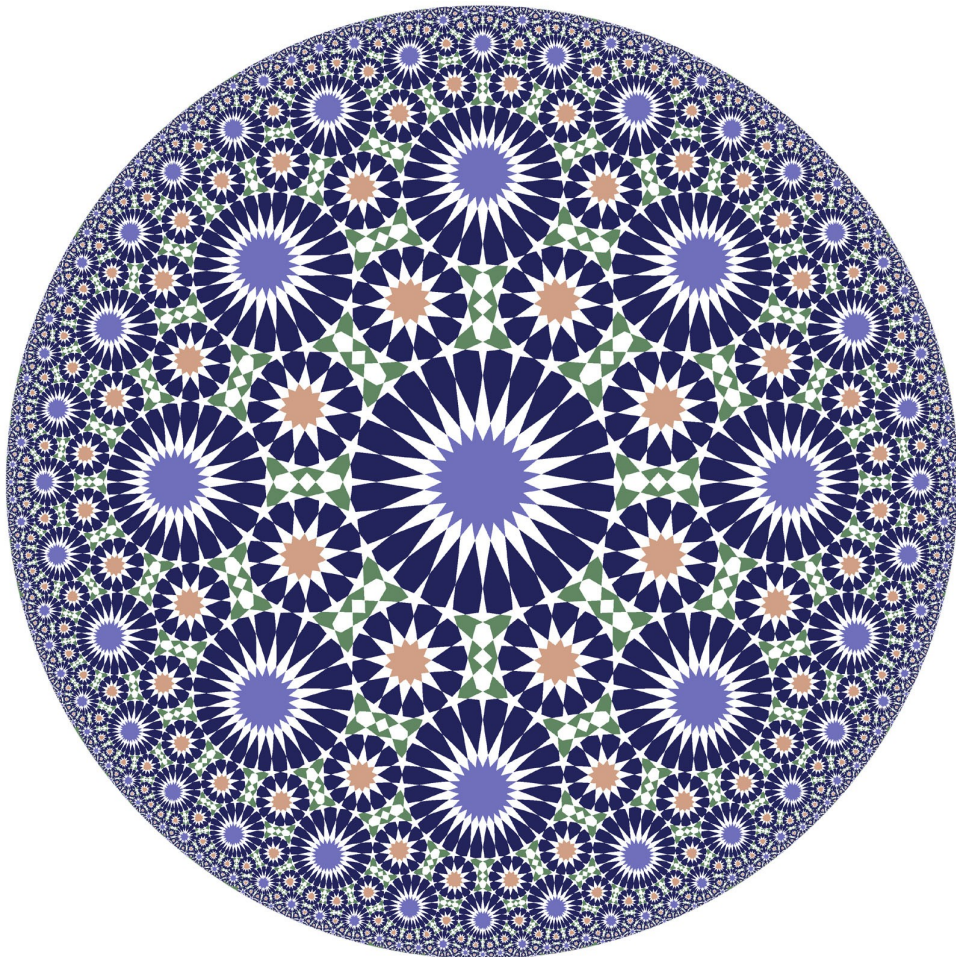


FIQH

The Basic Essentials



To be used in conjunction with the study of Al-Mukhtasar Al-Quduri

Part One: 5 Pillars of Islam

1. **Shahaadah**
2. **Salaah**
3. **Saum**
4. **Zakah**
5. **Hajj**

Part Two: Definitions of Terms

Fardh: An act which is obligatory and must be done.

Wajib: An act which is compulsory but next to Fardh.

Sunnah: Acts which Rasulullah Sallallaahu alaihi wa Sallam said, did or approved.

Nafl (Voluntary): Acts which if performed will be rewarded, but if left out there is no sin.

Haraam (Forbidden): Acts which should never be done.

Halaal (Permissible): Acts which are permissible to do.

Mustahab (Recommended): Acts which are accepted as good acts.

Makrooh (Undesirable): Acts which are improper and should be avoided.

Part Three: Taharah (Purification)

Impurities

In order to pray it is essential to be pure from all types of impurities. In Arabic the word impurities is known as Najaasah.

