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# سفينة النجاة

في الفقه الشافعي

## فصل: فيما تلزم فيه نية الإمامة

### Chapter: That which requires intention of being Imam

The Shafieeyah and Malikiyyah say you have to intend the action, the Salah being obligation or Sunnah, which Salah it is and whether you are an Imam or a follower.

So you must know you are an Imām if your leading people.

The Shafieeyah say there are 4 places an Imam must know he is an Imam.

1. Jumuah
2. A prayer that is being made up.
3. A prayer due to an oath.

For example a person says I make an oath to pray a Salah with my family.

4. The prayer that has been prayed early because of rain.

You can combine Dhuhr and Asr for example by praying it at Dhuhr time which is جمع التقديم combining earlier.

The Hanabilah and Hanafiyyah do not put these conditions of intending being an Imam.

## فصل: في شروط القدوة

# Chapter: The conditions of being a follower

This is when a person is praying in a congregation behind an Imām.

There are 11 conditions for it to be a congregational prayer.

If something invalidates the congregational prayer it invalidates the prayer so the Salah must be repeated.

1. To not know the invalidity of the Imam's prayer.

If you know for example he is in حَدَث minor ritual impurity your Salah is invalid.

2. You believe the Imam must make up the prayer.
3. The Imām must not be someone who is following.

This means when is not the Imām but you think he is.

Some scholars say a person who missed the last Rak'ah and someone comes and prays behind him this is not allowed according to Ar-Ramli and others.

4. The Imām cannot be someone who is illiterate.

This is someone who does not know how to recite the Fatihah unless everyone else does not know either.

This means he makes major mistakes in his Fatihah.

5. The followers cannot be in front of the Imām.

This is the majority opinion however there is an opinion in Shafiee's قديم old opinion that it is allowed.

6. You must have knowledge of the movements of the Imām

If you do not then there are two options. You can continue praying by yourself or someone else can become the Imam.

So for example if you cannot hear the microphone and the Imam goes into another position and then you hear it and you did not know then the Salah in congregation is invalid so you carry on by yourself.

7. It must be in the Masjid or if it is not in the Masjid then there cannot be a distance of 300 ذراع (Dhirā') arm-span between another person following the Imams movements.

If you are within the Masjid then the distance does not break the Salah no matter how far from the Imam you are.

If you are outside the Masjid and you are more than 300 ذراع (Dhirā') from a person who is following the Imām then it is invalid.

The 300 ذِرَاع (Dhirā') does not have a strong evidence for that number.

The stronger opinion is that there cannot be something which blocks you and the Imām or you and the people like a road, pathway or river etc in between.

8. To intend to be lead by an Imam.

This is the Shafiee and Maliki opinion.

9. The Salah of the Imam and the follower must be the same in the way it looks.

So a person cannot play the Salah of the eclipse behind someone praying Dhuhr Salah because it has 2 Ruku's in it.

For example praying Janazah Salah behind someone praying Maghrib. This is not allowed.

10. You must not go against the Imam in a Sunnah.

For example if you do not do a Sunnah that the Imam does then it does not go against following him.

However a Sunnah that is clear like سَجْدَةُ التَّلَاوَةِ Sajdah Tilawah if a person goes against it then this breaks the Salah.

11. To follow the Imam

مُسَابَقَةٌ (Musābaqah) is preceding the Imam in an action which breaks the Salah if does it intentionally.

مُؤَافَقَة (Muwāfaqah) which is to do an action at the same time as the Imam, this is disliked.

مُتَابَعَة (Mutaba'ah) is when you do the action after the Imam, this is Sunnah.

مُخَالَفَة (Mukhalafah) is doing the action a long time after the Imam has done it.

## فصل: في صور القدوة

### Chapter: Ways of following

Those who can lead:

1. A man can lead a man.
2. A man can lead a woman.
3. A hermaphrodite can be lead by a man.

In the past for the **الْخُنْثَى الْمَشْكِلِ** difficult hermaphrodite (cannot use signs to see which gender they are closer to) they would wait till they reached age of puberty and see if the private part grows or not and if it releases sperm or not.

4. A woman can be lead by a hermaphrodite.
5. A woman can lead a woman.

Those that cannot lead:

1. A man cannot be lead by a woman.

2. A man cannot be lead by a hermaphrodite.
3. A hermaphrodite cannot be lead by a woman.
4. A hermaphrodite leading a hermaphrodite.

A woman should not lead a boy even if he has not reached puberty.

## فصل: في شروط جمع التقديم

### Chapter: Conditions of combining early

Allah out of his mercy allowed for us to combine between prayers.

شَهْرُ رَمَضَانَ الَّذِي أُنزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ ۚ فَمَن شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ ۖ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ ۗ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَاكُم وَلَعَلَّكُمْ تَشْكُرُونَ -

2:185

*The month of Ramadhan [is that] in which was revealed the Qur'an, a guidance for the people and clear proofs of guidance and criterion. So whoever sights [the new moon of] the month, let him fast it; and whoever is ill or on a journey - then an equal number of other days. Allah intends for you ease and does not intend for you hardship and [wants] for you to complete the period and to glorify Allah for that [to] which He has guided you; and perhaps you will be grateful.*

The religion is easy and from its ease is being able to combine prayers in certain situations.

Reasons:

1. Travelling

2. Rain in congregation

This is rain that soaks a persons clothes or makes the earth wet. Hail also is included.

3. At a specific case of a person in which there is difficulty.

There are 2 types of combinations.

It is to pray two Salah's at the time of one of them.

