



Fiqh of Menstruation

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Course outlines

What is menstruation?

What is Istihadah?

How long is your menstruation according to Quran, sunnah and four madhabs.

Cases relating to menstruation & Istihadah from Hadiths

What are the signs of it's ending

Prohibited acts during menstruation

Ghusl

Q&A

حيض - Hayd is the Arabic word for menstruation which means flowing. It is a state of impurity where blood flows out of the uterus.

Istihadah is irregular vaginal bleeding from a vein called 'Al'Adhil'.

We will inshaAllah look at the menstruation from the Sunnah and draw upon reports from the four madhabs and compare which is closest to the authentic reports.

Duration:

Hanafi – Minimum bleeding is three days & three nights anything less than that is irregular bleeding (Istihadah). Maximum days are ten days anything in excess to that is Istihadah.

Hanabli – The minimum time for mensuration is a day or night and if one was to menstruate part of the day or night it would not be classified as menstruation. The maximum duration of menstruation is fifteen days.

Malaki – The bleeding begins with a spurt and it's maximum period is fifteen days, however if a woman's average mensuration is five days then she needs to add three days as a precaution and cannot go beyond that. However if one's normal cycle is 13/14 days the person can add additional days to make it full fifteen and not go beyond the fifteen days.

Shafi – The minimum time for mensuration is a day or night. The maximum duration of menstruation is fifteen days. If one bleeds and it stops within the 24 hours then it is not considered menstruation. However if the bleeding commences for a duration of full 24 hours and then stops after having completed the 24 hours then it's menstruation. So the minimum time is full 24 hours and maximum is fifteen day.

The three cases of distinguishing between Istihadah and hayd are;

1 – Distinguishable based on a stable monthly menstrual cycle –

A woman who has a set stable menstruation can regard any bleeding outside of her normal duration as Istihadah.

“Remain away (from prayer) equal (to the length of time) that your menstrual period used to prevent you. After that (after the period of usual courses), bathe yourself and perform prayer”

(Abu Dawud & Nasa’i)

2 – Distinguishable based on the characteristics of the blood – A woman with irregular periods can distinguish between her menstruation in Istihadah via the characteristics of the blood.

Menstrual blood is;

- **Malodorous**
- **Thick**
- **Dark**

Istihadah blood tends to be more;

- **Red**
- **Not thick**
- **Not Malodorous**

“When the menstruation blood comes, it is black blood that can be recognised, so when that comes give up performing prayer, but when a different type of blood comes, you can perform ablution and perform prayer”

(Abu Dawud & Nasa'i)

3 – Perplexed case with no certain way of distinguishing what a stable monthly course is or what the characteristics of blood are.

The woman in this case needs to follow the prevalent womanly menstrual period, which constitutes to six or seven days and deem any discharge after that as Istihadah.

“This (istihadah) is a strike (harm) caused my Satan, so you should count six or seven days for mensuration, then you should take a ritual bath. If you see that you have purified yourself then perform prayer for **twenty four** or **twenty three** days and fast for this will be sufficient for you. So you should do, as woman do during their menstrual period and their purification”

(menstrual cycle average is 28 days, but it can be a normal cycle between 21 to 35 days - NHS)

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(Ahmed, Abu Dawd, Tirmidhi, An-nasai'I & Ibn Majah)

Three cases

- 1)Based on stable menstrual cycle**
- 2)Based on characteristics of blood**
- 3)Based around the prevalent case of women in general**

When menstruation ends

Al-Bukhari records:

Aisha (raa) said “do not hasten till you see the cotton pad is white (meaning the perfect disappearance of mense)”.

Narrated by Umm Atiyya (raa); “We never considered yellowish discharge as a thing of importance” (during a non-menstruating period)

Complete dryness /white cotton pad

*White liquid as mentioned by **Imam Malik***

*Pure white as mentioned in **Hanafi school***

*Ceasing of blood and any yellow or dusky substance **Shafi school.***

*Blood stops as mentioned as **Hanbali school***

Tuhr (طهر) (purification)

The minimum period of 'Tuhr' according to '**Hanafi**' madhab is fifteen days and there isn't any maximum duration.

