



Fiqh of Taharah: Class Twenty-six

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 about the command of the Prophet alayhi asalam to wash one's hands whenever one wakes up before placing them in a container. He can tilt the container over to pour it over his hands, or use a smaller container to remove some water and wash his hands. And today we have faucets and it is easy enough to open and close the tap. But what about if one was in a place and they only had a very large container, like a tub, and he cannot tilt it, and he does not have a smaller container to remove some water, what should one do?

Some Fuqahaa stated that one can take water in his mouth, and then use that to rinse of his hands. Others said no, he can take some cloth from his robe and dip it in the water, then squeeze it out onto his hands.

We see from this that in Islamic Law we never have an excuse not to follow the commands of Allah, no path is closed, rather we can find a solution.

And we realize that washing the hands when waking up from sleep is an independent command outside of the wudu. One must wash the hands three times after waking up, and again when performing wudu.

The Hadith:

وَعَنْ لَقِيْطِ بْنِ صَبْرَةَ, (قَالَ: قَالَ رَسُولُ اللَّهِ (ﷺ) { أَسْبِغِ الْوُضُوءَ, وَخَلِّ بَيْنَ

الْأَصَابِعِ, وَبَالِغٍ فِي الْإِسْتِنْشَاقِ, إِلَّا أَنْ تَكُونَ صَائِمًا } أَخْرَجَهُ الْأَرْبَعَةُ,

وَصَحَّحَهُ ابْنُ خُزَيْمَةَ

Narrated Laqit bin Sabra: Allah's Messenger said, "Perform a perfect wudu, run your fingers between the fingers of your hands as well as the toes, and sniff water well inside the nose, unless you are fasting."

[Narrated by the Four and Ibn Khuzaima graded it Saheeh]

And we find here from the point of view of Usul, that we are encouraged to 'baaligh' or go to exaggerate, which is beyond the moderate amount.

The Prophet alayhi as salam encouraged 'mubalagha' here, although no other parts of the wudu are encouraged to have 'mubalagha' in order for water to get further into the nasal passage and cleanse it properly.

This is the general case for cleansing the nose, but we find an exception. And this is because they say, "li kulli maqaamin maqaal" or "every set of circumstances has its own dictates" and when issuing a fatwaa, one must always take into consideration the situation. "Sniff water well inside the nose" since this will lead to perfection of one's wudu. And there are ahadith which mention that the Shaitan sleeps in one's nose, etc.

“Except if one is fasting.” And in this case, one should not go to extremes, and not be strong, since the water may go beyond one’s control, and enter the throat, one may unintentionally swallow water, and a fasting person is forbidden from allowing anything to enter the stomach.

So sniffing water strongly while fasting leads to ruining something more broad and important, so this leads us to the conclusion that a fasting person is forbidden to sniff water strongly.

This hadith is a foundational hadith in the source of Law know as “Sadd ad dharee’ah”, or Closing the Pathways, that lead to harm.

Sadd ad dharee’ah means leaving what is permissible out of fear of falling into what is not permissible. Or it may lead to something that is more harmful.

Like the hadith, “From the biggest sins is cursing your parents.” The Sahabah said, “Who would do that?” The Prophet alayhi salam said “A man curses another’s parents, so he in turn curses that man’s parents.”

Since cursing another’s parents is a pathway that leads to one’s own parents being cursed, so it is as if one cursed his own parents.

And the Qur’an says, “Wa la tasubb aladheena yad’oona min doonillah fa yassubullah.”

This is because you were the cause of them cursing Allah, since you cursed their deities. We should not do this. Leave them and their deities.

You try to prevent them, give them advice. But cursing them?

They will become taken by vengeance and zeal, you cursed their deities, so then they will curse Allah.

So this hadith is a foundational hadith in the Chapter of Sadd' ad dharaai' in Usul al-Fiqh. And this is a principle that every Muslim should pay attention too.

And this is also an important principle in what is known as "Commanding good and forbidding evil."