Najaasah is of two types:

1. Haqeeqi: Impurity which can be seen.
2. Hukmi: Impurity which cannot be seen.

(1) Najaasah Haqeeqi

Najaasah Haqeeqi is of two types:

- a) Ghaleezah: Gross or heavy impurity, e.g. urine, excretion, blood and anything else that comes out from the body of a human or haraam animal.
- b) Khafeefah: Light impurity, e.g. urine of halaal animals and droppings of haraam birds.

Excusable amounts of Najaasah Ghaleezah

If the impurity is thin and equal to or less than the size of a dirham (similar to a 50p coin) or the area of the inner palm of the hand, then such an amount whether on ones body or clothing is excusable and salaah can be performed with it.

If the impurity is thick, then it will only be excusable if it weighs around 4 grams or less.

Excusable amounts of Najaasah Khafeefah

If the impurity is less than a quarter of the section of the clothes or the part of the body it falls on, it will be excusable. For example if it drops on someone's sleeve and equals to less than a quarter of the whole sleeve, it will be excusable. If it drops on someone's arm and equals to less than a quarter of the full arm, it will be excusable. If the impurity is equal to a quarter or more, it will not be excusable.

Note:

- If excusable amounts of impurities fall in a small quantity of water, the water will become unusable for wudhu or ghusl.
- It is best to wash off even excusable amounts of impurities if possible.

(2) Najaasah Hukmi

Najaasah Hukmi is when one is known to be impure due to the condition they are in.

Najaasah Hukmi is also of two types:

- a) Hadath Asghar: Minor impurity i.e. when one is in a state where they need to perform wudhu in order to become pure. Only wudhu is required to purify oneself when in this state.
- b) Hadath Akbar: When one is in a major state of impurity, such as after intercourse, after having a wet dream, after a woman's bleeding stops etc. in this state one must perform ghusl in order to become pure.

Istinja – Removing impurities after relieving oneself

- After passing urine or stool it is important to clean oneself. This can be done by either wiping the filth with stones or toilet paper or washing it with water. This means that just using toilet paper on its own is sufficient. However, it is Sunnah to use both water and toilet paper.
- If the filth covers an area larger than the size of a dirham, it must be removed with water, wiping it will not be sufficient. If this is not done prayer will be invalid.
- It is haraam to uncover the private parts in the presence of others for istinja.
- It is makrooh to urinate in the following places:
 - Standing water,
 - Shade where people sit,
 - In a hole where an animal might live,
 - On the road,
 - Under a fruit tree.
- It is makrooh to urinate while standing, however it is permissible if a real excuse exists.
- After passing urine it is not permissible to perform wudhu until one is satisfied that there is no leakage of urine remaining.

The Removal of Impurities

- If semen falls on the body or clothing and dries up, it can be scraped off in order to purify that particular place. Washing it is not necessary. However, if the semen is wet or has become invisible after drying up, it must be washed.
- Solid objects such as mirrors and knives can be purified by wiping thoroughly.
- If there is an impurity on the ground, the ground will become pure once it dries up and becomes invisible. Prayer can be performed in that place, but not tayummum. The same rule applies with brick walls, trees and leaves. However, if a brick is on its own and not part of a wall or a leaf is on its own, then they must be washed.
- Impurities on body or clothing must be removed by washing. If the impurity is visible, then the affected area should be washed until the impurity is completely removed. There is no limit to the number of times it should be washed. However, if the impurity was removed in the first instance it will be preferable to wash it two more times, and if it was removed in the second instance then one more time.
- If the impurity is not visible, the affected area should be washed three times and wrung with full force after each washing.

Note: Despite washing several times if the smell of the impurity or a stain remains, the affected area will be considered pure.

- The skin of all animals apart from a pig, become pure once they are properly dried or chemically treated.

Permissible water for purification (Wudhu or Ghusl)

To attain purification (through wudhu or ghusl) one must use pure water such as:

- Rain water,
- Sea water,
- Spring water,
- Well water etc.

