

التَّبْصِيرُ الْمُنْجِدُ بِأَنَّ صَحْنَ الْمَسْجِدِ مَسْجِدٌ

An Excellent Guidance on the Fact that
**THE COURTYARD
OF A MOSQUE**

is Indeed part of the Mosque (1307 AH)

Written by:

Ala Hazrat Imam Ahmed Raza Khan رَحْمَةُ اللَّهِ عَلَيْهِ



Translated by:

Molana Ahmed Rehan Attari Madani
Jamia-tul-Madina Rochdale, UK

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Foreword

In the noble mission of **Dawat-e-Islami, Jāmi‘ah al-Madīnah** plays a pivotal role in nurturing scholars grounded in Islamic knowledge and devoted to the propagation of the Sunnah. Among the towering personalities whose legacy continues to illuminate the path of scholarship and spirituality is **A‘lā Hazrat Imām Aḥmad Razā Khān رَحْمَةُ اللهِ عَلَيْهِ** the great reviver of Islām in the 14th century Hijri. His encyclopaedic works, deep insight, and unwavering defence of Sharī‘ah have guided generations of Muslims across the world.

To ensure that his intellectual and spiritual heritage reaches English-speaking audiences, **Majlis Jāmi‘ah al-Madīnah UK** established a dedicated department under the name “**Fikr-e-Razā**” (**The Vision of Razā**). The purpose of this department is to introduce English-speaking students and readers to the thought, scholarship, and reformative teachings of **A‘lā Hazrat Imām Aḥmad Razā Khān رَحْمَةُ اللهِ عَلَيْهِ**.

A vast portion of **A‘lā Hazrat’s** invaluable writings, including the monumental **Fatāwā Razawiyyah**, was authored in Urdu and Arabic. While these works hold immense relevance for contemporary Muslims, language barriers have limited their reach among English-speaking scholars and students. Recognising this need, **Fikr-e-Razā** undertook the task of translating selected treatises into fluent, accessible English while preserving the depth and precision of the original texts.

The present booklet,

(التبصر المنجد بأن صحن المسجد مسجد), translated as "An Excellent Guidance on the Fact that the Courtyard of a Mosque is Indeed part of the Mosque"

In this treatise, Sayyidi Ala Hazrat, Imam Ahmad Raza Khan al-Qadiri (may Allah have mercy on him), sets out ten independent and interlocking proofs to establish that the courtyard of a mosque is, without exception, part of the mosque — regardless of whatever local term, such as “the exterior,” might be applied to it in common usage. Drawing on the most authoritative texts of Hanafi jurisprudence Like al-Hidayah, al-Hindiyyah, al-Durr al-Mukhtar, Radd al-Muhtar, Fath al-Qadir, and others, he demonstrates conclusively that a difference in customary vocabulary does not, and cannot, alter an established ruling of the Sacred Law.

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This booklet is thus more than the resolution of a single juristic question; it stands as a model of careful legal reasoning and deduction (istinbat). Students of knowledge will find in it a clear demonstration of how precise rulings are drawn out from the finer details found scattered across the books of fiqh. It is hoped that this effort will prove beneficial both to the general reader and to the specialist alike.. Originally written in Urdu and later translated into English by Molana Muhammed Ahmed Rehan Attari Madani, who is a hardworking teacher in Jamia Tul Madina Rochdale (UK) under the supervision of Majlis Jāmi‘ah al-Madīnah UK, this work aims to convey the wisdom and reasoning of A‘lā Ḥaḍrat on this issue.

This translation is part of a broader effort to connect English-speaking students and communities in the UK with the intellectual and spiritual legacy of A‘lā Ḥazrat. By engaging with his writings, readers not only gain clarity in matters of Shari‘ah but also strengthen their appreciation for the revivalist movement he inspired.

May Allah Almighty accept this humble endeavour, reward all those involved in its compilation, translation, and publication, and make it a means of spreading the blessed light of **Fikr-e-Razā** throughout the English-speaking world. Āmīn.

Khalid Tasneem Madani, Birmingham, UK

Question

Case 1116: From the town of Kathor, Sayan Station, Surat District, Gujarat Province, sent by the Eastern Mosque congregants through Maulvi Abdul Haq Sahib, a teacher at the Arabic School of Kathor, and Seth Bana Bhai Sahib, the administrator of the school. 27 Jumada al-Ula 1307 AH.

