shirk".* In *Madaarijus Saalikeen,* the very concept of Sagheerah is refuted. Thus, it is said:

"Verily, a group of the Aimmah refutes the contention that among sins there is any sagheerah. On the contrary, all sins are Kabaair (major/big). Among

these Aimmah are Al-Ustaaz Abu Ishaaq Al-Isfaraanyani, Al-Qaadhi Abu Bakr Al-Baaqilaani, Imaamul Haramain and others."

Technically, a sin is sagheerah in relation to another sin. The sin is never *per se Sagheerah.* In this regard, Al-Qaadhi Abdul Wahhaab said:

"It is not possible to say that sin is sagheerah except that it is sagheerah in relation to (what is described) as Kabaair."

Irrespective of the popular designations of Saghaair and Kabaair, Allaamah Ibn Nujaim mentions in his Kitaab:

"Verily the Auliya fled from this definition (of Sagheerah). They abhorred that any sin against Allah Ta'ala be described sagheerah in view of the Greatness of Allah Ta'ala, the severity of His Punishment. .... The glory of Allah Azza Wa Jal does not befit that any sin be labelled sagheerah."

Even in the definition of Kabeerah there is substantial confusion and difference. Ibn Nujaim states:

"Those who distinguish between Kabeerah and Sagheerah differ in the definition of Kabeerah…"

There are about a dozen different definitions. He furthermore states:

"Others define Kabeerah in terms of number. Thus it is said that Kabeerah sins are seven; some say five; some say ten while some say that it is until seventy. Yet others say that it is seven hundred."

There is also considerable difference and confusion in the definition of Sagheerah. Ibn Nujaim enumerates looking at haraam (ghair mahrams, etc.) to be among the Sagheerah. It is well known that Allah Ta'ala commands in the Qur'aan lowering the gaze and not to look at ghair mahrams.

Furthermore, Rasulullah (Sallallahu alayhi wasallam) warned of hot rods being inserted in the eyes on the Day of Qiyaamah. Looking with lust is the very first step leading to zina. How is it possible for such a grave sin to be 'small'?

Even masturbation has been described as a sagheerah despite the severe punishment mentioned in the Hadith. On the Day of Qiyaamah the masturbator will rise with his hand being 'pregnant'. How can such a vile sin ever be 'small'? Thus, whatever the technical meaning of Sagheerah is, it never means the evil which the masses understand, viz., that sagheerah means 'small'. Therefore, commission of such sins is a 'small' issue.

Seclusion with a ghair woman, cursing, lies, ruining the reputation of a Muslim, abusing a Muslim, males wearing silk, pride, performing Salaat in the forbidden times, fasting on the forbidden days, woman travelling without a mahram, selling liquor, performing Salaat haphazardly, using gold and silver utensils, abandoning Jamaat Salaat have been included in the list of Saghaair. The list of grave sins described as sagheerah is extremely lengthy.

While the Ulama who have categorized sins into Kabeerah and Sagheerah are well aware of the gravity of all sins, and while they never intended providing a licence for the commission of any sin with their categorization, the masses misled by moron molvis and sheikhs have gained the understanding that sins labelled sagheerah are not grave and commission of such sins is not a serious offense. With this idea wide avenues of corruption, moral and spiritual ruin have been opened up. In fact, this attitude leads to the destruction of Imaan.

Sins being of different grades and categories are not denied. Rasulullah (Sallallahu alayhi wasallam) had also mentioned categories of sins. For example, Rasulullah (sallallahu alayhi wasallam) said:

"Swearing a Muslim is fusooq, and fighting with him is kufr."

There is a difference between fisq and kufr. However, this difference stemming from this Hadith as well as from other *Nusoos* does not trivialize the sins. The purpose is to show that one evil is worse than the other evil. Both are heinous and abominable, but the gravity of the evil of the one is more.