The minimum period of 'Tuhr' according to '**Shafi**' madhab is fifteen days there isn't any maximum duration.

The minimum period of 'Tuhr' according to '**Malaki**' madhab is fifteen days and there isn't any maximum duration.

The minimum period of 'Tuhr' according to '**Hanabli**' madhab is thirteen days and there is no maximum duration.

Fiqh – us – sunnah states scholars agree there is no minimum or maximum time limit between two menstrual periods.

Some say maximum period is fifteen, while others say three days.

How to purify yourself for prayer when in state of Istihadah

Ibn Shuhab narrated that Aisha (raa) said;

“Umm Habibah bint Jash asked, the messenger of Allah ‘I suffer from isithadah, he said that is only a vain, so perform ghusl and pray. She used to perform ghusl at the time of every prayer.

Ibn Shihab did not mention that the messenger of Allah (pbuh) told Umm Habibah to perform ghusl at every prayer, but that is something that she chose to do”. (Muslim)

Fiqh-us-sunnah records;

No need to make ghusl for every prayer

*Making ablution with every prayer – **Hanafi, Malaki, Shafi, Hanbali***

Washing her vagina before making ablution & wearing something that absorbs the blood

Prohibited Acts During Menstruation

1) Not touching the Qur'an based on the ayah Al'Waqi'ah: 79;

"None touch it except the purified..." لَا يَمَسُّهُ إِلَّا الْمُطَهَّرُونَ

the Arabic word here is *المُطَهَّرُونَ* = *المُطَهَّر* Al Mu-th-har.

Which means naturally **pure**, the English adjective "pure" here refers to angels, as stated in Fiqh-us-sunnah and supported by the following surah;

"It is contained in scrolls highly honoured, most exalted and purified, borne by the hands of scribes, noble and purified" (Abasa 13-16).

المُتَطَهِّر Al Mu-ta-tah-hir those who purify themselves and is the word used in the dua after wudu

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ اللَّهُمَّ
اجْعَلْنِي مِنَ التَّوَّابِينَ وَاجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ

(Trimidhi; 1:55)

"I bear witness that there is no god except Allah Alone, with no partner or associate, and I bear witness that Muhammad is His slave and Messenger. O Allah, make me one of those who repent and make me one of those who purify themselves."

Applies to the one who purifies him/herself and is referred to as the doer

فِي صُحُفٍ مُّكَرَّمَةٍ مَّرْفُوعَةٍ مُّطَهَّرَةٍ بِأَيْدِي سَفَرَةٍ

(80 :13 -15)

Implies to those naturally purified, who have been created pure, like the angels

Can one touch the Qur'an?

Therefore the previous verse (80 :13 -15) refers to the heavenly scriptures that cannot be touched by anyone except those purified & noble scribes; meaning the angels. The verse is mistakenly applied to humans.

Based on the above verse and supplication read after performing ablution (wudu) in which a person is asking to be purified proves the Qur'anic verse Al'Waqi'ah: 79 does not refer to humans, but angels.

“None touch it except the purified...” (Al'Waqi'ah: 79)

Who are the purified? They are the angels as proven in the verse below

(It is) in Records held (greatly) in honour (Al-Lauh Al-Mahfooz) Exalted (in dignity), purified in the hands of scribes (angels) (80:13-15)

Not touching Qur'an unless it's a teacher/student for studying purposes according to the **Malaki view**.

Some scholars agree it can be touched with a cover; including Imam Hanbal & Abu Hanafi who specified it can only be done during minor impurity.

Shafi did not allow it to be touched in a state of impurity.

Majority of scholars forbade touching of the Qur'an in state of impurity, except Ibn Hazam & Abu Dawud (Ibn Rushd)

2) Praying “Allah does not accept prayer without purification” (Muslim). The prophet (pbuh) deemed the **prayer** and **fasting** of a menstruating woman invalid (Bukhari)

Imam Malik mentions itikaf as well.

