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# سفينة النجاة

في الفقه الشافعي

## فصل: في الحيض والنفاس

### Chapter: Menstruation and Post-Natal Bleeding

The minimum time-period for menstruation is one day and one night of continuous bleeding.

Imam Shafiee mentions this from **إِسْتِقْرَاء** (Istiqrāa) induction.

So if a woman bleeds for a few hours anything less than 24 hours then it is not considered menstruation but **إِسْتِحَاذَة** (Istihādha) the bleeding from a vein and not the womb.

**الإِسْتِقْرَاء** is when you look through all the possible situations and find that it is always in a certain way.

For example in the Arabic language there are 3 types of words: nouns verbs and particles, there has never been another type of word.

The majority time-period of a menstruation is 6 to 7 days.

The maximum time-period of menstruation is 15 days and nights.

If blood continues after this it is considered to be **إِسْتِحَاذَة** (Istihādha).

This is because we cannot assume that a woman cannot pray for the majority of a month.

The first age a woman can start her menstruation is 9 lunar years approximately, before this age it is not considered menstruation.

The minimum time a woman can be pure between two periods is 15 days.

Scenario: A woman begins and finishes her period, 10 days later she bleeds again. This is not considered menstruation because she must be pure for a minimum of 15 days.

Usually in majority of cases the purity period is 24 days or 23 days.

There is no limit to its maximum. So a woman can be pure for months with no menstruation.

You do not have to do Ghusl after *إِسْتِحَاذَةَ* (Istihādha), only after the menstruation when it ends.

وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: { كُنَّا لَا نَعُدُّ الْكُدْرَةَ وَالصُّفْرَةَ بَعْدَ الطُّهُرِ شَيْئًا }  
رَوَاهُ الْبُخَارِيُّ، وَأَبُو دَاوُدَ وَاللَّفْظُ لَهُ

*Narrated Umm `Atiyah (RAA): After we were pure, we did not consider the yellow or muddy discharge to be anything (i.e. of the menses blood) [Reported by Al-Bukhari and Abu Dawud and the wording is of Abu Dawud].*

*النَّفَّاس* (Nifās) is post-natal bleeding. This is when a woman bleeds for a period of time after giving birth.

After she gives birth even if there is some blood for one moment and it stops straight after this is still considered النِّفَاس (Nifās) post-natal bleeding.

The majority of the time post-natal bleeding is 40 days.

The maximum time-period post-natal bleeding can be is 60 days.

Benefit: The Prophet (s) would say أَحْسَنْتُ to people. Bukhari mentions the Prophet (s) would say this. The Prophet (s) would also say مَرْحَبًا.

## فصل: في أذكار الصلاة

### Chapter: Excuses for Salah

Salah linguistically means Dua.

Salah in the Shariah means the specific act of worship that starts with تَكْبِير (Takbīr) and ends with تَسْلِيم (Taslim).

There are two reasons a person can be excused for missing the Salah at its prescribed time.

#### 1. Sleep

عَنْ عَائِشَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " رُفِعَ الْقَلَمُ عَنْ ثَلَاثٍ عَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ وَعَنِ الصَّغِيرِ حَتَّى يَكْبُرَ وَعَنِ الْمَجْنُونِ حَتَّى يَعْقِلَ أَوْ يَفِيقَ " .

*It was narrated from 'Aishah that the Prophet said: "The pen has been lifted from three: From the sleeper until he wakes up, from the minor until he grows up, and from the insane until he comes back to his senses or recovers."*

There is no negligence due to being asleep.

## 2. Forgetfulness

عَنْ أَبِي ذَرِّ الْعَفَّارِيِّ، قَالَ قَالَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - " إِنَّ اللَّهَ تَجَاوَزَ عَنْ أُمَّتِي الْخَطَأَ وَالنَّسْيَانَ وَمَا اسْتُكْرِهُوا عَلَيْهِ " .

*It was narrated from Abu Dharr Al-Ghifari that the Messenger of Allah (ﷺ) said: Allah has forgiven for me my nation their mistakes and forgetfulness, and what they are forced to do."*

They are excused for missing it by accident but they must make it up.

If a person sleeps knowing he will most likely miss Salah then this is not excused and he is sinful.

If a person does something which makes him forget his Salah like gambling then it is not an excuse for him.

## فصل: في شروط الصلاة

### Chapter: Conditions of Salah

*There are 8 conditions of Salah:*

1. Purity from the two types of ritual impurity.

This means you must be pure and free from حَدَّثَ أَصْغَرَ minor ritual impurity and حَدَّثَ أَكْبَرَ major ritual impurity.

## 2. Purity from physical impurities on your body, your clothes and your place.

عَنْ ابْنِ عَبَّاسٍ، قَالَ مَرَّ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقَبْرَيْنِ فَقَالَ " إِنَّهُمَا لِيُعَذَّبَانِ، وَمَا يُعَذَّبَانِ فِي كَبِيرٍ أَمَّا أَحَدُهُمَا فَكَانَ لَا يَسْتَتِرُ مِنَ الْبَوْلِ، وَأَمَّا الْآخَرُ فَكَانَ يَمْشِي بِالنَّمِيمَةِ ".  
ثُمَّ أَخَذَ جَرِيدَةً رَطْبَةً، فَسَقَفَهَا نِصْفَيْنِ، فَعَرَزَ فِي كُلِّ قَبْرٍ وَاحِدَةً. قَالُوا يَا رَسُولَ اللَّهِ، لِمَ فَعَلْتَ هَذَا قَالَ " لَعَلَّهُ يُخَفَّفُ عَنْهُمَا مَا لَمْ يَبْسَسَا ". قَالَ ابْنُ الْمُثَنَّى وَحَدَّثَنَا وَكَيْعٌ قَالَ حَدَّثَنَا الْأَعْمَشُ قَالَ سَمِعْتُ مُجَاهِدًا مِثْلَهُ " يَسْتَتِرُ مِنْ بَوْلِهِ .