But, the understanding which people have gained from the terms 'sagheerah' and 'tanzihi' is absolutely corrupt. These terms have diluted in the minds of people the gravity of sins, hence they accord no importance to the commission of such sins which are technically labelled 'sagheerah' despite warnings of severe punishment and disgust stated in the Ahaadith.

It is mentioned in the Hadith that on the auspicious Nights Allah Ta'ala forgives all sinners except those who wear their trousers below the ankles, those who shun Muslims for more than three days, and some others. The severity of these sins is manifest, but they are described as sagheerah although the Ulama who had coined these terms did not subscribe to the corrupt idea which the masses today have.

In fact, even Makrooh Tahrimi which is Haraam is referred to as *'only Makrooh'.* This *Istikhfaaf (trivializing)* has been acquired from the teaching of moron molvis/sheikhs who are the slaves of the dunya. The success and salvation of the Aakhirah are

the furthest from their minds. *Istikhfaaf* is kufr. It eliminates Imaan. The offensive word *'only'* is extended by molvis to even the Sunnah. Thus some of these miscreants say *"it is only Sunnah'.* In other words, discarding or abandoning the Sunnah is acceptable. The lightest punishment for abandoning the Sunnah is to be deprived of the Shafaa'ah (Intercession) of Rasulullah (Sallallahu alayhi wasallam). The consequence of such deprivation is the Fire of Jahannam.

Imaam Muhammad (Rahmatullah alayh) has explicitly stated: *"Every Makrooh Tahrimi is Haraam."* And the consequence of Haraam is the Fire of Jahannam, and so too is the consequence of Makrooh Tahrimi.

Besides Makrooh acts, even *Mubah* (permissible) acts will be declared Haraam when evil factors become associated with it. Hadhrat Maulana Ashraf Ali (Rahmatullah alayh) explaining this principle said:

"Regardless of its initial permissibility, it is in the category of Qabeeh li ghairihi (evil due to other evil factors), hence prohibited and haraam.
This principle is not hidden from the expert of Usool-e-Fiqh."
(Imdaadul Fataawa, Vol.4, page 74)

But the understanding and conduct of the trivializers are corrupt in the extreme. Leave alone Mubah. They even open up doors for commission of haraam and for abandoning the Sunnah with their *'only'* designation attached to Makrooh and the Sunnah. They are acting under the guidance of Shaitaan. Regarding such miscreants, Rasulullah (Sallallahu alayhi wasallam) said:

"Soon will you obey Shaitaan in sins which you will regard as insignificant."

This malady of *Istikhfaaf* today is the disease of the vast majority of molvis and sheikhs. They do not deserve being called Ulama. The specific attribute of Ulama as mentioned in the Qur'aan Majeed is:

"Verily, only the Ulama from the servants of Allah fear Allah."

True Ulama never open gates of fitnah, fisq and fujoor. On the contrary, they close the avenues of sin. Such molvis and sheikhs should reflect on the following Naseehat of Allaamah Abdul Wahhaab Sha'raani (Rahmatullah alayh):

"O my friend! Examine yourself in the light of the demand of Amr Bil Ma'roof, Nahy Anil Munkar to ascertain whether you do regard evil to be evil or not, and to ascertain whether you are among those people who are beloved to Allah Ta'ala.

Examine yourself to ascertain if you have aided the Shariat of Rasulullah (Sallallahu alayhi wasallam) or are you among those who have abandoned the Shariat. However, you labour under the notion that you are the Representative of Rasulullah (Sallallahu alayhi wasallam) because you are calling people towards the Deen.

Rasulullah (Sallallahu alayhi wasallam) has appointed the Ulama of the Ummah to be the Trustees of his Shariat after him. However, nowadays (i.e. during the 10th Islamic century) the majority has abandoned the Shariat, leaving it without helpers by means of their words and deeds and by means of silence in the face of evil. Wa La houla wala quwwata illaa billaahil azeem."