What do the scholars of the Sacred Law decree regarding the ruling on this courtyard of the mosque? In the summer season, the obligatory congregational prayers of Maghrib, Isha, and Fajr, and occasionally Asr, are always performed there. Furthermore, since this mosque is situated on the main marketplace, the coming and going of worshippers is high. At Asr and Maghrib, if the main congregation has already finished, people frequently come and perform their obligatory prayers individually on this courtyard. Sometimes, if a few people arrive together, they establish another congregation there. Even during the moderate seasons of spring and autumn, a standard congregation is occasionally held on the said courtyard.

Now, should the mentioned courtyard be given the ruling of a mosque or not? Is it permissible for a person in a state of major ritual impurity (junub) or other impure individuals to enter it without a valid legal excuse or not? Two individuals are engaged in a mutual debate: according to one, the said courtyard is part of the mosque, and it is unlawful (haram) for an impure person to enter it. According to the second person, it holds the same ruling as an Eid prayer ground (musalla), and it is permissible for an impure person to enter it. His evidence for this is that in our city of Surat, the interior of the mosque is called the 'jama'at khana' (congregation hall) and the courtyard of the mosque is called the 'kharij' (exterior). His second piece of evidence is that the surroundings (fina), the precincts (harim), and the courtyard of a mosque are conceptually identical; since it is permissible for an impure person to enter the surroundings and precincts of a mosque, it must also be permissible on the courtyard, because the surroundings hold the same ruling as an Eid prayer ground.

Conversely, two scholars among the ulama of Surat decree that the said courtyard holds the ruling of a mosque. One of these two scholars is also the teacher of the person who calls the courtyard of the mosque the 'exterior'. Currently, each of the aforementioned debaters calls the other a troublemaker—a mischief-maker in religion. Who, then, is the reformer according to the Sacred Law? Is it correct or incorrect to understand the meanings of the terms 'fina of the mosque' and 'harim of the mosque' as being identical to the courtyard of the mosque? Secondly, is the custom of the residents of Surat city—namely, calling the interior of the

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mosque the 'jama'at khana' and the courtyard the 'kharij'—recognised as valid according to the Sacred Law or not? Furthermore, how many prayers must be performed on that courtyard each year for it to become a mosque? If there is any condition other than prayer recognised under the Sacred Law for that courtyard to become a mosque, please state it in writing. Please clarify, and you shall be rewarded.

Answer

In the name of Allah, the Most Gracious, the Most Merciful. All praise belongs to Allah, and peace and blessings be upon the Messenger of Allah.

The courtyard of a mosque is absolutely a part of the mosque, just as the courtyard of a house is a part of the house. This is to the extent that if someone takes an oath saying, "I shall not enter Zayd's house," and then enters the courtyard, he will certainly have broken his oath, as is evident from Al-Hidayah, Al-Hindiyyah, Al-Durr al-Mukhtar, Radd al-Muhtar, and the general texts. Similarly, if someone takes an oath saying, "I shall not go outside the mosque," and enters the courtyard, he will never have broken his oath. For this reason, it is undeniably permissible for a person in spiritual seclusion (mu'takif) to enter, leave, sit, and remain in the courtyard. This matter is so exceptionally clear and widely known that it borders on self-evident primary truths, to which the practice and actions of ordinary Muslims in all cities bear just witness—after which there is absolutely no need for evidence. Indeed, whoever claims the contrary must bring evidence for their claim, and they will never be able to bring it, "until the camel passes through the eye of the needle." [Holy Qur'an 7:40] The claimant to the contrary presented two arguments for the courtyard of a mosque not being a mosque: one is general, which does not even resemble an argument but is a mere claim, while the second relates specifically to the mosques of Surat. Both are completely false and invalid. To clarify this manifest issue, this needy person (may Allah Almighty forgive him) mentions, out of necessity, only ten reasons, through which the ruling may be completely illuminated and the misconceptions of both opposing arguments removed. In the course of this, if Allah Almighty wills, the answer to all parts of the question will be revealed.