*Narrated Ibn `Abbas: The Prophet (ﷺ) once passed by two graves and said, "These two persons are being tortured not for a major sin (to avoid). One of them never saved himself from being soiled with his urine, while the other used to go about with calumnies (to make enmity between friends)." The Prophet (ﷺ) then took a green leaf of a date-palm tree, split it into (pieces) and fixed one on each grave. They said, "O Allah's Apostle! Why have you done so?" He replied, "I hope that their punishment might be lessened till these (the pieces of the leaf) become dry."*

It is important because it is a condition of Salah and the Salah is the most important act of worship.

The place you pray that must be pure is from your feet to the place you do Sajdah.

It is what is on the surface that must be pure not what is underneath so if you pray on a prayer mat and there is impurity underneath it, it does not affect the prayer.

Bleeding does not break your Wudhu, it must be washed off.

### 3. Covering the عَوْرَةَ ('Awra) private parts.

It is for the man and woman to cover their private parts.

The man must cover between his navel and his knee not including the knee or the navel. This is the opinion of the majority of scholars.

The Hanabilah say that the عَاتِق (Ātiq) shoulder blades must also be covered in the Salah.

عَنْ أَبِي هُرَيْرَةَ، قَالَ قَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ " لَا يُصَلِّي أَحَدُكُمْ فِي التَّوْبِ الْوَاحِدِ، لَيْسَ عَلَى عَاتِقَيْهِ شَيْءٌ " .

*Narrated Abu Huraira: The Prophet (ﷺ) said, "None of you should offer prayer in a single garment that does not cover the shoulders." {Al-Bukhari}*

The woman must cover everything in Salah except her hands and her face. Her feet must be covered.

Abu Hanifah, Ibn Taymiyyah and Ibn Uthaymīn's opinion is that the feet can be uncovered if a woman is praying at home.

A woman should uncover her face when praying at home and covering the face is disliked.

What needs to be used to cover is that which prevents someone from seeing the skin so it cannot be seen through.

It should not be something which is tight.

It is not that it does not show the size of a person meaning the outline is overlooked and forgiven however the figure must be covered.

#### 4. Facing the Qiblah

A person must face the Kabah if they are in front of it and if they are not then they face the direction of the Kabah.

This is anywhere in between 90 degrees either side of the Qiblah because of the Hadith:

وَعَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ : قَالَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - { مَا بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ قِبْلَةٌ } رَوَاهُ التِّرْمِذِيُّ , وَفَوَّاهُ الْبُخَارِيُّ

*Narrated Abu Hurairah (RA): Allah's Messenger (ﷺ) said: "The direction between the east and west is Qiblah." [Reported by at-Tirmidhi, and al-Bukhari considered it Qawi (strong)].*

It is the torso that must face the Qiblah throughout the Salah and if someone turns away from the Qiblah with their torso then their Salah is invalid.

There are many evidences like the Hadith of Abu Waqr As-Sidiq who turned his face back to see the Prophet (s) and his prayer was not invalidated.

However it is disliked to look around for no reason.

If a person turns their face away from the Qiblah then it is disliked but it does not nullify the Salah.

5. Entering of the Salah time.

فَإِذَا قَضَيْتُمُ الصَّلَاةَ فَادْكُرُوا اللَّهَ قِيَامًا وَقُعُودًا وَعَلَىٰ جُنُوبِكُمْ ۚ فَإِذَا اطْمَأْنَنْتُمْ فَأَقِيمُوا  
الصَّلَاةَ ۚ إِنَّ الصَّلَاةَ كَانَتْ عَلَى الْمُؤْمِنِينَ كِتَابًا مَّوْقُوتًا - 4:103

*And when you have completed the prayer, remember Allah standing, sitting, or [lying] on your sides. But when you become secure, re-establish [regular] prayer. Indeed, prayer has been decreed upon the believers a decree of specified times.*

6. You must know that that Salah is Fardh upon you.

7. Staying away from things that break the Salah.

## الأحداث Ritual Impurities

There is major and minor ritual impurity.

The minor ritual impurity obligates Wudhu.

The major ritual impurity obligates Ghusl.

# Covering العَوْرَات

There are 4 types:

1. The عَوْرَة of a man and of a slave girl in Salah is what is between the navel and the knee.

This is the Shafiee opinion. The stronger opinion of the ظاهرية is that it is her whole body just like a free girl.

2. The عَوْرَة of a free woman in Salah is her whole body except the face and two hands.

3. The عَوْرَة of a woman free or slave is her whole body.

The Shafiee opinion is that it is the whole body except face hands.

It is better to cover everything.

4. The عَوْرَة of a woman amongst other woman and her Mahārim is what is between her navel and her knee.

The stronger opinion is that she can only show what is shown customarily