THE FORTS OF IMAAN

The Auliya said that Imaan is guarded by several forts. The outermost fort is the Fort of Aadaab, then comes the Fort of Mustahabbaat. The plot of Shaitaan is to eliminate Imaan. However, he does not indulge in futility as people do. Shaitaan knows that it is futile to capture Imaan which is well-protected by several fortresses. His strategy is to demolish the fortresses protecting Imaan. Thus, he first assaults the fortress of Aadaab.

Referring to this strategy of Iblees, Allaamah Abdul Wahhaab Sha'raani (Rahmatullah alayh) said:
"I heard my brother, Afdhaluddeen say: ' When a person neglects anything from the Aadaab of the Shariah, he proceeds to commit Makrooh acts. When he perpetrates Makrooh acts, he then progresses to commit Haraam."

The first casualty of *Istikhfaaf* is the fall of the Fortress of Aadaab. Then shaitaan begins to assail the Fortress of Mustahabbaat. The consequence of the attitude of *Istikhfaaf* which spawns the idea of insignificance of Makrooh Tanzihi, is the collapse of the Fortress of Mustahabbaat. Shaitaan has thus made a momentous gain in his attack on Imaan.

In this way, he proceeds to assault and capture one fortress after the other until he ultimately stands at the Palace of Imaan which has now been denuded of its protection. The final assault is relatively simple for Iblees. Thus, today the world abounds with millions and millions of zanaadaqah parading as Muslims. They have lost their Imaan to Iblees.

Allaamah Sha'raani (Rahmatullah alayh) proferring Naseehat says:

"Know that the demand of precaution is to abstain from Makrooh (regardless of the category of Makrooh). Abstention (from Makrooh) should be as one abstains from Haraam. Precaution furthermore demands adherence to the Sunnah as if it is Waajib, and this is for honouring the Command of Allah Ta'ala."

The Ahaadith of Rasulullah (Sallallahu alayhi wasallam) are replete with exhortation to abstain from acts which people do not regard sinful, and which even molvis and sheikhs of today do not understand to be even in the class of misdeeds known as Makrooh Tanzihi.

The Hadith mentions for example, *Do not speak excessively, do not eat much, do not laugh much, etc., etc. because these so-called trivial acts kills the heart.*

When the hearts are blind, there is no perception of the Presence of Allah Ta'ala and the Two Recording Angels. Belief in the terrors of Maut, Qabr and Aakhirah has no practical effect on the blind and dead hearts of Muslims. Thus, the entire Deen is interpreted to conform to the dictates of the Nafs.

DELIBERATE DISOBEDIENCE IS A KABEERAH SIN

Any action/practice which the Shariah discourages is sinful irrespective of the Fiqhi classification. This is not difficult to understand if a person is sincere in his Imaan. There are numerous Sunnah practices which Muftis label as Makrooh Tanzihi if omitted. In so doing they do not apply their minds constructively.

Consider the act of entering the Musjid with the right leg or first putting on the right shoe. If someone without thinking mistakenly enters the Musjid with his left foot, his infraction will be said to be Makrooh Tanzihi. However, the Mufti who has understood that Makrooh Tanzihi is initially a permissible act argues that even persistence in its commission remains permissible, and the act does not become sinful.

Indeed the Mufti has not applied his mind. Furthermore, due to defective research he is unaware of the fact that *Israar* (persistence) *in commission of Makrooh Tanzihi* transforms the act into a major sin. Allaamah Abdul Wahhaab Sha'raani (Rahmatullah alayh) and other Ulama have explained this principle of *Israar*. Allaamah Abdul Hayy Lucknowi (Rahmatullah alayh) said: *"Mudaawamah and Israar (persistence) on Makrooh Tanzihi is not without the commission of a Kabeerah sin."*

Regarding smoking, Allaamah Abdul Hayy said: *"If it is Makrooh Tanzihi, then by Israar and making it a habit, it becomes Kabeerah."*

The logical demand of *Aql* readily understands this principle. A man intentionally and habitually enters the Musjid with his left foot. How can such rebellious conflict with the Sunnah ever remain Makrooh Tanzihi which the Mufti peddles as 'permissible'? What constrains a professed Muslim to view the command with disdain and to intentionally and habitually act in conflict with the explicit instruction of Rasulullah (Sallallahu alayhi wasallam)? In fact, it does not only transform into Makrooh Tahrimi thereby becoming a Kabeerah sin. This attitude is kufr.