So I say, and from Allah alone comes guidance and the bestowal of verification:

Firstly: A mosque is the name of that plot of land which has been dedicated as a pure endowment (waqf) for the purpose of the five daily prayers. Its complete definition, along

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with the benefits of its restrictive conditions, can be found in the chapter of Waqf in our book *Al-Ataya al-Nabawiyyah fi al-Fatawa al-Radawiyyah*. This definition definitively includes the courtyard as well, and structures, roofs, or buildings are by no means essential to its core reality to the extent that if there is no building at all, and merely a raised platform or a bounded open field is endowed for prayer, it will absolutely become a mosque and will merit all the rulings governing a mosque. It is stated in *Fatawa Qazi Khan*, *Fatawa Zakhirah*, *Fatawa Alamgiri*, and other works:

"A man owns an open space and commands a group of people to pray there in congregation. If he says, 'Pray therein forever,' or commands them to pray unconditionally while intending forever, the open space becomes a mosque; if he dies, it shall not be inherited from him."
[Summary]

Therefore, making a distinction between a roofed area and an unroofed area, establishing the former as the mosque and the latter as the surroundings (fina) of the mosque, is completely meaningless.

Secondly: Every rational person knows that whether it is a mosque, a place of worship, a residence, or a house, dividing every building into two parts with respect to the changing seasons is among the continuous habits of mankind, upon which the people of all eras and cities across the greater inhabited earth are agreed. They roof one part to protect against snow, rain, and the sun, and they leave the second part open to be used for sitting in the sun, taking in the air, and escaping the heat. In the Arabic language, the first is called winter quarters (شتوی) and the second is called summer quarters (صیفی), as elucidated by the scholar Badr al-Din Mahmud al-'Ayni in the Book of Oath (Kitab al-Ayman) of *Al-Binayah Sharh al-Hidayah*. These two sections are absolutely two equal parts of that place of worship or residence, due to which the building becomes useful in every season. This is certainly the very purpose of the endowers (waqifin) in retaining a courtyard in mosques. Otherwise, if only the winter area—namely the roofed part—is deemed the mosque, and the summer area—namely the courtyard—is deemed outside the mosque, then did the endowers build the mosque solely for the winter season and the two afternoon prayers ('Asrain) of summer, so that prayer is held in the mosque during those times, while for other times they would find no mosque for prayers and spiritual seclusion (i'tikaf)? Or was their objective to compel Muslims so that no matter how severe the stifling air and intensity of the heat might be, they must always pray and remain in seclusion inside this enclosed building, without any fresh air or comfort? Or

were they unaware of the reality of the world, that many times come in a year when it is difficult for a person to enter the interior section for even a moment, let alone being engaged in prayer, Tarawih, and spiritual seclusion? When none of this is the case, it is established with certainty that just as they have kept both sections—the courtyard and the Room—in their residential houses for their own comfort, they likewise divided the mosque into these two parts for the ease and comfort of the general Muslims during general times.

Thirdly: Now ask the congregants what their intention is when they leave their homes upon hearing the adhan. Is it to pray in the mosque or something else? They will absolutely reply that they come to pray in the mosque. Now consider where they pray Fajr, Maghrib, and Isha during the summer, where those memorising the Holy Quran recite it to others, and where those observing i'tikaf sit and remain occupied in remembrance and worship. It will automatically become clear whether Muslims have understood the courtyard to be part of the mosque or not; thus, denying the mosque status of the courtyard goes against consensus.

Fourthly: In fact, if you ponder over it, the actions of those who deny this are themselves proof of their error. If they come to pray in the mosque, then inevitably during the summer, they must be praying in the courtyard just like ordinary Muslims. Then ask them: why did you leave your home to pray in a place other than a mosque? And if this is not a mosque, what virtue did you see in praying here? Virtue aside, when did you respond to the caller of Allah? Where was the compliance with the hadith: "There is no prayer for the neighbour of a mosque except in the mosque"? [Al-Bayhaqi in *Al-Sunan al-Kubra*, among others]. And for what reason did you abandon a great and sublime Sunnah? Would any intelligent Muslim tolerate leaving his house upon hearing the sound of the adhan to go for prayer, and despite the mosque being right there, not pray inside it, but rather pray in its precincts and surroundings and then return? Would people of intellect not call such a person insane? Therefore, the word and deed of those who deny this are completely contradictory.

