

340510 - Differences in fatwas on our website and how the ordinary Muslim should understand that

the question

I spent hours going through your websites answers and fatwas. Firstly i noticed that a huge amount of answers i read in arabic had not been translated into other languages like english. So people probably send you the same questions. As I've gone through the answers and fatwas I've noticed some things that present contradictions. For example in question 57 It was stated that a womans menses that exceeds the flow of 15 days becomes istihadah. Then in question 65570 someone asked about their menses exceeding 15 days and you stated there's no maximum or minimum so it's not istihadah. You also stated this in question 247317. Other examples: someone asked about intervals during menses and you stated they should do ghusl and pray, quoting Ibn Abbas (may Allah be pleased with him). And then someone else asked the same question and you stated they shouldn't, quoting the opinion of sheikh uthaymeen.

Someone asked about not praying their whole life and then you stated they have to repent and start praying. In another question someone asked about missing one single prayer and you said they have to do ghusl and take the shahada again accordingly to an opinion.

My question is because there are so many opinions, fatwas on the same thing, different interpretations what exactly is a layman supposed to do. People of knowledge are probably confused on why people keep repeating the same question and layman's are sitting there confused on what to implement.

Detailed answer

Praise be to Allah.

Firstly: The issues surrounding menses are very complicated and there are many differences of opinion concerning them

The issues surrounding menses are among the most difficult and confusing issues that a mufti may find himself faced with, because the matter is very complex and there are many different opinions concerning that among the scholars, in addition to what has been introduced in modern times of things that have an impact leading to more confusion, such as means of contraception and preventing menstruation, as a result of which bleeding may occur at the usual time of menses but lack the characteristics of menstrual blood, and that doctors may affirm that it is not in fact menses.

We discuss issues of menses in different ways: sometimes by listing different scholarly views; and sometimes by stating briefly what appears to us to be the most correct view, such as the view that menses has no maximum duration, and that it is deemed to be istahaadah (irregular bleeding) if the bleeding lasts the entire month or most of the month. Sometimes we rely on the majority view that the maximum duration of menses is fifteen days, because of something specific to the questioner, such as if her regular period usually lasts seven days, for example, then she got an IUD (intrauterine device, or “coil”), then her bleeding started to last longer than fifteen days, or her menses stopped and she only gets some discharge or spotting, and the like, which would make it unlikely that what is being discharged is menses.

The matter has nothing to do with the high volume of questions or the repetition of topics.

Sometimes one may think that there is a contradiction when this is not in fact the case. On our website, we may quote a fatwa from one of the scholars without commenting or adding anything, so we quote it as it is, attributing to the scholar. The fatwa may be different from the view adopted by the website, but it is within the boundaries of acceptable ijtiḥād and views that carry weight.

Secondly: if a woman realizes that she has become pure during her menses, then it is regarded as the end of menses (tuhr)

If a woman realizes that she has become pure during her menses, then her menses has ended, even if it is only for a brief time. This is the view that we adopt, on condition that the woman verifies that her menses has ended by inserting a piece of cotton and the like; if it comes out clean, with no trace of yellowish or brownish discharge or blood, (then her menses is deemed to have ended). Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) thought that a woman should not rush to do that, because the bleeding may resume soon, and it is possible that the discharge was not as clear as she thought.

Thirdly: with regard to one who missed many prayers then repented

The one who has missed many prayers then repented is not required to make them up, for two reasons:

1. This act of worship is connected to time, and if he missed this time deliberately, then it is not prescribed to make it up.
2. Abandoning the prayer constitutes disbelief, so it is sufficient for the person to enter Islam again, for Islam erases the sins that came before it.

We often say that to be on the safe side, he should make up the prayers, because the majority of scholars say that prayers must be made up in this case.

As for one who omitted one obligatory prayer, or a few obligatory prayers, to be on the safe side he should make them up, and there is no problem in giving him a fatwa based on the majority view.

Fourthly: not every fatwa is appropriate for everyone

With regard to what the attitude of the ordinary Muslim (layman) should be, the ordinary Muslim may ask about anything that he does not understand, or ask about an issue that he is facing, then he should act in accordance with the fatwa that he receives. Fatwa websites are not like the books of Islamic rulings, and the visitor should realize that. For not every fatwa is appropriate for everyone, because the fatwa takes into consideration the situation of the questioner, and the mufti may issue a fatwa based on a scholarly view that he regards as less strong, rather than that which he thinks is stronger, with regard to a matter concerning which the scholars have different views, especially after something that happened to the questioner, because of a need or because of a reason that the questioner mentioned. This is permissible according to many scholars. However, on our website we are keen to spread knowledge, by mentioning different views and discussing evidence, and by quoting from the books of scholars, so that the site will become a means of spreading knowledge, and not simply issuing a specific fatwa to a specific questioner only.

We are very pleased with your showing interest and keeping up with what we publish, and scrutinizing it, and seeking to understand the problems that may arise when issuing fatwas and examining issues. We are very happy that you have sent us your comments, questions and requests for explanations of what we have published.

We ask Allah to increase you in knowledge and guidance.

And Allah knows best.