While the occasional lapse is understood to be Makrooh Tanzihi, never can *Israar* be validly excused. Islamically it is logic for the Makrooh Tanzihi act to become a Kabeerah sin if the element of *Istikhfaaf* is involved. A Muslim who is aware of the Sunnah command to enter the Musjid with the right foot and to first put on the right shoe, will not intentionally do the opposite. If he deliberately violates this Adab or this Mustahab act, he portrays kufr, hence his perpetration of the act which was initially Makrooh Tanzihi is transformed into Makrooh Tahrimi, a Kabeerah sin and even kufr.

Consider an act such as consuming marrow (dodi). Rasulullah (Sallallahu alayhi wasallam) loved eating marrow. Once Imaam Abu Yusuf (Rahmatullah alayh) whilst giving *dars* of Hadith, said: *"Rasulullah (Sallallahu alayhi wasallam) loved eating dubbaa' (marrow)."* A man interjected and said: *"I don't like it."* Imaam Abu Yusuf ordered the man to be executed. However, the man immediately made Taubah and recited Kalimah Shahaadat.

(Al-Urfush-Shazi of Allaamah Kashmiri)

What is the Fiqhi rule pertaining to eating *dubbaa"*? If someone does not like *dubbaa'*, is he to be executed? What is the Fiqhi category for refraining from eating *dubbaa"*? Is it a Kabeerah sin or a Sagheerah sin or Makrooh Tahrimi or Makrooh Tanzihi?

Eating *dubbaa'* is permissible. Abstention from it is not at all sinful. If someone eats it with the intention that it was loved by Rasulullah (Sallallahu alayhi wasallam), he will be rewarded. But there is no sin for not eating *dubbaa'*. What then had inflamed Imaam Abu Yusuf (Rahmatullah alayh) so much that he ordered the execution of the man? It was the attitude of *Istikhfaaf* which is kufr.

Now when someone makes *Israar* on an act which is designated Makrooh Tanzihi, his persistence is the

effect of *Istikhfaaf*, hence *Tanzihi* is transformed into *Tahrimi* and it could lead to kufr and effacement of Imaan.

Istikhfaaf is an extremely potent weapon of Iblees. It is with this weapon that he captures the Fortresses guarding Imaan. Finally he deracinates Imaan. Those who are careless and lacking in Taqwa are entrapped in Shaitaan's snare of *Istikhfaaf* which he induces with the Makrooh Tanzihi act.

OBEDIENCE IS THE MU'MIN'S OBLIGATION

"Whatever the Rasool orders you, hold fast on it and abstain from whatever he forbids you. Fear Allah. Verily, Allah is severe in punishment."
(Al-Hashr, Aayat 7)

Hadhrat Abdullah Ibn Mas'ood (Radhiyallahu anhu) narrated that Allah Ta'ala has cursed women who tattoo, those who trim their eyebrows and those who file their teeth (for beauty).

A woman came to him and said that she heard that he was cursing women who tattoed….. In response, Hadhrat Ibn Mas'ood (Radhiyallahu anhu) said: *"Why should I not curse those whom Rasulullah (Sallallahu alayhi wasallam) has cursed and who are also cursed in the Kitaab of Allah."* The woman said that she had recited the entire Qur'aan, but did not find any Aayat which prohibited the acts mentioned by him nor the curse he invokes.

He said: *"If you had recited the Qur'aan, you would certainly have seen it. Does Allah not say:*

"Whatever the Rasool orders you, hold fast on it

and abstain from whatever
he forbids you. Fear Allah.
Verily, Allah is severe in punishment."

