



Fiqh of Taharah: Class Eighteen

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-Nabawee, in Madinah al-Munawwrah.

We closed last time with the ruling regarding the impurity of flowing blood, which is the ijmaa of the Muslims according to the four madhahab, and the muhadditheen, and the mufasssireen. This is based on the Tafseer of the verse regarding the verse “Aw ad-Daman masfooh”, i.e. flowing blood, and they say that blood is mentioned along side the flesh of swine and the maitah, and thus it is najass like them.

This is in contrast to the blood that remains inside the veins and arteries of the slaughtered animal, after butchering, and the redness of this blood may become apparent while preparing it for cooking. This blood is forgiven.

And the scholars discuss what may be forgiven from the impurities, and they say what may be forgiven is only a small amount of blood, and the small

impurity left behind after istijmaar in its place, i.e. cleaning one's self from answering the call of nature.

What is considered a small amount of blood, or a large amount?

Some scholars state that a small amount is that which is less than the size of a dirham al baghli in size. It is said the dirham al baghli was a coin made by Jews that was issued at the time of the Abbasid caliphate during special occasions, or a coin the size of mud spots that would be found on the legs of a mule.

There others who take it further, and say up to one fourth of the thobe, but this is considered an exaggeration by even those who hold this opinion.

Imam Malik mentions in his Muwatta, in the Chapter regarding bleeding from the nose, that Ibn Umar might have had a slight bloody nose in Salat, and he wiped the blood away between his fingers, and continued his prayer.

And maybe a pimple burst, as in many youth, and a drop or two of blood came out, and he may have wiped it away between his fingers, and continued in prayer, without washing it.

And it is mentioned that Sayed ibn Musayyib had a bloody nose in Salat, so he laid down on his back, since it was bleeding so much, then he left, and washed the blood away.

Therefore, in a general the Jumhoor of the Ulema of the Muslims hold that blood is Najass, and a small amount of it is forgiven.

And they asked, why is not a small amount of other impurities also forgiven? The reason is because these other types of impurities can be avoided, unlike blood.

For example, the person who did not avoid droplets of urine. But blood, it is said a person is a simply a container of blood. Any place on the human body, if you get a cut, blood comes out.

So the scholars say it is very difficult for a person to avoid his own blood. And they said similar to this is the blood of others.

And the forthcoming hadiths, they all reinforce the concept the blood is an impurity. Let us read the next hadith, and then respond to those who, after 14 centuries, decided to declare that flowing blood is Tahir.

The Hadith:

وَعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ عَنْهُمَا; أَنَّ النَّبِيَّ (قَالَ - فِي دَمِ الْحَيْضِ

يُصِيبُ الثَّوْبَ - : { "تَحْتَهُ, ثُمَّ تَقْرُصُهُ بِالْمَاءِ, ثُمَّ تَنْضَحُهُ, ثُمَّ تُصَلِّي فِيهِ" }

مُتَّفَقٌ عَلَيْهِ

Narrated Asma' bint Abu Bakr: The Prophet said regarding menstruation blood that soils a garment, "She should scrape it, rub it with water (using her fingers), then wash it. Then she may pray in it." [Agreed upon].

The Explanation:

We see my brothers, that this hadith was narrated by Asma, daughter of Abu Bakr, who was very close to the home of the Prophet, and she narrates on the authority of the Prophet.

"Regarding menstruation blood that soils a garment..."

And similar to a garment is one's bedding, or anything else that is soiled by it.

"she should scrape it,"

that is the actual dried blood if there is any

"rub it with water,"

with her hands,

"then wash it,"

This gives us three stages that must be passed through in order to purify a garment from menstrual blood.

This is a very clear and unambiguous text that speaks about the impurity of menstrual blood, and no one, even to this day, has disputed this matter.

How should it be cleansed? By exerting effort through:

- 1.) Scraping the body of any blood from the garment, if there is any, since blood usually has some mass.
- 2.) Rubbing it with water, with one's hands,
- 3.) Rinsing it.

After this, one may perform Salat wearing it.

We shall see in the next hadith, what happens if the traces of the blood have not been completely removed, such as the color, since the mass has been removed, and it has been rinsed?