If they make the excuse that they were forced to pray wherever the Imam prayed, this is entirely misplaced, absurd, and unacceptable. For you gentlemen, respecting the right of the mosque was more important and took precedence over following the congregation. When you saw that the entire congregation abandoned the mosque to pray outside of it, you should have gone and prayed inside the mosque yourself. If any Muslim had joined you, you could have formed a congregation; otherwise, you should have prayed alone so that the right of the mosque could be fulfilled. To this extent, the scholars state that praying alone here is superior

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to praying with a congregation in another mosque. This is mentioned in *Fatawa Imam Qazi Khan*, then in *Khazanat-ul-Muftiyeen*, then in *Radd al-Muhtar*, and other works:

A person should go to the mosque of his neighbourhood, call the adhan, and pray in it, even if he is alone, because the neighbourhood mosque has a right over him which must be fulfilled. Regarding the muezzin of a mosque where no one else comes, the jurists have stated that he should call the adhan, pronounce the iqamah, and pray there alone, as this is preferable to him praying in another mosque.

Cautionary Note: For these very reasons, it has become clear that the residents of Surat calling the special winter hall (the enclosed structure) the "Jama'at Khanah" is merely a specific local terminology. They call the summer area—meaning the courtyard—"outside" only in the sense that it is outside that specific designated winter hall, not in the sense that it is not part of the mosque. Even if they call it outside the mosque, it is like the noble scholars referring to the external layer of the body as being outside the body, which means the outer part of the body, not separate from the body. Similarly, "outside the mosque" means the outer section of the mosque, not excluded from the mosque.

Even if we assume that in their own terminology they have named only the winter hall—the roofed structure—as the mosque, the consequence of them not calling the courtyard a mosque would merely mean it is not the winter hall, not that it is legally not a mosque (Shar'an). Their continuous actions—meaning always praying the Maghrib, Isha, and Fajr congregations in the courtyard during the summer, and coming from their homes upon hearing the adhan with the intention of praying in the mosque to form a congregation here (as explicitly stated in the query), alongside praying Tarawih and observing i'tikaf here during the summer Ramadans, which is standard, definitive, and witnessed—stand as a manifest witness, a beneficial proof, and a source of certainty for this intended meaning, as is not hidden from an intelligent child, let alone a scholar.

Fifthly: The irony is that those who deny this [the mosque status of the courtyard] argue and dispute over the permissibility of a person in a state of major ritual impurity entering it. According to their stance, God forbid, a flagrant and heinous innovation is perpetually and routinely committed by Muslims—namely, abandoning the mosque in the summer to pray in congregation outside of it, thereby violating the rights of the mosque. Why do they not object to this? Rather, they even participate in it themselves, as opposing it would cause them

personal discomfort. Now, if they persist in their false opinion and insist that praying in the courtyard be completely stopped, and that the congregation must always take place inside in every season and at all times, and if, hypothetically, their stance prevents people from praying in the courtyard, look at how many mosques would be left utterly abandoned and devoid of prayer, congregation, Tarawih, and i'tikaf during the summer season. For when people are barred from the courtyard and naturally feel distressed performing these acts inside, they will inevitably stop coming to the mosque. Even if one or two individuals tolerate this unjustified and groundless hardship, the aversion of the general public is absolutely certain. Thus, the consequence of this baseless dispute, God forbid, is the desolation of mosques and preventing the servants of Allah from remembrance and prayer within them.

Allah, the Almighty and Majestic, said: "And who is more unjust than he who prevents the mosques of Allah from having His name mentioned in them and strives for their destruction?" [Al-Baqarah 2:114]

Now, let those who do not accept the courtyard as a mosque ponder over whose stance actually caused corruption in religion. There is no power nor might except with Allah, the Sublime, the Magnificent.

Sixthly: It is possible to deduce this majestic ruling from numerous aspects based on the words of the noble Imams themselves. The scholars explicitly state that during the sacred era, the blessed mosque of the Leader of the Messengers—peace and blessings of Allah be upon him and his family—measured one hundred cubits in length from south to north, meaning from the Qiblah wall to the rear of the mosque, and it possessed the same measurement in width from east to west. At the rear, towards the Levant, there was a roofed, south-facing veranda called the Suffah, where the People of the Suffah—may Allah be pleased with them—resided. This was also a part of the mosque. Al-Allamah al-Sindi, the disciple of the absolute investigative scholar Ibn al-Humam, states in *Mansik Mutawassit*, and Maulana Ali Qari al-Makki states in its commentary *Maslak Mutaqassit*:

"Its boundaries, meaning the boundaries of the original mosque, are about one cubit eastwards from behind the pulpit, up to the fifth pillar westwards from the pulpit, and one hundred cubits towards the Levant from the niche of the Prophet, peace and blessings of Allah be upon him." This is well-known to the residents of Madinah due to the specific markers placed there.