She replied that she had read that Aayat. Abdullah Ibn Mas'ood (Radhiyallahu anhu) then said that Rasulullah (Sallallahu alayhi wasallam) had cursed women who perpetrated these acts.

This Aayat as well as other Aayaat explicitly command obedience to Rasulullah (Sallallahu alayhi wasallam). Such obedience is the Waajib obligation of the Mu'min. This obligation ordained in the Qur'aan, demands that the Mu'min obeys whatever Rasulullah (Sallallahu alayhi wasallam) had instructed and advised, and to abstain from everything he had prohibited or expressed disapproval.

It is indeed *kufr* to first ascertain the Fiqhi designation which was assigned to the commands and prohibitions decades and centuries after Rasulullah (Sallallahu alayhi wasallam) then to decide on practical expression of the teachings. If a professed Muslim determines to follow the teachings of Rasulullah (Sallallahu alayhi wasallam) only after he has ascertained their Fiqhi status, then most assuredly he has left the pale of Islam.

The attitude of abandoning an instruction of Rasulullah (Sallallahu alayhi wasallam) if it bears the classification of Mustahab, and to commit the forbidden act if it is described Makrooh Tanzihi is kufr without any doubt.

Rasulullah (Sallallahu alayhi wasallam) for example, said: *"Allah loves acts to begin from the right side."* This is called *Tayaamun.* Thus, entering the Musjid with the right foot, putting on first the right shoe, eating with the right hand, etc., are all commands of Rasulullah (Sallallahu alayhi wasallam). Now if any of the acts of *Tayaamun* are classified as Mustahab, does it behove the Mu'min to abandon such acts? Such abandonment is assuredly *Istikhfaaf* which abrogates Imaan. The Tanzihi label applies to only omission due to forgetfulness or any other valid reason.

Rasulullah (Sallallahu alayhi wasallam) instructed us to recite the Tasmiyah when beginning all lawful acts whether mundane or otherwise. What is the Fiqhi designation for reciting Tasmiyah when donning clothing or putting on shoes or stepping out of the house, etc., etc.? If it is ascertained that it is among the Aadaab or Mustahabbaat, will it ever be permissible to abstain because it is *'only Mustahab or only Sunnah"?* 'Only' has become the introduction to Kufr.

If you are in the presence of Rasulullah (Sallallahu alayhi wasallam) and he instructs you: *"Never cut hair and nails during the first ten days of Zil Hijjaah…",* will you have the satanic temerity of saying: *"My nails are long. I shall cut my nails and hair because abstention is only Mustahab and cutting is only Makrooh Tanzihi."* What will be the consequence of such rebellious shaitaaniyat?

Obedience is compulsory for all the instructions, exhortations and prohibitions stated by Rasulullah (Sallallahu alayhi wasallam) irrespective of the Fiqhi classification of the acts.

Obedience is not restricted to practices designated Fardh and Waajib. Abstention is not restricted to only actions described as Haraam. In fact, due to the curse of trivializing sins, people commit even Makrooh Tahrimi actions which are Haraam, justifying their perpetration with the shaitaani refrain, *'only Mustahab – only Makrooh Tanzihi'.* This attitude is pure shaitaaniyat.

In negation of the concept of any disliked act being insignificant or sagheerah or tanzihi, some Ulama and Auliya said that the number of Kabaair (major sins) are 700. Obviously, this number includes every infraction irrespective of Fiqhi classification. It includes even lapses pertaining to Mustahabbaat.

The Qur'aan and Hadith do not enumerate 700 major sins. The major sins such as alcohol, fornication, killing and many others are perhaps a couple of dozen. However, based on the Qur'aan's command to obey Rasulullah (Sallallahu alayhi wasallam) and on the Qur'aan equating obedience of the Rasool to obedience of Allah Ta'ala, the illustrious Ulama of former times have enumerated every infraction regardless of Fiqhi classification to be a major sin. Major sins and sins of any kind are not limited to explicit mention in the Qur'aan and Hadith. Sins are also understood from the Principles emanating from the Qur'aan and Sunnah.

