



Fiqh of Taharah: Class Thirty-One

الحمد لله و الصلاة و السلام على رسول الله و بعد:

These classes are based upon the commentary of the eminent Shaikh Atiyya Muhammad Saalam, given in Masjid an-Nabawi, in Madinah al-Munawwrah.

We spoke last time regarding the difference of opinion regarding the hair, and this same difference exists regarding cutting the hair during Umrah and Hajj, does one have to cut only a small part of their hair, or should they trim all of their hair?

We also mentioned the hadith:

وَعَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا - فِي صِفَةِ حَجِّ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - قَالَ ({ اِبْدُؤُوا بِمَا بَدَأَ اللَّهُ بِهِ } اَخْرَجَهُ النَّسَائِيُّ

Narrated Jabir bin Abdullah regarding the description of the Hajj of the Prophet alayhi as salam: “Begin with what Allah had begun with.” [Reported by Nisai].

The Explanation:

Allah begins with Safaa' in the ayah, "Indeed Safaa and Marwaa are from the signs of Allah."

So we begin with Safaa.

So whoever begins with Marwa in the beginning, and goes to Safaa, then goes back to Marwaa, how many laps has he made?

Just one.

And the first lap that he made from Marwa to Safaa is extraneous, since Marwa is not a starting point for the Saa'ee.

So the second lap in this case is actually the first for him.

This is because Allah does not mention any word in the Qur'an in a particular order except for a great wisdom. This is if the two matters are the same. However, there may be a reason for a certain order due to chronology, for example, Allah says: Wa wassaah behi moosa wa eesa...

This hadith was actually a response to a question posed to the Prophet alayhi as salam, the Sahabah asked him: From which mount do we start from, O Messenger of Allah?

They actually asked him a question before that: When they approached Makkah, they asked: From where will you enter Makkah, Kadaa or Qudaa. Makkah has two approaches, or passes, Qudaa and Kadaa.

They are two locations close to each other. The student of knowledge must first learn Arabic, first: Oratory, then grammar, then morphology.

Then the Prophet alayhi as salam responded to their question through a poetic way, which also attracted them to Islam. He said, see what Hassan bin Thabit says:

Hassan said, in poetry:

May our stallions be lost if we do not see her (Makkah)

They will strike up her dust at the place called Kadaa

Hassan was promising the people of Makkah that their stallions were coming, striking up dust at Kadaa.

When this noble poetic Sahabah mentioned this place, the Prophet alayhi as salam encouraged and enter from the place the Hassan mentioned.

Once they entered, they came to make Sa'ii, so they asked, where do we begin?

The Prophet alayhi as salam responded with the hadith:

“Begin with what Allah has begun with.”

From here, let us move from Sa'yee, to wudu.

If a person said, where do we begin with in Wudu?:

The response would be:

“Begin with what Allah began with.” i.e. the face.

And from, the majority of Ulema took the principle that this text is proof that the order of the limbs of wudu is legislated as mentioned in the Ayah.

And now that we know that it is legislated, but the question is, what is its hukm? If one misses it, what happens to wudu?

Many Ulema say that this order is obligatory, although some say that if it is missed the wudu is still valid.

There is the narration reported from Ali, regarding the beginning with the right or the left, and order, which says: I do not care if I wash my feet, first, or arms, or face. As long as I cover them well with water.

And based on this, few said that breaking the order in wudu definitely invalidates it. Except they all agree that it is Sunnah.

Some even said that leaving order deliberately will nullify the wudu.

If we come to the Sunnah, as a Shawkani mention: There is no mention that the Prophet or anyone else ever made wudu in a different order, other than Ali.

And from another perspective, we look at the limbs of the wudu: We ask, which of these limbs are the most honorable? The face.

Thus, the face has a special quality and that makes it deserving of being washed first. Then, the arms, after which is head, and go down to the feet.

From this: Imam Shafii says: Anyone who leaves out the order in wudu will render it invalid. Why? Because if we look at the limbs mentioned, there are the arms and feet, that are similar, and in between is wiping the head.

This shows that wiping the head has its place there. Also, arms and feet are washed while the head is wiped, why is wiping placed in between two things that are washed?

Wiping the head did not come before washing the face, while it is just above it, nor did it come in the end, after the feet, since it is the only part that is wiped.

Shafii said the one who breaks the order deliberately, or accidentally, their wudu is invalid, based on this.

And he also made reference to the above hadith.

The Hadith:

وَعَنْهُ قَالَ: { كَانَ النَّبِيُّ إِذَا تَوَضَّأَ أَدَارَ الْمَاءَ عَلَى مِرْفَقَيْهِ. } أَخْرَجَهُ

الِدَّارِقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ

Narrated Jabir bin Abdullah: The Prophet alayhi as salam used to run he water around his elbows while performing wudu.

The Explanation:

Here the Author brings this hadith to show about washing the elbows, since the verse only mentions the arms, up to the elbows. Language says that the word Allah (Up to) includes that which is the end point if it is from the same type, but it excludes it if it is of a different type.

Allah says, “Then complete your fasting until nighttime.”

Is nighttime include in the fasting? No.

No, nighttime is different than daytime.

Although the scholars say, covering a bit of the night is needed to ensure the whole of the day is covered.

The arm begins from the tip of the fingers, up to the shoulder. But where do we stop?

So since Allah does not wish us to wipe up to the shoulders, the Prophet alayhi as salam clarified us that washing is not simply up to the elbows, but he even made a circle around his elbows, to show that washing them is essential.

