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# سفينة النجاة

في الفقه الشافعي

## فصل: شروط أجزاء الحجر في الاستنجاء

### Chapter: Conditions of the permissibility of using stones.

This chapter is talking about الإستِجْمَار (using stones to clean yourself).

A person must know how to clean themselves properly.

A group of people came to Salman Al-Farisi and mockingly said your Prophet taught you everything even how to clean yourselves when you go to the bathroom! He said: "Yes, He (s) taught us to use three rocks and not to face the Qibla. There was no bird in the sky except the Prophet (s) would give us some knowledge about it."

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ وَلَا طَائِرٍ يَطِيرُ بِجَنَاحَيْهِ إِلَّا أُمَمٌ أَمْثَالُكُمْ مَّا فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ تُمْ إِلَى رَبِّهِمْ يُحْشَرُونَ - 6:38

*And there is no creature on [or within] the earth or bird that flies with its wings except [that they are] communities like you. We have not neglected in the Register a thing. Then unto their Lord they will be gathered.*

حديث: عَنْ ابْنِ عَبَّاسٍ، قَالَ مَرَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى قَبْرَيْنِ فَقَالَ " أَمَا إِنَّهُمَا لِيُعَذَّبَانِ وَمَا يُعَذَّبَانِ فِي كَبِيرٍ أَمَا أَحَدُهُمَا فَكَانَ يَمْشِي بِالنَّمِيمَةِ وَأَمَّا الْآخَرُ فَكَانَ لَا يَسْتَتِرُ مِنْ بَوْلِهِ " . قَالَ فَدَعَا بِعَسِيبٍ رَطْبٍ فَشَقَّهُ بِأَنْثَيْنِ ثُمَّ عَرَسَ عَلَى هَذَا وَاجِدًا وَعَلَى هَذَا وَاجِدًا ثُمَّ قَالَ " لَعَلَّهُ أَنْ يُخَفَّفَ عَنْهُمَا مَا لَمْ يَبْسُ " .

*Ibn Abbas reported: The Messenger of Allah (ﷺ) happened to pass by two graves and said: They (their occupants) are*

*being tormented, but they are not tormented for a grievous sin. One of them carried tales and the other did not keep himself safe from being defiled by urine. He then called for a fresh twig and split it into two parts, and planted them on each grave and then said: Perhaps, their punishment way be mitigated as long as these twigs remain fresh.*

It is important because if a person does not clean themselves properly they will always be in a state of impurity and they will be in a state impurity when they pray.

Two things you can use to clean yourself:

1. Water
2. Stones (and what is similar to it).

It is best to use both.

لَا تَقُمْ فِيهِ أَبَدًا ۚ لِمَسْجِدٍ أُسِّسَ عَلَى التَّقْوَىٰ مِنْ أَوَّلِ يَوْمٍ أَحَقُّ أَنْ تَقُومَ فِيهِ ۚ فِيهِ رِجَالٌ يُحِبُّونَ أَنْ يَتَطَهَّرُوا ۚ وَاللَّهُ يُحِبُّ الْمُطَهَّرِينَ - 9:108

*Do not stand [for prayer] within it - ever. A mosque founded on righteousness from the first day is more worthy for you to stand in. Within it are men who love to purify themselves; and Allah loves those who purify themselves.*

Some scholars say these men would use rocks and follow it up with water.

Then it is best to use just water alone.

Then just to use stones or tissues alone.

## *Conditions for using stones/tissues:*

1. It must be 3 rocks/tissues.

It must be 3 pieces of rock/tissue or 3 sides of one.

If a person only uses 1 and it cleans him then does he have to add 2 more? Yes.

If a person uses 3 but it is not sufficient to clean him then does he have to add more? Yes until he is clean and it is best to use an odd amount.

2. It must clean the area.

The place means the inside of the cheeks of the backside (which means the part which cannot be seen when standing) and the head of the man's private part. As for woman it is the outside of the front private part.

3. The impurity must not have become dry.

If it becomes dry then tissue/rock will not clean it properly so water must be used.

4. The impurity does not move from its place.

For example if the impurity goes on a persons leg then he must not use water because it has left the original place.

5. Another impurity must not mix with it.

For example if water mixes with the impurity then it must all be washed.

إستجمار does not completely remove an impurity which is why it is best to use water, but that small amount is forgiven.

6. The impurity cannot go past the inside of the cheeks of the backside or past the mans front private part.

If this is the case then water must be used.

7. Water must not touch the impurity.

If it does then water must be used because water touching it causes it to spread.

8. It must be pure.

Ibn Abbas (r) brought 2 rocks and a piece of dung to the Prophet (s) and he did not use the dung as it is impure.

A person cannot use a wet tissue or wet wipe alone but it must be followed up with water. If they don't have water the tissue must be dry.

Scholars also mention you cannot use anything that is مُحْتَرَم (Respected) like paper for knowledge or bones which Jinns eat or dung.