3) Prohibition of sexual intimacy based on the following verse; “...**keep away from wives during mensuration**” (Al-Baqarah: 222).

According to Imam Abu Hanafi if the woman stops bleeding before her usual monthly course and has taken a bath; she is still not allowed to be sexually active with her husband until the duration of her normal cycle has been fulfilled, as a precautionary measure.

5) Reciting the Qur'an – scholars have disagreed whether or not a woman can verbally read the Qur'an without touching during her menses based on the following hadith; *“Nothing prevented him (the prophet pbuh) from (reciting) the Qur'an other than being in a state of janabah (major ritual impurity)”* (At-Tirmidhi) This is also the opinion of Imama Shafi and says Qur'an can only be recited during invocation (dhikar) and also forbade prostration of recitation and gratitude.

Analogy has been made between janabah and menses as both are ritual impurities; however the cases differ as janabah is an impurity that can be immediately removed, but menses cannot be removed till the end.

Ibn Taymiyah said;

“There is no clear saheeh text forbidding menstruating women to recite the Qur'an”. Those who agree with this are; Bukhari, Ibn Abbas, at-Tabarani, Dawud & Ibn Hazm (Fiqh-us-Sunnah)

6) Performing Tawaf:

“Tawaf is considered prayer , the difference is Allah (swa) made it lawful to speak during it” (At-Tirmidhi)

Because tawaf is considered worship the following verse clearly states;

“.....do not approach prayer while you are intoxicated until you know what you're saying or in a state of janabah.....”
(An-Nisa_43)

“Do everything that the pilgrims do, but do not circumambulate the House until you become pure.”

(Al-Bukhaari, 305; Muslim, 1211).

7) Staying in the mosque - Scholars deemed it inappropriate for a menstruating woman and those in sexual impurity to stay in the mosque based on the following hadith;

“I do not deem the mosque lawful for a menstruating woman or for a person who is in a state of janabah” (Abu Dawud - Daif)

However another hadith states that one in the state of major impurity can stay in the mosque after ablution.

'Ata reported :

“I saw some companions of the prophet (pbuh) staying at the mosque while being in a state of janabah only after performing the ablution performed for prayer”

Shaykh Fawzan said anyone in major impurity can stay in the mosque once performed ablution; including menstruating women. Lesser opinion of **Hanbali** school of thought allow the women to enter the mosque while menstruating, as they deem the hadith forbidding her as weak. Also classified as weak by Al-Albani.

Others say passing through is permitted; **“ The companions of the messenger of Allah, upon whom be peace, used to walk through the mosques while they were sexually impure”**
(Fiqh-us-Sunnah, Imam Shafi)

Shaykh Fawzan mentions:

Ghusl

- Intention
- Beginning with tasmiyah
- Washing hands thrice
- Washing one's genitals (thrice when cleansing from menses)
- Performing full ablution (rinsing mouth and taking water into the nose)
- Washing one's head thrice - "The prophet would pour water thrice on his head" (Bukhari: 255)

Fiqh – Us –Sunnah mentions:

- Washing hands 3x
- Washing private parts
- Making complete ablution (option of delaying washing the feet till the end)
- Rubbing hair 3x
- Pour water over the body beginning from right side then left

Ghusl

Bukhari mentions:

- Washing hands twice/thrice
- Washing private parts with left hand thrice
- Rubbed his hands and rinsed his mouth
- Took water and in the nose and blew it out
- Washed his face
- Washed both forearms
- Washed his head (pouring 3 handfuls of water over the head)
- Poured water over his body thrice (right then left)
- Then he withdrew from the place of washing and washed his feet

Rinsing the mouth and taking water in nose is a sunnah action under **Shafi** and **Malaki** madhabs and a fard action under **Hanafi**, and **Hanbali** madhabs.

