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سفينة النجاة

في الفقه الشافعي

فصل: في أركان الخطبتين

Chapter: Pillars of the Khutbahs

According to the Shafieeyyah and the majority the Khutbah has conditions.

The Khutbah is not like any other lecture. It is a worship so it must be done with sincerity and in accordance to the Sunnah.

The Hanabilah and the Shafieeyyah speak about the conditions for it to be correct because it is a worship.

If these pillars are not present the Khutbah is incorrect according to Shafieeyyah.

1. To praise Allah. They must say at least الحمد لله
AlhamduLilāh.
2. صلوات They must send Salawat on the Prophet (s).
3. You must advise people to have Taqwa in both Khutbahs. So they must say اتقوا الله.

Scholars say it is not enough to just remind the people of death and Qiyamah, you must command them to do good and refrain from evil and to have Taqwa of Allah.

4. Reciting a verse from the Quran in one of the Khutbahs.

There is a difference of opinion but how many Khutbah's do we hear that do not even contain one verse.

5. Dua for the believers at the end.

If you do not see a person fulfilling these conditions then it does not mean you leave and the Khutbah is incorrect because there is a difference of opinion.

Ibn Uthaymīn mentions that it is enough to just give a admonition.

All of these conditions would be fulfilled if the person did the *Khutbatul-Hājah*.

إن الحمد لله نحمده ونستعينه ونستغفره، ونعوذ بالله من شرور أنفسنا وسيئات أعمالنا، من يهده الله فلا مضل له ومن يضلل فلا هادي له، وأشهد أن لا إله الله وحده لا شريك له، وأشهد أن محمدا عبده ورسوله. (يا أيها الذين آمنوا اتقوا الله حق تقاته ولا تموتن إلا وأنتم مسلمون) [آل عمران: 102]. (يا أيها الناس اتقوا ربكم الذي خلقكم من نفس واحدة وخلق منها زوجها وبث منهما رجالا كثيرا ونساء واتقوا الله الذي تساءلون به والأرحام إن الله كان عليكم رقيبا) [النساء: 1]. (يا أيها الذين آمنوا اتقوا الله وقولوا قولا سديدا * يصلح لكم أعمالكم ويغفر لكم ذنوبكم ومن يطع الله ورسوله فقد فاز فوزا عظيماً) [الأحزاب: 70 و71].

أما بعد: فإن أصدق الحديث كتاب الله، وأحسن الهدي هدي محمد صلى الله عليه وسلم، وشر الأمور محدثاتها، وكل محدثة بدعة، وكل بدعة ضلالة، وكل ضلالة في النار.

If the Khutbah is in a language you do not understand, your Jumua is still correct.

Some scholars are mention that the Khutbah must be in Arabic like the Shafieeyyah. If a people are new to Islām and they have a Jumuah, the Shafieeyyah say it is allowed for them to do the Khutbah in their own language for the time it takes 40 of them to learn Arabic.

If they do not learn Arabic the Shafieeyyah say that they pray Dhuhr and not Jumuah. Learning Arabic is a فرض كفاية a communal obligation.

The strong view is that the pillars must be in Arabic.

فصل: في شروط الخطبتين

Chapter: Conditions of the Khutbahs

1. Pure from minor and major ritual impurity.
2. Pure from physical impurity.
3. The 'Awrah must be covered.
4. The speaker must be standing if he is able.
5. He must sit down between the two Khutbah's for more than the period of طمأنينة tranquility in Salah.

The Prophet (s) would sit the duration of reciting Surah Ikhhlās.

6. There must be continuity between the two Khutbah's. There cannot be a long gap between them.
7. There must be continuity between the Khutbah's and the Salah. There cannot be a long gap.
8. It must be in Arabic.

9. 40 people must hear the Khutbah.
10. It must all be at the time of Dhuhr.

فصل: فيما يلزم الميت

Chapter: Obligations on the deceased

These chapters are important because they are a فرض كفاية a communal obligation upon the community.