حديث: عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ - صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ - نَهَى  
"أَنْ يُسْتَنْجَى بِعَظْمٍ أَوْ رَوْثٍ" وَقَالَ: "إِنَّهُمَا لَا يُطَهَّرَانِ {الدارقطني}

Narrated Abu Huraira (rad): Allah's Messenger (ﷺ) forbade us to use a bone or dung for cleaning and said, "These two things do not purify".

## فصل: في فرائض الوضوء

### Chapter: Obligatory acts of Wudhu

You must not leave any one of these acts otherwise your Wudhu is incorrect.

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ  
وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا وَإِنْ كُنْتُمْ مَرْضَىٰ أَوْ  
عَلَىٰ سَفَرٍ أَوْ جَاءَ أَحَدٌ مِّنْكُمْ مِنَ الْغَائِطِ أَوْ لَامَسْتُمُ النِّسَاءَ فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا  
طَيِّبًا فَامْسَحُوا بِوُجُوهِكُمْ وَأَيْدِيكُمْ مِنْهُ مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ وَلَكِنْ يُرِيدُ  
لِيُطَهِّرَكُمْ وَلِيُنِيمَ نِعْمَتَهُ عَلَيْكُمْ لَعَلَّكُمْ تَشْكُرُونَ - 5:6

*O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles. And if you are in a state of janabah, then purify yourselves. But if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and do not find water, then seek clean earth and wipe over your faces and hands with it. Allah does not intend to make difficulty for you, but He intends to purify you and complete His favor upon you that you may be grateful.*

This verse mentions the obligatory acts of Wudhu.

This verse should be memorised.

The obligatory acts of Wudhu are:

1. Intention
2. Wash the face

The face is the original hairline of a person till the chin and from one earlobe to the other.

According to the Shafiee Madhab the mouth and nose is not part of the face. This is the strong opinion.

The Hanbali opinion is that it is part of the face and obligatory to rinse the mouth and nose. This is safest.

Washing means for you to have water which you move over your face. As opposed to wiping مسح which is when you just wipe your face with wet hands. This does not suffice.

A person with a beard:

- If the beard is thin and the skin can be seen through it then it is obligatory for water to reach the skin.
- If the beard is thick and the skin cannot be seen through it then you just wash over the beard.

The ears are a part of the head so it must also be washed, the front of it and the back.

حديث: عَنْ أَبِي أُمَامَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " الْأُذُنَانِ مِنَ الرَّأْسِ " .  
وَكَانَ يَمْسَحُ رَأْسَهُ مَرَّةً وَكَانَ يَمْسَحُ الْمَافِقِينَ .

*It was narrated from Abu Umamah that: The Messenger of Allah said: "The ears are part of the head." He used to wipe his head once, and he used to wipe over the inner corners of the eyes (that are close to the nose).*

### 3. Wash hands including the elbows.

The hand is from the fingertips, not from the wrist until the elbows.

Washing the hands till the wrist in the beginning was a sunnah and does not suffice leaving washing the arms with the hands.

### 4. Wiping part of the head.

The Shafiee opinion is to wash just a part of the head even 3 strands of hair.

However the other opinion which is stronger is that the whole head must be wiped.

### 5. Wash the feet including the ankles.

### 6. The order

Everything that is not mentioned here is Sunnah like saying Basmalah, washing thrice, starting from the right etc.



The evidence for the order is that it is the order Allah mentioned it in the Quran and the Prophet (s) always did it in order.

## 7. Continuity

This is not from the Shafiee Madhab but it is also a condition to do the acts of Wudhu with continuity.

## فصل: في النية والترتيب

## Chapter: The intention and order.

النية: قصد الشيء مقترنا بفعله

Intention: Intending something connected to an action.

In the Shafiee madhab it is Sunnah to say the intention verbally.

This is weak and others say it is an innovation so it must not be done.

The intention should be done at the beginning of the Wudhu so when washing the face.

## فصل: في أحكام الماء

## Chapter: Rulings of Water

Water is 2 types: A large amount and a small amount.

A large amount of water is water that is قُلَّتَيْنِ or above which is around 161 litres.

A small amount of water is water that is less than قُلَّتَيْنِ.

A قُلَّةٌ is a jug used by a tribe called أحساء or the people of Hajr.

When the Prophet (s) went on المِعْرَاجِ (Ascension to the heavens) he went to the tree called سِدْرَةُ الْمُنْتَهَى, he (s) said it had colours which he could not describe and leaves which were like the ears of elephants and its fruits were like the قِلَالِ الْحَجْرِ the jugs of the people of Hajr.

The plural of قُلَّةٌ is قِلَالٌ.

حديث: إِذَا بَلَغَ الْمَاءُ قُلَّتَيْنِ لَمْ يُنَجِّسْهُ شَيْءٌ

*The Messenger of Allah said: "If the water reaches the amount of two Qullah, nothing can make it impure (Najis)."* {Ibn Majah}

The water above قُلَّتَيْنِ can become impure if it changes colour, smell or taste by an impurity falling into it.

The water less than قُلَّتَيْنِ becomes impure by an impurity falling into it even if it does not change colour, taste or smell.