The Qur'aan says: *"Do not approach even* ***near*** *to zina."* This is an explicit reference to and prohibition of all acts which are stepping stones to zina even if these steps are not enumerated in the Qur'aan and Hadith. Nevertheless, since the prohibition is based on a sound Qur'aanic principle, it can correctly be attributed to a Qur'aanic command irrespective of whatever Fiqhi classification is ascribed to it.

On this basis it will be valid to say that driving is Haraam for females because almost every step in the process of acquiring a licence and almost every step of a woman driving is in glaring conflict with the

Qur'aanic concept of Hijaab, and these steps are all stepping stones for zina.

But, today the miscreant *maajin* muftis satanically argue that driving for females is permissible (mubah). It is not even Makrooh Tanzihi for them. Thus, their Imaani insensitivity due to Imaan being desensitized by the environment and norms of this immoral western cult, condones and even promotes major sins as mubah. Mufi Taqi Sahib is a prime example of a *maajin* mufti who specializes in the satanic art of transforming haraam into halaal.

Al-Qaadhi Abul Wahhaab (Rahmatullah alayh) said: *"It is not possible to say that any sin is sagheerah (minor) except in relation to Kabaair."* That is, a sin is lesser in degree of severity than another sin, e.g. stealing is less in severity of villainy than killing. Anyhow, the argument of Sagheerah and Kabeerah is futile and even destructive in so far as *Amal (practical implementation of the Ahkaam)* is concerned. The command of Rasulullah (Sallallahu alayhi wasallam) in this regard is sufficient for true Mu'mineen. Nabi (Sallallahu alayhi wasallam) said: *"Beware of trivializing sin."* That is: Beware of sinning with the understanding that sin is sagheerah. Beware of abstaining from any Sunnah on the understanding that it is *only Mustahab.* Beware of committing any act

disapproved by Rasulullah (Sallallahu alayhi wasallam) because it is *only Makrooh Tanzihi.*

This idea is the pathway to Jahannam. The consequence of the lackadaisical approach is the dilution of even Muakkad, Waajib and Faraaidh practices, and the ultimate consequence is the effacement of Imaan, hence the Ummah today abounds with Zanaadaqah – people who profess to be Muslims while their Imaan has been deracinated.

It is therefore of utmost importance to search the heart when committing any infraction against the Shariah or when discarding any Sunnah. Beware of *Istikhfaaf!* There are many acts of the Sunnah which the Ummah discards or which have even excised from their daily lives. Consider for example, Tahyatul Wudhu. The command of the Sunnah is to perform two Raka'ts, called Tahyatul Wudhu, after each time one makes Wudhu.

However, most people have abandoned this important act of the Sunnah either because of ignorance or laziness. As long as the element of *Istikhfaaf* does not accompany the neglect/abandonment, it will not be kufr. Nevertheless, irrespective of the reason for discarding, it is a great loss and deprivation which on the Day of Qiyaamah will be understood as *Athaab*.

Neglecting or abandoning Tahyatul Wudhu, for example, is not a Makrooh Tanzihi act. It is Makrooh Tahrimi since it is in flagrant violation of the Ta'leem of the Sunnah - the Sunnah which every Mu'min must uphold. The reward for reviving the abandoned Sunnah practices irrespective of their classification is immense. Rasulullah (Sallallahu alayhi wasallam) said:

"Whoever adheres to my Sunnah at the time of the fasaad (corruption) of my Ummah, will receive the reward of a hundred Shuhadaa' (Martyrs).

This Hadith and other narrations as well sufficiently emphasize the importance of observing the Sunnah. This importance may not be diluted with the Fiqhi classifications of the Ahkaam.