It is not permissible to use the following types of water:

- Juice extracted from trees and fruits e.g. water-melons, grapes etc,
- Water which loses its thinness or liquidity due to some pure substance falling in, such as sand, soap, saffron etc,
- Water which becomes equal in proportion to that with which it was mixed,
- Water which is so overwhelmed by other substances that it is no longer known as water, such as soup, vinegar, syrup, rose-water etc.

Note: If a pure substance after falling in changes the colour, smell and taste of the water slightly but does not affect the liquidity i.e. the water is still thin and flowing, it will be permissible to use for purification.

Definition of large and small quantities of water

Maa-ul-Qaleel (small quantity of water):

A pool which is less than ten square dhiraah (an arms length) in size, and the depth is such that if water is scooped out the bed becomes visible.

Maa-ul-Katheer (large quantity of water):

Flowing water or a pool which as at least ten square dhiraah in size, and the depth is such that when water is scooped out the bed does not become visible.

Note

- When Najaasah falls into a small quantity of water, the water becomes impure.
- When Najaasah falls into a large quantity of water the water will remain pure unless the Najaasah changes the waters smell, colour or taste.
- In a large quantity of water if the smell, colour or taste do not change but the Najaasah is visible e.g. a dead animal is floating on one side, one should avoid performing wudhu or ghusl on that side.

Left over food or water

Left overs of the following are pure:

- Humans,
- Horses,
- Halaal animals.

Left overs of the following are makrooh:

- Cats,
- Mice,
- Lizards,
- Haraam birds etc.

Left overs of the following are impure:

- Pigs,
- Dogs,
- Elephants,
- Other haraam animals.

Wudhu

Allah Ta'ala says in the Qur'aan:

“Oh Believers! When you prepare for Salaah, wash your faces, and your hands including the elbows; and make masah of (pass your wet hands upon) your heads, and wash your feet including the ankles.” (Suratul-Ma-idah – Aayah 6).

Hadeeth

Uthmaan (RA) says that the Prophet Sallallaahu Alaihi Wa Sallam said: *“whoever performs wudhu and performs it well i.e. according to the prescribed rules, all his sins leave him, even from under his finger nails.”* (Bukhari)

When a person has no wudhu he is in a state of Hadath Asghar.

He will not be able to perform the following:

- The performing of all types of Salaah.
- The touching of the holy Qur'an or any ayah (verse) of the holy Qur'an.
- The making of Sajdah-Tilawah.
- The tawaf of the Holy Ka'bah.

Faraidh of Wudhu

There are four Faraidh in Wudhu:

1. Washing the face from the forehead to the lower portion of the chin and from one ear lobe to the other once.
2. Washing of both the arms including the elbows once.
3. Doing masah of a quarter of the head once.
4. Washing of both feet including the ankles once.

Sunan of Wudhu

There are 13 Sunnats in Wudhu:

1. Niyyat (intention)
2. Reciting of Bismillah
3. Washing of the hands thrice up to the wrists
4. Brushing the teeth with a Miswak
5. Gargling three times
6. Passing water into the nostrils thrice
7. Khilal of the beard, i.e. to pass wet fingers into the beard
8. Khilal of the fingers and toes
9. Washing of each part three times
10. Masah of the whole head once
11. Masah of both the ears once
12. Wudhu done systematically
13. Washing of each part one after the other without pause, so that no part dries up before the wudhu is completed.

A Detailed Description of Wudhu (Ritual Ablution)

The Sunnah way to perform ritual ablution is to:

1. Make an intention in your heart, such as, “I intend to perform ritual ablution for the sake of Allah.” (It is not necessary to pronounce the intention, but if by pronouncing it helps to bring the intention to mind, then it is recommended.)
2. Wash the hands upto and including the wrists.
3. Invoke the name of Allah, such as saying *Bismi'Llah wa'lhamdu li'Llah* (In the name of Allah, and all praise belongs to Allah).
4. Rinse the entire mouth three times, with three handfuls of water.
5. Brush your teeth, with a tooth stick (*miswak*) or toothbrush. (Brushing one's teeth in ablution is an emphasized Sunnah. It is optimally done with a tooth-stick (*miswak*), though the basic Sunnah would also be fulfilled by a toothbrush. Brushing one's teeth is also recommended before the prayer; if the teeth are yellow; if one's breath changes; before meeting people; and reading the Qur'an or sacred knowledge. One should hold the tooth-stick in one's right hand. If one does not have access to a tooth-stick, one should use a coarse cloth or one's fingers.)
6. Rinse the nose three times with a handful of water each time. It is recommended to take water into the nostrils with the right hand and blow it out with the left hand.
7. Wash (for the condition of “washing to be fulfilled, it is necessary that water drip from the washed limb, even if only a drop or two. Ibn Abidin cautions, however, that this merely defines the minimum and that it is disliked to use very little water, such that it resembles wiping rather than washing) the entire face. The face is defined as being from of the top of the forehead to the bottom of the chin, and from earlobe to earlobe. This is the first of the four obligatory acts of the ritual ablution. It is Sunnah to wash the face three complete times.