You can combine Dhuhr and Asr or Maghrib and Isha.

You cannot combine for example Asr and Maghrib.

You cannot combine Fajr also.

Umar (r) said: Anyone who combines or shortens for no reason then they are sinning. It is a major sin.

There is **جَمْعُ تَقْدِيمٍ** (combining early) which is praying both Salah's at the time of the earlier Salah.

The second is **جَمْعُ تَأْخِيرٍ** (combining delayed) which is praying both at the time of the later Salah.

The conditions for جَمْعُ نَفْدِيمٍ (combining early) are 4:

1. You must start off with the first prayer.

For example Dhuhr before Asr and not the other way around.

2. You must intend to combine the Salah's.

All 4 Madhahib say you must have this.

Ibn Taymiyyah says you do not need this and this seems to be the strongest opinion.

3. You must pray both of them one after another.

This includes not doing Dhikr between them.

Ibn Taymiyyah says this is not a condition as well and this also seems to be stronger.

The other opinion is safer.

4. The reason you are combining must be present while you are combining.

## فصل: شروط جمع التأخير

### Chapter: Conditions of combining delayed

1. The intention to pray the earlier prayer later.
2. The reason for combining must be present while combining.

If at Dhuhr you delayed it and at Asr you stopped being a traveller then you can also combine them both.

## فصل: في شروط القصر

### Chapter: Conditions of shortening

There are 7 conditions:

1. The travelling must be a certain distance.

A travel is something that is مَرْحَلَتَيْن (Marhalatayn) which is 4 بُرْد (Burud) or سِتَّةَ عَشَرَ فَرَسَاخ (16 Farsakh) and it is approximately 80km from leaving the city.

Principle: Shortening the prayer is only for travelling as for combining it can be for other reasons.

Leaving the city means leaving the buildings of the city.

2. The travel must be for a permissible reason.

If someone travels to commit a sin then they cannot shorten.

القاعدة: الرخص لا تستباح بالمحرم

Principle: Concessions are not permitted for things which are prohibited.

If you intend to stay somewhere for more than 3 days you are not a traveller.

In *مُخْتَصَرِ البُوَيْطِي* (Mukhtasar Al-Buwayti) he mentions many evidences for this like Ibn Abbas mentioning this and he mentioned when the Prophet (s) expelled the non-muslims from the Arabian Peninsula he gave them 3 days because 4 days would mean they are still residents.

In the conquest of Makkah the Prophet (s) didn't allow those who had left it to stay there more than 3 days because it is not allowed for a person to return back to where they migrated from.

This is also Imam Ahmad's opinion.

Ibn Taymiyyah's opinion is that there is no limit, many scholars follow this.

If you do not know when you are leaving then you can shorten the whole time.

3. You must know that it is permissible to shorten.
4. You must know that you are going to shorten.

5. You can only shorten a prayer that is 4 Rak'ah's.
6. You must be a traveller during the whole Salah.

You can shorten and combine when you are travelling.

7. You cannot be following someone who is praying a full Salah.

So if a traveller prays behind a resident he must pray 4. This is by consensus.

This includes if you joined the Imam late and only prayed 2 Rak'ah's with him then you still have to make up the 2 that you missed even though you are a traveller.

According to the majority a person who is travelling cannot lead those who are residents however the correct opinion is that they can because Ibn Umar did so.

## فصل: في شروط الجمعة

### Chapter: Conditions of Jumuah

Jumuah is of the شَعَائِر (Sha'air) of Islam, the outward symbols of Islām.

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ وَذَرُوا الْبَيْعَ ۗ  
ذَلِكُمْ خَيْرٌ لَكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ - 62:9

*O you who have believed, when [the adhan] is called for the prayer on the day of Jumu'ah [Friday], then proceed to the*

*remembrance of Allah and leave trade. That is better for you, if you only knew.*

Jumuah must be done according to the Shariah.

Many people use it to get their political views across or as a demonstration. This is not allowed. It must be done according to the Sunnah.

Conditions:

1. The whole prayer including the Khutbah must be done in the time of Dhuhr.

The Hanabilah say you can do it from شُرُوق (Shurūq) rising of the sun.

2. It must be done within the city.

Travellers in a desert cannot do Jumuah.

Some allow this if there are at least 3 people but the majority say they cannot.

3. It must be prayed in congregation.
4. The congregation must be 40 people who are free, male and they must all have reached puberty and they must all be in their own land.

The levels of residency in Islam are 3:

1. مُسْتَوِطِينَ (Mustawtin) Someone who has family in this land, he is not a student or worker, it is his land.
2. الْمُقِيمِ (Muqīm) Someone who is living in a certain place for more than 4 days like a student abroad.
3. الْمُسَافِرِ A traveller is someone not in their land.

The 40 people praying Jumuah must all be of the first category.

5. There cannot be two Jumuah's in a city.

When the Prophet (s) would lead Jumuah there would only be one Jumuah in the entire city in Masjid Nabawi not Masjid Quba or elsewhere.

If there was another Jumuah it would be invalid.

In small villages they have a مَسْجِدٍ كَبِيرٍ (Masjid Kabīr) where the Jumuah happens for everyone.

This is a condition for places that it can be done. Today in majority of the world this is not possible.

What is not allowed is that when there is a Jumuah in a Masjid and people do it in a hall.

6. The Salah must have two Khutbah's preceding it.

This is the way the Prophet (s) did it.

The رَوَاتِبِ (Rawatib) of Jumuah is only 2 Rak'ah if you pray in the Masjid and 4 if you pray it at home.