4 things are obligated to be done for a dead person.

1. Washing the body.
2. Shrouding the body.
3. Praying upon the body.
4. Burying the body.

مُؤَنَةُ التَّجْوِيزِ Scholars say all of these things must be paid for by the wealth of the dead person before it is split into inheritance.

فصل: في غسل الميت

Chapter: Washing the body

The minimum washing of a dead person is the same as a living person. The whole body must touch water.

The more complete version is:

1. To wash the private parts first.

2. Then the impurities from the nose are removed.
3. Wudhu is done on him.
4. His body is rubbed with with سدر (Sidr) lote tree leaves.

This is because it has a good smell and they say it preserves the body.

5. Then water is poured over him 3 times.

فصل: في تكفين الميت

Chapter: Shrouding the body

The minimum shroud is one cloth that covers the whole body.

The more complete for the man is 3 cloths.

1. إِزَار (Izār) For the lower part of the body.
2. For the upper part of the body.
3. One cloth for wrapping the entire body.

The Prophet (s) was buried in 3 white Yemeni cloths.

Malikiyyah believe it is Sunnah to put a turban but the Prophet (s) did not have this.

For the woman it is:

1. قَمِيص (Qamīs) A thobe that is from the top to the bottom.
2. خِمَار (Khimār) A cloth to cover her hair.
3. إِزَار (Izār) To cover the lower body.
4. لِفَافَتَان (Lifāfatān) Two cloths to cover her whole body.

فصل: أركان صلاة الجنازة

Chapter: Pillars of Janazah

1. Intention
2. 4 Takbīrāt
3. Standing for the one who is able.
4. Reciting Surah Fathihah.

This is done after the first Takbir.

5. Salawāt upon the Prophet (s).

This is done after the 2nd Takbir.

6. Dua for the dead.

This is after the 3rd Takbir.

اللَّهُمَّ اغْفِرْ لِحَيِّنَا وَمَيِّتِنَا وَشَاهِدِنَا، وَغَائِبِنَا، وَصَغِيرِنَا وَكَبِيرِنَا، وَذَكَرْنَا وَأُنْتَنَا. اللَّهُمَّ
 مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الْإِسْلَامِ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الْإِيمَانِ، اللَّهُمَّ لَا
 تَحْرِمْنَا أَجْرَهُ، وَلَا تُضِلَّنَا بَعْدَهُ

O Allah, forgive those of us who are living and those of us who are dead, those of us who are present and those of us who are absent, our young and our old, our male and our female.

O Allah, to whomsoever of us Thou givest life grant him life as a believer, and whomsoever of us Thou takest in death take him in death as a follower of Islam. O Allah, do not withhold from us the reward (of faith) and do not lead us astray after his death.

اللَّهُمَّ اغْفِرْ لَهُ, وَارْحَمْهُ وَعَافِهِ, وَاعْفُ عَنْهُ, وَأَكْرِمْ نُزُلَهُ, وَوَسِّعْ مُدْخَلَهُ, وَاعْسِلْهُ
بِالْمَاءِ وَالنَّوْجِ وَالْبَرَدِ, وَنَقِّهِ مِنَ الْخَطَايَا كَمَا نَقَّيْتَ 1 التَّوْبَ الْأَبْيَضَ مِنَ الدَّنَسِ, وَأَبْدِلْهُ دَارًا
خَيْرًا مِنْ دَارِهِ, وَأَهْلًا خَيْرًا مِنْ أَهْلِهِ, وَأَدْخِلْهُ الْجَنَّةَ, وَفِيهِ فِتْنَةُ الْقَبْرِ وَعَذَابُ النَّارِ

'O Allah! Forgive him and have mercy on him (on her). Grant him ease and respite. Make his resting place a noble one, and facilitate his entry. Wash him with the most pure and clean water, snow and hail. Purify him from sins as a white garment is cleansed of dirt. Give him in exchange a home better than his home (on earth) and a family better than his family. Grant him entrance to Paradise and protect him from the trials of the grave and the torture of Hell Fire.