After this, pass wetted fingers through the beard if long. It is recommended to start washing from the forehead. One should avoid slapping water onto the face, as this is improper.

8. Wash your arms completely, up to and including the elbows. This is the second of the four obligatory acts of ritual ablution. It is Sunnah to wash the arms three complete times. After this, it is Sunnah to pass the fingers through each other. It is recommended to start washing from the fingertips.
9. Wipe a quarter of the head once (it is disliked to wipe the head more than once with new water), above the ears. This is the third of the four obligatory acts of ritual ablution. It is Sunnah to wipe the entire head starting from the top of the forehead, and recommended to also wipe the back of the neck.\
10. Wipe the ears (without taking new water) It is recommended to wipe the outsides of the ears with the thumb, the insides with the index fingers and to insert the little fingers into the ear canal.
11. Wash the feet up to and including the ankles. This is the fourth and final obligatory action of the ritual ablution. It is Sunnah to wash three complete times, and to pass fingers through the toes. It is recommended to start washing from the tips of the toes, to rub with the left hand, and to pass the little finger through the toes starting with the little toe of the right foot and ending with the little toe of the left foot.
12. During the ritual ablution, it is Sunnah to observe the abovementioned order, to wash the limbs successively without undue delay, and to rub the limbs during the first washing. It is recommended to face the *Qiblah* throughout the ritual ablution, and to avoid splashing water onto oneself. It is improper to engage in worldly speech without need, to waste water, or to leave any of the Sunan without excuse. (When in a rush it is better to perform all the Sunan once rather than some of them three times).

(Taken from, *The Absolute Essentials of Fiqh*, by Faraz Fareed Rabbani, with minor amendments.)

Nawaqidh of Wudhu

There are 8 things which break Wudhu:

1. Passing of urine or stool.
2. Passing wind.
3. Vomitting a mouthful
4. To fall asleep lying down or by resting the body against something
5. Fainting
6. Becoming insane or going mad
7. Laughing aloud whilst in salaah
8. Flowing of blood, pus or water from any part of the body.

Faraidh of Ghusl

There are 3 Faraidh in Ghusl:

1. To gargle the entire mouth.
2. To put water in the nostrils till the bone.
3. To pass water over the entire body not leaving a single hair dry.

The Sunnah Acts of Ghusl

- Begin with the name of Allah.
- Intention.
- To wash the hands up to the wrists.
- To wash off all impurities.
- To wash the private parts even if there are no impurities on it.
- Thereafter to perform wudhu.
- Thereafter to let water flow over the whole body thrice.
- When pouring water over the body, start with the head, thereafter pour water over the right shoulder then over the left shoulder.
- To rub the body.

- Not to let the washed parts get dry while making ghusl.

Occasions When Ghusl Becomes Fardh

- When one is in the state of Janaabah (after a wet dream, sexual intercourse or any other form of ejaculation).
- When a woman is in a state of haiz (menstruation).
- When a woman is in a state of nifaas (post natal bleeding).

Tayammum

Tayammum means to purify the body from Najaasah Hukmi with sand when one is not able to use water or when water is not available.

Faraidh of Tayammum

There are 3 Faraidh in Tayammum:

1. Niyyat (intention)
2. Striking both hands on earth and rubbing them on the face.
3. Striking both hands on earth and rubbing both forearms including the elbows.