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Al-Allamah Tahir Fatani states in *Majma' Bihar al-Anwar*:

The People of the Suffah were the poor among the Emigrants, and anyone among them who did not have a home to reside in would seek shelter there; thus, they stayed in a shaded (roofed) area within the Mosque of Madinah.

It is stated in *Sahih al-Bukhari*:

Chapter on men sleeping in the mosque. Abu Qilabah narrated from Hazrat Anas, may Allah be pleased with him, that a delegation from the tribe of 'Ukl came to the Prophet, peace and blessings of Allah be upon him, and they stayed in the Suffah. Abdul-Rahman bin Abi Bakr, may Allah be pleased with them both, said that the Companions of the Suffah were poor.

Al-Allamah Ahmad Qastalani states in *Irshad al-Sari Sharh Sahih al-Bukhari*:

The Suffah, with a dammah on the letter *Sad* and a tashdid on the letter *Fa*, was a roofed place at the rear section of the Prophet's Mosque where the poor sought shelter.

Now, any observer knows that the niche of the Chosen One—peace and blessings of Allah be upon him—is to the north of the niche of the Leader of the Faithful, Uthman al-Ghani, may Allah be pleased with him. If you measure the rear of the mosque, the span of one hundred cubits will extend into a portion of the courtyard. It is definitively known that the structure of the mosque as it existed during the sacred era was never reduced, but rather continually expanded; therefore, it is necessary that even at that time, these one hundred cubits included the courtyard. Since the Suffah was a part of the mosque, as is clear from the text we have cited, how could it be rational for the intervening courtyard to be considered outside the mosque?

Seventhly: The scholars state that planting trees in a mosque is forbidden because it restricts the prayer area, except when it benefits the mosque. For instance, if the ground of the mosque is so damp that the pillars cannot stand firmly due to the intensity of the moisture, trees may be planted to absorb the wetness so that the roots spread out and draw the moisture from the ground. It is stated in *Zahiriyyah, Khaniyyah, Khulasah, Hindiyyah, Bahr al-Raiq*, and other works:

It is disliked to plant trees in a mosque because it resembles a church and occupies the place of prayer. However, it will be permissible if there is a benefit for the mosque, such as if the

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ground is waterlogged and its pillars cannot stand firmly, so trees are planted in it to reduce the water logging.

The wording in *Zahiriyyah* is as follows:

They should be planted so that the roots of the trees absorb that moisture; in this case it is permissible, otherwise it is not. The allowance given by our scholars regarding the Congregational Mosque of Bukhara was based on this very need and necessity.

It is obvious that the pillars of a mosque are located within the roofed structure, and trees are not planted in the indoor area, nor can they grow in the shade. Furthermore, when the moisture is so severe that pillars cannot stand firmly, such dampness cannot be removed by small plants or flowerbeds, nor would their roots spread enough to absorb it from around the area, and planting large trees indoors is irrational. Therefore, it is necessary that this refers to planting in the courtyard of the mosque, which they categorised as planting inside the mosque when they placed it under the permissible exception of "planting inside the mosque." The example from *Zahiriyyah* clarifies this meaning perfectly. It is definitively known that the Congregational Mosque of Bukhara was not entirely roofed, and its trees were certainly not under a roof; rather, they were indisputably planted in the courtyard, and the noble scholars regarded this as planting inside the mosque.

Eighthly: The scholars state that the shops located at the entrance of the mosque constitute the surrounding precincts [fina] of the mosque because they are adjacent to it. It is stated in *Fatawa Imam Qazi Khan* and subsequently in *Fatawa Alamgiri*:

The emulation of the Imam is valid for a person standing on the shops situated at the entrance of the mosque, because they are part of the surrounding precincts [fina] of the mosque and are adjacent to the mosque.