The Hadith:

وَعَنْ أَبِي هُرَيْرَةَ (قَالَ: قَالَتْ خَوْلَةٌ: { يَا رَسُولَ اللَّهِ, فَإِنْ لَمْ يَذْهَبْ

{ "الِدَّمُ؟ قَالَ: "يَكْفِيكَ الْمَاءُ, وَلَا يَضُرُّكَ أَثَرُهُ

أَخْرَجَهُ التِّرْمِذِيُّ, وَسَنَدُهُ ضَعِيفٌ

Narrated Abu Huraira: Khaula said, “O Messenger of Allah, suppose the traces of blood do not go away?” He said, “**(Washing it) with water will suffice you, and its traces will not harm you.**”

[Narrated by Tirmidhi]

The Explanation:

This question completes the subject that began in the previous hadith.

We have scraped, and rubbed, and washed, but the color remains.

Especially if the garment is white. It is hard to hide any stain on a white garment. If this color remains, what must one do?

The Prophet said, “Its traces will not harm you.”

Do what you have been commanded, then after that, “Allah does not burden a soul beyond its ability.”

But we have a hadith narrated by Aisha, that states that if she scraped and rinsed and washed a garment, and the traces were not removed, she would bring some saffron and boil it with water, and then she would take this water that has been infused with saffron, and pour it over the place that had traces of blood. Why?

It is said, “The color was connected to an impurity, and she wanted to change this color to another color that is connected to something pure.”

But, if one wants to dye their clothes with the color of saffron, this is permissible, but it is not something one is obliged to do.

This was an action of Aisha, but the previous hadith is attributed to the Prophet, and how many people have enough saffron to dye clothing, most people do not have enough to put in their tea or coffee, so it is unlikely they will have enough to use to cleanse clothes soiled with menstrual blood, since menstruation is a daily occurrence in the homes.

So, this is a personal action of the mother of the believers, Aisha.

What concerns us is when the Prophet commanded us with scraping, then with rubbing, and then with washing with water. The Fuqaha did not suffice with this.

They said, if it is possible to use a sharp cleansing agent with hot water, like soap, or something gritty like grains, or anything that is known amongst people that help in cleansing.

If the traces are not removed, and one has Tide, or any other type of laundry detergent, is one required to use it? Since the Prophet commanded us to make our best effort?

But some people may not be able to afford such soaps. So is using detergents and stain removers from the best effort one must make? Such as Clorox, is it required to use it, as long as it does not affect the color of the garment?

What do you think? The hadith does not mention soap.

But you have detergent, and know that this detergent will remove the traces of color of the impurity.

By Allah, you should use it.

There is something called the spirit of the Shari'ah.

In the liberal arts, this is called reading between the lines.

This is what a person detects of meaning, that is not written.

According to the scholars of Usul, this is called al-Imaa' wa at-Tanbeeh, (Signs and Indications).

The Prophet commanded her to scrape, rub, then wash. He did not just say, "Wash it," and that suffices. Then he says, "Its traces will not harm you." Since she has tried her best.

But today detergents are available, and there is not hardship. Using such simple cleansers causes the blood stain to be removed. Why should we not use it?

Thus, this Prophetic advice regarding how to cleanse the garment can be understood to mean, use whatever means are available to you, that will not harm the garment.

And Allah knows best.

The Jumhoor of scholars of old and new, are of the opinion that all forms of blood are Najiss.

Let me remind you of what Bukhari and Muslim mention as an aside, regarding the hadith of Fatima bint Qays, regarding Istihaadah (irregular menstrual bleeding).

Both Bukhari and Muslim narrated this hadith in order to clarify that the blood of Istihaadah is Najiss.

It is a type of flowing blood, since the Prophet alayhi as salaam said, “That is a type of vein.”

And also the Jumhoor mentioned the ayah, “except that which is maitah, or flowing blood.”

Maitah and flowing blood are haram, and this is an indication that they are impure. We spoke about this when we covered the hadith about the Sheep of Maimoona. If remember the Prophet mentioned to the Sahabah, “It would be better to make use of it.” And they responded, “It is Maitah.”

This means they understood that since it was dead, it had become impure. And the Prophet implicitly approved of this understanding of theirs.

Thus, flowing blood is an impurity. It is forbidden to eat it, sell it, or benefit from it in any way.

But, an issue that we have not spoken about in the past: Blood transfusions.