Undoing plaits:

Shakh Fawzan said undoing the hair is obligatory when cleansing from menses and not from sexual impurity. Shaykh Uthaymeen relates the hadith of Asma where the prophet (pbuh) told her to rub her head three times and mentions doing as specified in this hadith

Both imam **Hanafi** and **Malaki** say undoing hair is not obligatory and Shaykh Ibn Baaz agrees with them..

Imam **Hanbal** said it is not obligatory to un-braid hair, as long as roots are wet; though it is safer to undo the hair due to the disagreement among scholars regarding un-braiding hair when cleansing from ghusl.

Al Bukhari reports; Narrated by Aisha (raa)

“I was one of those who assumed ihram for umrah I got my menses and kept menstruating until the day of Arafah and complained of that to the prophet (pbuh). He told me to postpone my umrah, undo and comb my head-hair and to assume the ihram of hajj and I did so... (317)”

Muslim reports; Narrated by Ubaid bin Umair;

“Asisha (raa) heard that Abdullah bin Amr was telling the woman to undo their braids when they performed ghusl, she said how strange, it is that ibn Amr should tell women to undo their braids when they perform ghusl. Why doesn't he tell them to shave their heads? The messenger and I used to perform ghusl from a single vessel and I did not do more than pour water over my head three times (without undoing my braids) (747)

Case Studies

Case Study 1

Scenario 1:

Based on the mentioned hadiths, if a woman sees blood between two intervals of her menstruation.

What should she do?

She should ignore it based on hadith of Umm Atiyya

Case Study 2

Scenario 2:

A woman took a bath, after seeing signs of purification & ending her menstruation, but the same day she was purified she notices a blood mark.

What should she do?

She should ignore it as she has seen the sign of purity

Case Study 3

Scenario 3:

A woman get's two menstruations in one month and is convinced the second is a menstruation and not irregular bleeding, because of the characteristics of the blood and accompanying cramps (if applicable).

What should she do?

She should take it as menstruation based on the characteristics of blood

Case Study 4

Scenario 4:

The woman, who has no menstruation for months/years; & sees spotting of blood.

What should she do

She should ignore it till she begins her actual menstruation

Case Study 5

Scenario 5:

If a woman today begins spotting a **week/days** before the commencing of her mensuration date what should she do?

She should ignore it as it's outside of her menstrual cycle

Case Study 6

Scenario 6:

Woman is bleeding continuous for 3 months.

What should she do?

She should count 7 days for her menstrual cycle; purify herself & leave 23/24 days between current & next cycle

Case Study 7

Scenario 7:

If a woman see's yellow/brown/peach discharge before starting/after having finished her menstruation.

What should she do?

She should ignore it based on hadith of Umm Atiyya

Case Study 8

Scenario 8:

If a woman see's yellow/brown/peach discharge as she comes towards the end of her periods.

What should she do?

She should take it as menstruation & wait to see the sign of purity based on hadith of Aisha (ra) which advices not to be hasty in concluding one's menstrual cycle

Case Study 9

Scenario 9:

If a woman begins marking before seeing the characteristics of menstrual blood, but say's she usually begins her cycle like this?

What should she do?

If this is part of her cycle then she should take it as menstruation

Case Study 10

Scenario 10:

If a woman is premenopausal & bleeds for more than 7 days.

What should she do?

Her case is the perplexed one and she should ignore bleeding in excess of the 7 days

Case Study 11

Scenario 11:

If a woman continues to bleed, but no longer has a stable menstrual date.

What should she do?

She should distinguish between the characteristics of blood between menstrual & non-menstrual bleeding

Case Study 12

Scenario 12:

If a woman continues to bleed for two months, but still has a stable menstrual date.

What should she do?

She should go with her date

Case Study 13

Scenario 13:

If a woman can no longer distinguish between the characteristics of blood.

What should she do?

She should count 7 days for menstruation, purify herself & pray for 23/24 days, before taking her next menstrual cycle

Case Study 14

Scenario 14:

If a woman no longer has a stable date, nor able to distinguish between the characteristics of blood.

What should she do?

She should count 7 days for menstruation, purify herself & pray for 23/24 days, before taking her next menstrual cycle

Q & A

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