CONCLUSION

The purpose of this treatise is not to debate with the deviates who approach the Ahkaam of the Shariah with the attitude of *Istikhaaf,* nor is it the purpose to convince them of their error. When the *Aql* is disfigured, nothing will convince them of their error except *Hidaayat* from Allah Ta'ala.

The purpose of this discourse is to facilitate the elimination of confusion from the minds of sincere Muslims who are misled by the *Istikhfaafi* concoctions of muftis who lack the ability of applying their minds constructively for the guidance of the laypeople.

Islam is a Deen of *Amal* (Practice). The Ahkaam of the Shariah are for practical expression in every day life, not for dialectical disputation, the substratum of which is the academic circles and Madaaris. The medley of juridical classifications and discussion are not meant for the masses. The muftis who answer the questions of the masses should desist from the portrayal of fictional erudition by loading their answers with pages of Arabic texts about which the layman does not have the haziest idea. The muftis of these times are adept in the art of zigzagging which confuses the questioner. There is no clear direction and guidance for the masses in the zigzag fatwas

which invariably open up avenues of fisq and fujoor which are so appealing to the nafs.

Muslims, both the Khawaas and the Awaam, should understand well that the Ahkaam are for practical implementation. The Ahkaam may not be diluted for opening up gateways of fisq and fujoor in the manner in which Mufti Taqi Sahib is perpetrating.

For making Amal on the Sunnah, the imperative need is to emulate the lifestyle of Rasulullah (Sallallahu alayhi wasallam) and the Sahaabah. Although it is accepted that we, in this belated era in proximity to Qiyaamah and so far from the era of Nubuwwat, cannot emulate the Sahaabah in exactitude, we are bound by the Command of Allah Ta'ala to walk in the Path they trod whether it be running, walking, stumbling, falling and crawling. We are required to maintain our course in Siraatul Mustaqeem, and not branch off into deviations – the deviations which the miscreant molvis and sheikhs of this age are experts in producing.

For practicing the Sunnah correctly, Muslims should study the life anecdotes and advices of the Auliya. They were the embodiments of the Sunnah. Their understanding of the Sunnah and the Shariah is the only correct understanding. Valid understanding for the purpose of *amal* is not obtainable from Fiqhi

discourses dealing with technicalities and obscurities. Allaamah Abdul Wahhaab Sha'raani (Rahmatullah alayh) and many other Fuqaha and Auliya have explicitly said: *"Whoever clings to the rarities of the Ulama, verily, he has made an exit from Islam."*

For all of us – Ulama and lay people – the criterion to follow is the simple Sunnah practices which the Sahaabah and the Auliya had adopted and which they had taught, and which have reached us by way of reliable narration from generation to generation.

Whatever was commanded and prohibited by Rasulullah (Sallallahu alayhi wasallam), and whatever was approved and disapproved by our Nabi (Sallallahu alayhi wasallam), have to be incumbently obeyed irrespective of the Fiqhi category to which these practices of the Sunnah are assigned.

Abandoning a Sunnah act merely because it has been designated Mustahab, and abstention therefrom labelled Makrooh Tanzihi, has extremely far reaching and disastrous consequences in the Aakhirah irrespective of what the technical definition of the term says and conveys. For example, intentionally neglecting or abandoning a Mustahab act such as entering the Musjid with the right foot, i.e. making *Israar* on abstention without any valid reason, can

deprive one of the Shafaa'at (Intercession) of Rasulullah (Sallallahu alayhi wasallam) in Qiyaamah.

What is this Shafaa'at and what is the consequence of being deprived of it? Rasulullah (Sallallahu alayhi wasallam) will intercede on behalf of his Ummatis for their immediate entry into Jannat, for them to be saved from the Athaab of Jahannam. Those deprived of his Shafaa'at will thus languish in punishment. Thus, the ultimate consequence of deliberate abandonment of the 'smallest' act of the Sunnah is the Fire of Jahannam. This is the effect of being deprived from the Shafaa'at of our Nabi (Sallallahu alayhi wasallam).