Blood transfusions between one human being to another. The blood of human beings must be washed, and it is impure. Just as we spoke about regarding the blood of Istihaadah, and there are many evidences in this regard.

But what about blood transfusions, that did not exist in the past.

This means of treatment has been discovered recently, and placed into use. What is the ruling regarding blood transfusions? If we say that blood is Najiss, then how can we take it and use it to treat a person, using something that is Najiss?

Some stated that blood can never be used. In fact, in the Islamic University there were a series of debates held after Dhuhur during Ramadan regarding this issue.

The different scholars presented their views based on their research. Shaikh Amin ash-Shinqeeti remained quiet, and did not say a thing.

Shaikh Ibn Baz saw him in this state, and said to him, “I see you are quiet dear Shaikh, and not saying anything.”

Shaikh Amin replied, “Yes, noble Shaikh. What should I say? We do not have an ayah from the book of Allah, nor a hadith from the Sunnah of the Messenger of Allah. This is a new issue. What should we say?”

Shaikh Ibn Baz said, “It is necessary for Muslims to know what the Ulema are saying on this issue.” We are not saying that Islam has a single ruling, but people need to know where the Ijtihad of the Ulema is.

Shaikh Amin said, “If we must speak, then the Qur’an associates blood with the Maitah, Allah says, “Hurimat alaykum al maitatu wa ad damu...” and we have found the Qur’an presenting a Rukhsaa regarding one of these two things that have been associated, “fa man idturra ghaira baghin wa la ‘aadin, fa laa ithma ‘alayhi.” “but whoever is compelled, not seeking disobedience or enmity, then there is no sin on him.” I.e. regarding the Maitah.

“So if the Rukhsaah has been mentioned regarding one of these two associated things, the maitah, in cases of compulsion, “then there is no sin on him.

And we say that a like thing takes on its hukm. So blood takes on the ruling of Maitah, if it is used by a person who is in a state similar to a person dying of starvation, who is compelled by hunger to eat from Maitah, to save his life, and he would be sinful if he left eating it.

We say likewise, in blood transfusions, it is a necessity, similar to the situation of the starving person, who is in need of it to save his life, thus blood transfusions are permissible.”

Shaikh Ibn Baz said, “What more do we need than this? After all this research, we have not found anything better than this. This is sufficient.”

This is what is said, my beloved brothers, regarding blood transfusions.

However, there is ruling regarding what has been said by the High Council of Scholars: “Is it permissible to give payment in exchange for blood that is donated by a donor or not?”

They said, the answer is No, because blood is not to be sold, and take paid for, but it is permissible to honor the donor with food or drink, that may be a type of gift for him. He may be given some food and drink, to help him rejuvenate his body.

Based upon this, blood transfusions have become very common, and we now have blood banks, and some have expanded and made business with blood, donors are paid for their blood.

But the position of Islam is: It is permissible in cases of necessity.

As for those who say flowing blood is pure, and they say it is only eating it that is forbidden, and not touching it, and thus there is no proof that it is Najass.

And they use as evidence the event during the life of ‘Umar, when he was stabbed and blood was flowing, and the story of ‘Ammar and his companion, who were commanded to keep guard by the Prophet. He stood up in prayer while guarding, and began to recite. The enemy took notice of him, and hit him with an arrow. He removed the arrow, and continued praying. Until this happened three times. When the blood fell on the face of his companion, he woke up. He said, “Why did not you tell me what was happening.” He said, “I was reading a Surah that I did not want to cut off.” It is said it was Surah Kahf.

They say, here is ‘Ammar praying and blood is flowing, and ‘Umar praying with his injury.

We say, what is the surprise, did you not hear about urinary incontinence, or Istihaadah, and the ruling that they can pray, even if blood were to flow out onto the ground.

Why, because she cannot stop the blood from flowing. Do you think ‘Umar would leave Salah due to an injury? And he used to say, “There is no share in Islam for one who leaves the prayer.”

‘Ammar was guarding the Muslims, and the soldiers would fight and their swords would have blood on them, yet they prayed Salat al Khawf while carrying their swords.

There is no analogy between times of necessity in battle, and the times when one is at ease, during peace, and there is no necessity.

Thus, there is no foundation for what they say.

And Allah knows best.

End of Class 18.