Method of Tayammum

- First, the Niyyah, “I am performing Tayammum to remove impurity and also to perform Salaah.”
- Strike both hands onto the soil and shake off any excess dust.
- Rub both hands over the face in a wiping motion so that no portion is left not wiped.
- Now strike the palms on the sand again and place three fingers of the left hand excluding the index finger and the thumb, now slowly draw the three fingers towards the elbow. (In doing so the outer part of the right hand from the fingertips to the elbows will be wiped).
- Then draw the inner part of the left palm passing it over the inner part of the right elbow drawing it to the fingertips.

N.B. While using the inner palm of the hand do not forget to use the index finger and the thumb in a clasping motion. Remember to wipe the right hand inner thumb with the left hand inner thumb.

Very important: If any area in extent of one hair is left unwiped the tayammum is invalid. Make khilafah of the areas between the fingers and thumbs.

Things that break Tayammum

- Things that break Wudhu also break Tayammum.
- Tayammum performed when water is not found breaks when water is found.
- Tayammum due to illness (disease) breaks when the illness (disease) is cured.

Things on which Tayammum is permitted

- Clean, Taahir (pure) sand.
- Taahir (pure) earth.
- Stone.
- Lime stone.
- Unglazed baked, earthen pots.
- Mud walls, stone or brick.
- Clay.
- All such things (items) on which there is thick dust.

Things on which Tayammum is not permitted

- Metal.
- Glass.
- Wood.
- Food (all types).
- Anything that burns to ash, melts or rots.

Dealing with Doubts & Misgivings

Severe Doubts & Misgivings

When in such a situation, find out what is the right thing to do, and simply do it. Do not think about the problem or worry about it. Rather, think and thank: think about the blessings of Allah upon you, and thank Him for them with your tongue and heart. This is a means of making the Devil leave you, and despair of making you despair.

First, exercise caution.

It is important to calmly find out what all the relevant rulings related to the question are. Ask as many specific questions as you have to, and do not make assumptions. Then, figure out what you were doing wrong, if anything, and what the consequences are.

Second, do not have baseless misgivings.

It is essential that one does not have baseless misgivings (*waswasa*). This usually occurs due to ignorance of the Sunnah, as operationalised by the *Fuqaha*, or through failure to act within the bounds of sound reason.

As such we should take the proper means, as described above, and not go beyond them.

Our legal responsibility (*taklif*) is within the limits of reason: Allah Most High has informed us, “Allah does not burden souls with more than they can bear.”

Once you have taken the reasonable means, the default assumption is that you are now free from error. Then, we return to the important *fiqh* principle: “Certainty is not vitiated by a doubt” (Ibn Nujaym, *al-Ashbah wa ’l-nazair*, and *Majallat al-ahkam al – adliyya*).

This means that if one is certain about something, such as the validity of one’s worship-this being the basic assumption for all human actions-then we continue to

assume it is valid until certain that it is not. Mere possibilities and even likelihoods do not change this.

The important *fiqh* principles related to this matter include:

1. Certainty is not lifted by doubt
2. Certainty is only lifted by certainty
3. The default assumption about a matter is akin to certainty
4. The default assumption about all matters is validity and soundness
5. Mere doubts and suppositions are of no legal consequence.

As such, until you are *certain* that any of your prayers were invalid, you do not have any prayers to make up. One should, however, take the steps described above in “exercising caution.”

Ibn Abidin points out that following one’s misgivings (*waswasa*), whether about the validity of one’s works or about “how hard” we imagine the legal prescriptions of the Shari’a to be is highly blameworthy: it is from the Devil, and Allah Most High has commanded us to refuse his enticing.

The Prophet (Allah bless him and give him peace) is a mercy. This religion is a mercy. It is a means to mercy, success, and felicity. When one does not find this, one must be doing something wrong. “Ask the people of remembrance if you know not.” Allah tells us in the Qur’an.

This is an important final point: when in doubt, one should not make up legal rulings. Rather, one should seek reliable knowledge, either from a reliable book one is able to understand or from people of sound traditional learning.

(Taken from, *The Absolute Essentials of Fiqh*, by Faraz Fared Rabbani, with minor amendments.)