Some persons who had carelessly made istinja with Zam Zam water developed piles. A Buzrug, without applying his mind, blurted out that the yoghurt of India was tastier than the yoghurt of Madinah. In a vision Rasulullah (Sallallahu alayhi wasallam) portraying his anger ordered the Buzrug to get out from Madinah. An Aalim who had jestfully spat his red saliva (reddened by eating paan) on a donkey on the Hindu holy day called Holi, was seen by a Buzrug in a dream to be in the Fire for having emulated the Hindu Mushrikeen in their custom of squirting coloured water on anyone on the day of Holi.

The body of an Ustaadh of Hadith who was buried in Jannatul Baqi was removed by the command of Allah Ta'ala and cast into a grave in a cemetery of France because he had commented to his wife favourably about Christians not having need for ghusl-e-janaabat.

Ostensibly in terms of Fiqh they had not committed Haraam and Makrooh Tahrimi acts. Despite this, the consequences were disastrous. We are required to follow the simple acts of the Sunnah – its commands and prohibitions – without resort to the technicalities of Fiqh which are meant for academic discourses within the circles of the Ulama and the Talaba in the Madaaris.

While dreams are not Shar'i dalaa-il, the dreams of Auliya – dreams which are not in conflict with any teaching of the Shariah – are corroborative of claims based on Shar'i dalaa-il.

The genuine Muftis will issue Fatwa on the basis of the principles and technicalities of Fiqh without opening gateways of fitnah, fisq and fujoor. Their understanding of the Principles of the Shariah is not contaminated by nafsaaniyat. Khauf of Allah Ta'ala is in their hearts, hence the Principles will not be mis-manipulated to deviate the masses from Siraatul Mustaqeem, from correct observance of the Shariah and adoption of the Sunnah.

Hadhrat Ali Khawwaas (Rahmatullah alayh), the Shaikh of Allaamah Abdul Wahhaab Sha'raani (Rahmatullah alayh) said:

"The more the servant (of Allah) increases in *Ilm* of Allah Ta'ala, the more care he exercises in obeying the commands and prohibitions. Conversely, the further he drifts from Allah Ta'ala, the more indolent and lax he becomes regarding the commands and prohibitions."

Therefore understand well that the dilution of the Ahkaam signifies the *La'nat and Ghadb* of Allah Azza Wa Jal. The perpetrator is driven away from the *Rahmat* of Allah Ta'ala. He is deprived of the *Taufeeq* to prepare himself for Maut and the meeting with Allah Ta'ala.

"Allah guides whomever He wills and He misguides whomever He wills."

"Allah draws unto Him whomever He wills and He guides unto Himself whoever strives (along the Path of Rectitude.)" (Qur'aan)

KABEERAH AND SAGHEERA

"THE KITAAB (RECORD OF DEEDS) SHALL BE PRESENTED (ON THE DAY OF QIYAAMAH). THEN YOU SHALL SEE THE CRIMINALS FEARFUL OF WHAT IS CONTAINED THEREIN.

THEY WILL (MOAN AND) SAY: "WOE BE ON US! WHAT IS THE MATTER WITH THIS KITAAB WHICH DOES NOT OMIT ANY SAGHEERAH NOR ANY KABEERAH, BUT IT HAS RECORDED IT?" THEY (THE CRIMINALS) WILL FIND PRESENT WHATEVER THEY HAD PERPETRATED. (INDEED) YOUR RABB IS NOT UNJUST TO ANYONE."

(AL-KAHAF, AAYAT 49)

"EVERY SAGHEER AND KABEER IS RECORDED."
(AL-QAMAR, AAYAT 53)

Every sin regardless of how 'small' it may be is recorded. Everyone will see his/her record of deeds, virtues and vices, big and small, in his/her Book of

Deeds. The technical arguments and interpretations will not avail anyone on that momentous Day of Qiyaamah. Thus, the true and valid meaning of Tanzihi and abstention from Mustahab will be understood on that Day.