The Hadith:

وَعَنْ أَبِي هُرَيْرَةَ (قَالَ: قَالَ رَسُولُ اللَّهِ ({ لَا وُضُوءَ لِمَنْ لَمْ يَذْكُرِ اسْمَ اللَّهِ عَلَيْهِ } أَخْرَجَهُ أَحْمَدُ, وَأَبُو دَاوُدَ, وَابْنُ مَاجَةَ, بِإِسْنَادٍ ضَعِيفٍ

Narrated Abu Huraira: The Prophet alayhi as salam said, “There is no wudu for the one who does not mention Allah’s name on it.” [Narrated by Ahmad with a weak chain of narrators]

The Explanation:

This hadith according to its text, before looking at its chain, is speaking about negation of the wudu (laa wudu) but wudu is a specific act with certain motions. So how can we negate this action (There is no wudu) when the actions have taken place?

We say there is no wudu, and he made wudu. He washed his face, arms, head, and feet.

How can we say there is no wudu and he made wudu. The negation has to do with the hukm of that action, like: there is no accepted wudu, complete wudu, correct wudu, etc.

This meanings must be implied by the negation. So some people said, “There is no complete wudu.” So the wudu is there, but it is not complete.

If what is being negated is the perfection, then the Salah will be accepted with out it.

But if we say that what is being negated is the acceptance (There is no accepted wudu..) then the wudu would be invalid. So the wudu would be the same as if it did not exist.

Based on what the scholars said is implied, they differed about the Bismillah.

As for the hadith, Imam Ahmed said there is no authentic wudu in this matter. So whether the wudu is perfect, or correct, or accepted, is a serious matter.

And so the hadith in order to nullify this act must be strong.

But since it is not, we cannot say that not mentioning the Bismillah will nullify the wudu, unless we have a strong authentic hadith that is strong enough to deal with the matter of Salah and wudu.

And we add to this that there are some narrations that say, “There is no perfect wudu for the one who does not mentin...”

And some Ulema say there is a hadith: “Whoever makes wudu as Allah mentions..”

And Allah mentions in general, and the Sunnah specifies and clarifies, so the clarification must be included with the original ruling.

However, this clarification is weak, so it falls away.

Thus, no one said that saying Bismillah in the wudu is obligatory, except the Dhahiriyya.

And some of them have a different narration from Ahmed, and they say that he said:
Who leaves out the Bismillah deliberately, his wudu is invalid.

But if he leaves it out accidentally, his wudu is valid.

This narration is mentioned by Ibn Qudaamah in al-Mughni.

Thus, this hadith is not to be understood literally, except the dhairiyyah, and the narration of Ahmed.

The most important things to mention is what Imam Ahmad said: There is no authentic hadith on this subject.

So we cannot say wudu is invalid, and we should not leave it out deliberately, since the goal is to mention the name of Allah over this action, and there is the general hadith:

“Every important matter that is not begun with the name of Allah it is cut off.”

So we do not want our wudu to be cut off.

We mention the name of Allah and finish the wudu.

The Hadith:

وَعَنْ طَلْحَةَ بْنِ مُصَرِّفٍ, عَنْ أَبِيهِ, عَنْ جَدِّهِ قَالَ: { رَأَيْتُ رَسُولَ اللَّهِ
(يَفْصِلُ بَيْنَ الْمَضْمَضَةِ وَالِاسْتِنْشَاقِ. } أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ ضَعِيفٍ

Narrated Talha bin Musarrif, quoting his grandfather: “I say Allah’s Messenger rinsing his mouth and sniffing water up his nose and then blowing it out with separate scoops.”

[Reported by Abu Dawud with a weak chain]

The Explanation:

Some ulema mentioned that it would have been better to mention this hadith with the hadith about gargling.

But what this hadith mentions is to separate between the rinsing of the mouth and sniffing.

It can be done with a single handful of water, rinsing the mouth three times, then taking a single handful of water, and rinsing the nose three times. This is separating.

Or it could mean taking water with the hand, rinsing the mouth, then taking water, and rinsing the nose, doing this three times.

Or it could be taking a handful of water each time for the mouth and each time for the nose.

All these ways are correct.

One can take water at once for both the mouth and nose rinsing them each three times with one handful of water, or the mouth first then the nose separately, or the mouth and nose together, three times, with three different handfuls of water.

وَعَنْ عَلِيٍّ (- فِي صِفَةِ الْوُضُوءِ -) { ثُمَّ تَمَضَّمَضَ (وَاسْتَنْشَرَ ثَلَاثًا, يُمَضَّمِضُ

وَيَنْثِرُ مِنْ الْكَفِّ الَّذِي يَأْخُذُ مِنْهُ الْمَاءَ } أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ

Narrated Ali regarding the description of wudu: The Prophet rinsed his mouth and cleansed his nose sniffing up the water and then blowing it out three times. He sniffed water up and blew his nose with the same hand he take water.

The Explanation:

This is a another way, rinsing the mouth and nose, and then using the same hand to blow out the nose, regardless of whether it was the right or the left hand.

This is using one handful of water, and the hadith does not clarify which hand was used.

The Hadith:

وَعَنْ عَبْدِ اللَّهِ بْنِ زَيْدٍ (- فِي صِفَةِ الْوُضُوءِ -) { ثُمَّ أَدْخَلَ (يَدَهُ, فَمَضَّمَضَ وَاسْتَنْشَقَ مِنْ كَفِّ وَاحِدَةٍ, يَفْعَلُ ذَلِكَ ثَلَاثًا } مُتَّفَقٌ عَلَيْهِ () . (69)

Narrated Abdullah ibn Zaid:

...from one scoop...

This hadith clarifies that the gather of water to be snorted and blown out can be one handful. And Allah knows best. End of Class 31.