It is evident that the shops located at the entrance are adjacent to the courtyard of the mosque, not to the roofed structure; therefore, the courtyard of the mosque is inevitably part of the mosque. From this, it also becomes clear that calling the courtyard itself the precinct [fina] is entirely incorrect. If the courtyard were the precinct of the mosque, then the shops adjacent to it would be adjacent to the precinct, not adjacent to the mosque. Consequently, there would be a dispute regarding these shops being designated as precincts, because a precinct is that which is adjacent to the mosque, not that which is adjacent to another precinct. Otherwise,

according to this definition, besides the implication of circular reasoning, whatever is adjacent to a precinct would also become a precinct, resulting in the entire city, or at least the entire neighbourhood, being declared the precinct of the mosque, as is not hidden. Furthermore, the claim that the concept of the courtyard and the precinct is one and the same is a matter of severe ignorance that would not be considered rational by any intelligent person; perhaps this claimant would consider those shops to be the courtyard of the mosque as well.

Ninthly: To be fair, this specific point—namely, the impermissibility of a person in a state of major ritual impurity entering the courtyard of a mosque—can also be inferred from the statements of the scholars. The Imams state that it is not permissible for a person in a state of major ritual impurity to enter a mosque, unless there is a water spring inside the mosque and they cannot find water anywhere else, in which case they may perform dry ablution [tayammum] and fetch it. It is stated in *Al-Mabsut*, *Al-Inayah*, *Radd al-Muhtar*, *Fatawa al-Hujjah*, *Fatawa al-Hindiyyah*, and other volumes:

"A traveler in a state of major ritual impurity passed by a mosque inside of which there is a water spring, and he finds no other water; he should perform dry ablution to enter the mosque, because in our school, major ritual impurity prevents him from entering the mosque under all circumstances."

It is obvious that in most cities, the general mosques where congregations are held are roofed structures, and the water spring is customarily in the courtyard. The words of the jurists are based on prevailing customary matters, as it is very rare for a water spring to be inside the indoor section. Therefore, they issued these rulings regarding a person in a state of major ritual impurity entering the courtyard itself. So understand and ponder. It is possible to deduce this from many other aspects besides these, but after these definitive arguments which have been brought to the listeners' attention from the outset, there is no need for further elaboration.

Tenthly: O reader! After these radiant proofs, the fact that the courtyard is part of the mosque was an absolute self-evident truth, which fundamentally required no explicit text from the books. Rather, the one who does not accept it as a mosque is the one in need of an explicit and definitive text, which they can never produce. Nonetheless, the humble writer has provided these four deductions from the words of the Imams as a bonus, because this self-evident issue, due to its extreme clarity and fame, was of the sort where a servant of jurisprudence would

not expect to find an explicit specific ruling in the books of the Imams, as the noble jurists seldom focus on such obvious and well-known matters. For example, if someone wished to extract an explicit text from the books stating that the winter section of a mosque—which the people of Surat call the *Jama'at Khanah*—has three doors, and that the door on the left side is also part of the mosque, making it prohibited for a person in a state of major ritual impurity to enter it, they would probably never find such a specific text.

However, praise be to Allah Almighty, as the humble writer finished writing up to this point, a specific text on the issue from the words of the scholars came to mind, in which the leaders of the religion have given clear declarations that both the summer and winter sections of a mosque—meaning the courtyard and the roofed structure—are definitively the mosque. Now listen: 1. Imam Tahir bin Abdul Rashid Bukhari in *Fatawa al-Khulasah*, 2. Imam Fakhr al-Din Abu Muhammad Uthman bin Ali Zayla'i in *Tabyin al-Haqaiq Sharh Kanz al-Daqaiq*, 3. Imam Husain bin Muhammad Sam'ani in *Khazanat al-Muftiyeen*, 4. the absolute investigative scholar Kamal al-Din Muhammad bin Humam in *Fath al-Qadir*, 5. Al-Allamah Abdur Rahman bin Muhammad Rumi in *Majma' al-Anhur Sharh Multaqal-Abhur*, 6. Al-Allamah Sayyidi Ahmad al-Misri in the gloss on *Maraqi al-Falah Sharh Nur al-Idah*, and 7. the seal of the investigative scholars Sayyidi Muhammad Amin bin Abidin Shami in *Radd al-Muhtar* state:

"A man arrived at the mosque while the Imam and the people were performing the Dawn [Fajr] prayer. If he hopes to catch one unit [rak'ah] of the congregation, he should perform the two Sunnah units near the entrance of the mosque. If that is not possible, he should perform them in the winter mosque if the Imam is in the summer mosque, and if the Imam is in the winter mosque, he should perform them in the summer mosque. If the mosque is a single open space, he should stand in a corner of the mosque and not pray them adjacent to the row, as this opposes the congregation. If he does that, it is severely disliked [makruh]."