You found a person doing a sin, or you heard about some sin taken place in a certain place. If you became overzealous, and said "This evil must be stopped," then you forget about the rules pertaining to commanding good and forbidding evil.

You might break into someone's house without permission. You do not have the right to do that. "Do not enter homes until you have sought permission."

You go to someone and say, "You ignorant! You did this." No you are the one who has done ignorance.

This will lead to a person holding more firmly to his position, since he will seek to defend himself, and it will lead to personality conflict, and this has gone away from commanding and forbidding for the sake of Allah.

Thus the scholars say, it is required for the one calling to good and forbidding evil to look at the consequences of what he wishes to do. Will the evil that you wish to reduce really go away, or will the good that you want to command really come about by your call to it?

Or will the one that you are calling consider your words a humiliation to him, especially if it is in front of people, so then he will defend himself, and it will lead him to a greater evil than what he was intending to do.

You wanted to stop 50% of the evil being done, but your actions lead to 70% of evil being done.

Which one better? To leave him with the 50%, or exacerbate it to 70%? By Allah, leave him with 50%.

Thus, the caller to good must look at the outcome of things. Allah says, “Ud’oo illa sabeeli rabbika ‘ala baseera.” ‘Basseera’ does not mean based on what you see in front of you, but rather insight and what will happen in the future, based upon the present circumstances.

Of course, this does not mean knowing the unseen, but acumen and perception and insight. The Prophet alayhi as salaam said, “Beware of the Firaasa (insight) of the believer, for he sees with the Light of Allah.”

Likewise, a daa’ee (caller to Allah’s way) must Basseera in what he calls to, is he being overzealous, he should think, if I go to so-and-so, will he accept my advice? The Da’ee might say, I can bear the consequences, but even if you can, you should expose yourself to harm.

Thus this hadith is foundational to the principle “Sadd ad dharaa’iah” or “Closing the Pathways to evil.” Whether this is in our every day affairs, or when projecting how to call people to goodness for the sake of Allah, and Allah Most High Knows best.

“And rinse the nose well.”

Now, we spoke about health and wisdom, but we left the basic ruling of the hadith, which is what is the ruling on ‘istinshaaq’ or rinsing the nose.

This hadith is regarding perfecting the wudu, and cleaning between the fingers, and cleansing the nose. What is the ruling of perfecting the wudu or 'isbaagh' al wudu i.e. covering the limbs completely?

You may realize that if the limbs are not washed properly, then the wudu will be deficient and the salaah will be invalid. Thus, "isbaagh al wudu" is waajib.

As for cleaning between the fingers is Sunnah, according to the agreement of the scholars. So if a person left it out by accident, you do not have to go back and redo it.

But if someone learns about a Sunnah, he should not deliberately abandon it or leave it out.

As for Istinshaaq of the nose, some Ulema said it is obligatory, since the Prophet alayhi as-salaam emphasized it so much, except for the fasting person, since leaving it out is better.

But some Ulema say that Istinshaaq is Sunnah, such as Abu Hanifa, since he said that the Qur'an only mentions the face in the parts that are obligatory, and the face is what 'faces' you when you look at it, and if you wash your face with your mouth closed, the 'face' is still washed. Thus the nose and mouth are not included in what is obligatory.

And some said the mouth and nose are part of the face, but inner parts.

So those who said the nose and mouth are simply part of the face stated that rinsing them is waajib in the wudu.

But those who said they are independent parts of the body from the face said that it is only Sunnah to wash them in wudu, and that the wudu is valid without the istinshaaq and mudmudah (rinsing of the mouth).

But the Jumhoor are in agreement that istinshaaq is obligatory in ghusl, but not in wudu. This is because of the hadith of Ali, that the Prophet alayhi as salam said, “Under every hair is a Janaabah (impurity.)”

So they say that any place that water can reach in ghusl must be rinsed.

And Allah knows best.

End of Class 26.