If you do not know the Dua you can just seek forgiveness for them in Arabic.

7. The Salam

The Shafiee Madhab says it is two Salams.

The Hanbali Madhab says it is one Salām and this is stronger.

You can say a Dua for yourself after the 4th Takbīr.

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً, وَفِي الْآخِرَةِ حَسَنَةً, وَقِنَا عَذَابَ النَّارِ

O our Lord, grants us the best in this life and the best in the next life, and protects us from the punishment of the Fire.

There is no **دُعَاءُ الْإِسْتِفْتَاَح** opening Dua in Janazah Salah.

The Imām stands at the waist of a man and the head of a woman when praying the Salah.

فصل: في دفن الميت

Chapter: Burying the dead

The minimum burial is that he must be buried deep enough to cover his smell and to protect him from predatory animals.

The best is the height and width of a standing man so 6ft wide and 6ft deep.

According to the Shafieeyyah and the Hanabilah his cheek is rested on the floor on the right side.

He is faced towards the Qiblah.

The author did not mention the two types of graves.

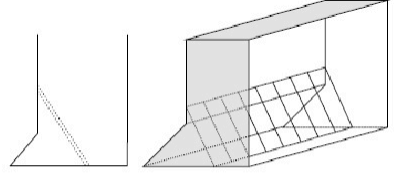
The two types are **اللَّحْد** (Al-Lahd) and **الشَّقِّق** (Al-Shiqq).

The Sunnah is **اللَّحْد** (Al-Lahd) when the bottom of the grave has an indent on the side and the body is placed in it.

The **الشَّقِّق** (Al-Shiqq) is when the grave has a hole in the middle and the body is placed into that.

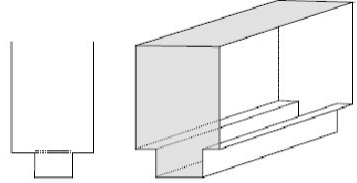
فصل: فيما ينبش له الميت

Chapter: When the dead is dug up



Section and View of LAHD Type Qabr

When is a grave uprooted or allowed to be dug up.



Section and View of SHIQ Type Kabr.

It is if a body that was not washed, you can dig it up and wash it then put it back.

This is Fardh to do. If it is decayed then you cannot do so.

Also if the body is not faced towards the Qiblah it can be dug up and faced towards it.

If there is money that is dug in the grave then those who have the right can take it because it is not allowed to be buried with the person and wasted.

قَالَ سَمِعْتُ أَنَسَ بْنَ مَالِكٍ، يَقُولُ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " يَتَّبِعُ الْمَيِّتَ ثَلَاثَةٌ أَهْلُهُ وَمَالُهُ وَعَمَلُهُ فَيَرْجِعُ اثْنَانِ أَهْلُهُ وَمَالُهُ وَيَبْقَى وَاحِدٌ عَمَلُهُ " .

It was narrated that 'Abdullah bin Abi Bakr said: "I heard Anas bin Malik say: The Messenger of Allah said: "The dead person is followed by three: His family, his wealth and his deeds. Then two of them come back: His family and his wealth, and there remain only his deeds.""

If a woman dies and she has a foetus in her stomach and it is possible that it is alive.

In these situations the grave can be dug up.

فصل: في حكم الاستعانات

Chapter: The rulings of seeking help

Certain actions require intention so they mention if you can ask help for things.

There are 4 rulings:

1. Permissible.
2. It is better not to.
3. Disliked.
4. Obligatory.

It is permissible to ask for water to be brought close to you.

It is better for you to put water on yourself rather than a person pouring it on you.

It is disliked for a person to do Wudhu for someone else.

The Wājib is when a person is not able to do Wudhu then they must seek help from someone.