It is stated in *Radd al-Muhtar*:

"His saying 'near the entrance of the mosque' means outside the mosque, as explicitly stated by al-Quhistani."

I say: The wording of *Al-Hidayah* and *Al-Hindiyyah* has clarified that he should pray the two Sunnah units of Fajr near the entrance of the mosque and then enter the mosque.

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Imam Abu al-Barakat Hafiz al-Din Nasafi states in the commentary *Al-Kafi*:

"The most virtuous place for the Sunnah prayers is the home. If the Imam is leading the prayer in the mosque, then the entrance of the mosque is the better place. If the Imam is leading the congregation inside the mosque, then the outer mosque is better, and similarly, if the Imam is in the outer mosque, then the inner mosque is better for the Sunnah prayers."

The investigative scholar Al-Allamah Zayn bin Nujaym al-Misri in *Al-Bahr al-Raiq*, and subsequently Al-Allamah Sayyidi Ahmad Tahtawi in the gloss on *Durr al-Mukhtar* state:

"The Sunnah regarding the Sunnah prayers is that one should perform them in his house or near the entrance of the mosque, and if that is not possible for him, then in the outer mosque, etc."

It is stated in *Al-Munyah* and its commentary *Saghir al-Munyah* by Al-Allamah Ibrahim al-Halabi:

"The emphasised Sunnah regarding the Sunnah units of Dawn [Fajr] is that one should not perform them adjacent to the row, nor directly behind the row without a barrier, and that he should perform them either in his house—which is the most virtuous method—or near the entrance of the mosque if possible, meaning if there is a suitable place for prayer there. And if that is not possible for him, then in the outer mosque if the people are praying inside the inner mosque, and vice versa if there are two mosques there, a summer one and a winter one."

The investigative scholar Al-Allamah Muhammad bin Amir al-Hajj al-Halabi states in *Al-Hilyah* directly beneath this statement of *Al-Munyah*:

"The outer mosque means the courtyard of the mosque."

Observe that the first seven books designated both the summer and winter sections as the mosque, and from the eighth to the eleventh, four books expressed them as the inner mosque and the outer mosque. The author of *Al-Saghiri* clarified that the objective of these various expressions is one and the same, and it was explicitly stated in *Al-Hilyah* that the outer mosque is the name of the courtyard of the mosque. Thus, it has become clearly evident that the courtyard of the mosque is definitively the mosque, which the scholars sometimes express as the summer mosque and sometimes as the outer mosque. All praise be to Allah for the clarity of the truth. After these explicit texts, there was no need for those lengthy deductions,

but what can be done since the humble writer had already mentioned them previously? Nonetheless, retaining them contains a benefit for the seekers of knowledge and servants of jurisprudence, so that they may see the method of deducing rulings from the statements of the scholars. And with Allah lies all success.

Now that it has become clear and manifest, like the sun at midday, that the courtyard of the mosque is indisputably a part of the mosque, all the rulings of a mosque are established for it automatically. The establishment of these rulings upon the courtyard is by no means dependent upon prayers being performed there, regardless of any condition. This is because according to the most correct opinion in the school of thought, a mosque becomes a mosque solely by the founder saying, "I have made this land a mosque." According to another validated opinion within *Zahir al-Riwayah*, it becomes a mosque through a congregation of two people with the adhan and iqamah—in fact, even through the adhan, iqamah, and prayer in congregation by a single person other than the founder. According to another opinion in *Zahir al-Riwayah*, it becomes a mosque simply by a single person other than the founder performing prayer individually. Once established, it becomes a mosque in all its constituent parts, so there is no consensus-based requirement for prayer to be performed separately in each and every section. Under the first school of thought, it is self-evident that the condition of prayer is not required at all, and the statement alone suffices. Under the second, it is also clear that the individual prayer of a single person, or at most a congregation of two people, cannot span every single portion of the mosque, as is obvious. Thus, the objective has become clear, and all praise is due to Allah, the Sublime, the Loving.

It is stated in Tanwir al-Absar, Durr al-Mukhtar, and Radd al-Muhtar:

"The ownership of the founder ceases over the mosque upon his saying, 'I have made it a mosque,' according to the second Imam [Abu Yusuf]."

[In Al-Durr al-Muntaqa, it is mentioned that in Tanwir, Al-Durar, Al-Wiqayah, and other works, the opinion of Abu Yusuf was presented first, and you know its preponderance in matters of endowment (waqf) and judicial decrees.]

"And Imam Muhammad and the Imam [Abu Hanifah] conditioned it upon prayer being performed therein in congregation."

An Excellent Guidance on the Fact that the Courtyard of a Mosque is Indeed part of the Mosque (1307 AH)

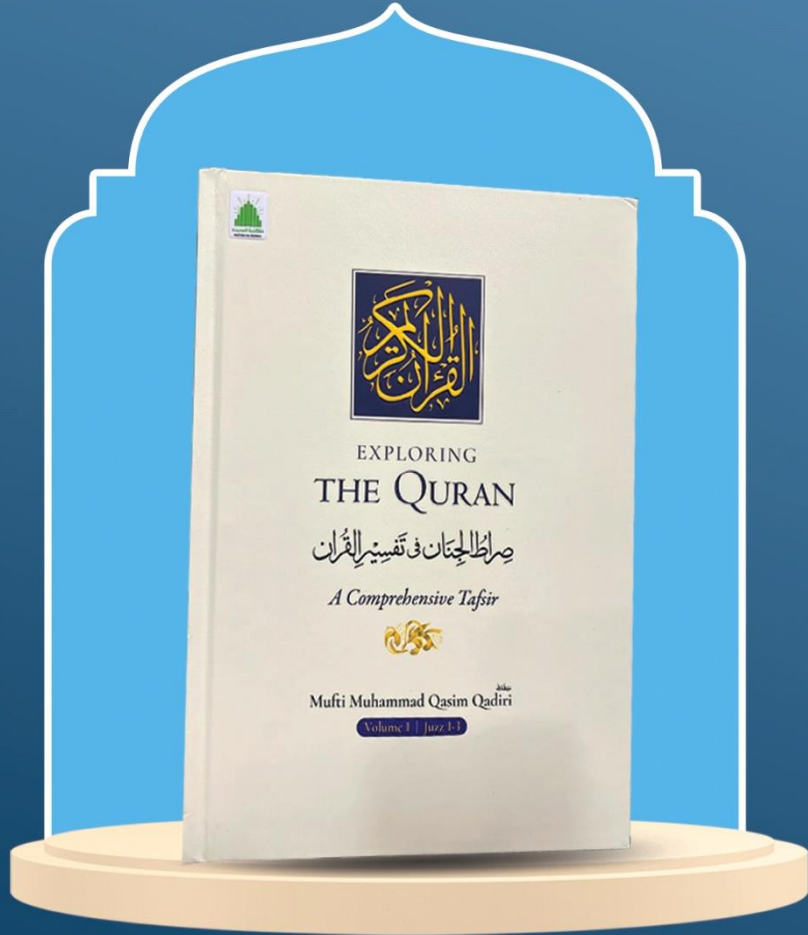
[The conditioning of a congregation is because it is the very purpose of a mosque, and for this reason, it is conditioned that it be done loudly with the adhan and iqamah, otherwise it will not become a mosque. Imam Zayla'i says that this narration is the correct one. It is stated in Al-Fath: If the Imam and the Muezzin were the same person and he prayed therein alone, it would become a mosque by consensus, because performing it in this manner is like a congregation. However, if the founder prayed alone, the correct view is that it does not suffice.]

"And it is said: One person performing prayer is sufficient, and the author of Al-Khaniyyah deemed it to be the Zahir al-Riwayah."

[The core texts (mutun) such as Al-Kanz, Al-Multaqal, and others are based upon this. You have already known the validation of the first opinion, and the author of Al-Khaniyyah validated it as well, and the author of Kafi al-Hakim restricted his view to it; hence, this is also Zahir al-Riwayah.]

In brief. And Allah, Glorified and Exalted is He, knows best, and His knowledge, Majestic is His Glory, is most complete and most decisive.

اَلْحَمْدُ لِلّٰهِ رَبِّ الْعٰلَمِيْنَ وَالصَّلٰوةُ وَالسَّلَامُ عَلٰى سَيِّدِ الْمُرْسَلِيْنَ اَقَابَعُدْ فَاَعُوْذُ بِاللّٰهِ مِنَ الشَّيْطٰنِ الرَّجِيْمِ بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِيْمِ



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