



Fiqh of Taharah: Class Thirty

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.

The Hadith:

وَعَنْ أَبِي هُرَيْرَةَ (قَالَ: قَالَ رَسُولُ اللَّهِ)
{ إِذَا تَوَضَّأْتُمْ فابدأوا بِمِيَامِنِكُمْ }
أَخْرَجَهُ الْأَرْبَعَةُ, وَصَحَّحَهُ ابْنُ خُزَيْمَةَ

Narrated Abu Huraira: Allah's Messenger said, "When you perform ablution, begin with your right limbs." [Reported by the Four and Ibn Khuzaima considered it authentic]

The Explanation:

The previous hadith was narrated by Aisha, who said that it "The Messenger loved to begin..." and this hadith is giving a direct command, and its Sanad is authentic.

This narration strengthens the position regarding the obligatory nature of beginning with the right, and the ijma of Sahaba regarding the Sunniyya of starting with the right should then be understood to mean those who started with the left forgetfully.

The Hadith:

وَعَنْ الْمُغِيرَةَ بْنِ شُعْبَةَ ({ أَنَّ النَّبِيَّ (تَوَضَّأَ, فَمَسَحَ بِنَاصِيَتِهِ, وَعَلَى الْعِمَامَةِ
وَالْخُفَّيْنِ. } أَخْرَجَهُ مُسْلِمٌ

Narrated al-Mughira bin Shu'ba : The Prophet alayhi as
salam performed ablution and passed wet hands on his
forelock, over the turban, and over the two leather socks.

[Reported by Muslim]

The Explanation:

The Author, may Allah have mercy on him, finished the study of beginning on the right side, and now begins the subject of the order between the limbs of the Wudu.

The Ayah al Karima says: “Wash you faces,” first, “and your arms,” second, “wipe your head,” third, and “your feet up to the ankles,” fourth.

This order of the limbs in wudu is what is found in the Noble Qur'an. And we find similar narrations regarding the Hajj of the Prophet alayhi as salam forthcoming.

We have related hadith about a man who made wudu but left a dry spot on his foot. The Prophet alayhi as salam advised him saying, "Go and perfect your wudu."

He did not tell him simply, "Go and wash your foot."

So some of the Ulema also bring up the issue of 'continuity' or "muwalaah" in washing the limbs. That is, if one washes one's hands, and then is interrupted, and becomes busy doing something else, and leaves the wudu until his hands become dry, then he comes back and wants to complete his wudu: Can he build upon what he already started? Or did the time for that wudu already end, and cut him off from his first wudu?

Some ulema say that if the period of time between washing the limbs in wudu is long, then he should begin anew.

But if the time period was short, he can build upon what he already started.

And they say the benchmark by which to determine what is a long or a short period of time is if the last limb that was washed becomes dry before beginning the new limb.

So for example, if he washed his arms up to the elbows, then he heard someone calling him, so he left and become busy with this person calling him, then he returned to his wudu, but by this time his arm became dry, and there is no moisture left, then they say he has become cut off from his previous wudu, and he must begin his wudu anew.

But if he came back and there still remained moisture on his arm that remained from the wudu, if it was the right arm for example, then he simply is required to complete his wudu and build upon what came before.

Thus, the topic of Continuity, Muwalah, will come up later when we speak about the wudu of the Prophet alayhi as salam during his Hajj, but here the Author is bringing up an important issue, which is how to wipe over one's head.

The text is general in the words of Allah, "And wipe your heads."

And in general, the wiping of the head in wudu could be over the bare head, or over the turban, or over the khimaar (hijab).

If the head is bare, what is the minimum amount of wiping the head. There is some ulema who say that any amount that could be considered wiping suffices, as Imam Shafii' said.

But this position leads to some extreme positions, such as what was mentioned by Imam Nawawi who said, "According to the texts even if one wipes three hairs it would be sufficient. And some of our companions went to an extreme and said, even if he wiped part of a hair, it would suffice."

So some people asked, "How could one wipe part of a hair?"

He responded, "If someone's hair was covered with Henna, and little bit of hair stood out from the Henna. That part that is not covered by Henna, if he wipes it, it would suffice."

Imam Nawawi continues, saying, “I mentioned this to point out that it is an extreme position, and warn about it even if the one who says it is someone great.”

Thus, there is some who say anything considered wiping suffices. This is the first opinion, by the Shafi’iya.

Then there are those who say, the minimum amount that must be wiped is one fourth of the head. This is the opinion of the Hanifiyya.

Malik and Ahmad bin Hanbal say no, wiping the entire head is required.

The summary is that if the head is uncovered without turban, some say wipe any part of the head, some say at least a fourth, and some say the entire head.

But they all agree that wiping the entire head is best. Some said it is obligatory, but those who said $\frac{1}{4}$ is sufficient, or less, agree that wiping the entire head is best.

However, if the head is covered with a turban, there are three ways of wiping:

Wiping the turban alone, without touch the head.

Wiping the forelock of the hair only.

Or third, wiping the forelock of hair, and then completing the wiping over the rest of the turban.

So there are three ways of wiping.

- 1.) Wiping the turban alone, as in wiping the Khuff (leather socks).
- 2.) Wiping only the forelock of hair under the turban.

3.) Wiping both the forelock and the turban.

This is a summary of what has been said about wiping the head in wudu. As for ghusl, there is no question, the entire head must be washed.

What is the evidence of each position.

We have the this hadith of Mughira as a basis in this science, and Mughira narrated ahadith specifically regarding the time of his travel with the Prophet alayhi as salam during the battle of Tabuk.

He said, ‘The Prophet alayhi as salam wiped over his forelock.’ The forelock is the front part of the hair that is covered if one places their hand above their forehead.

‘And over his turban.’

From this hadith, Imam Abu Hanifa said, the amount of wiping in wudu that suffices a person is the extent of the forelock.

And he said, Mughira mentions wiping the forelock, and wiping the turban, but he does not state that the Prophet alayhi as salam joined between this two.

Perhaps sometimes he wiped over the forelock, and other times, only over the turban.

Other say, “No.” Mughira is speaking about a single wudu, wiping the forelock, which is the minimum amount, and then over the turban in order to complete the Sunnah.

Why is wiping the turban Sunnah? Because if wiping the forelock alone was sufficient, he would not have needed to wipe the turban. And if wiping the turban was sufficient, he would not have wiped the forelock.

So he joined between the obligatory, the forelock, and the Sunnah, the rest of the turban.

Imam Malik said: One cannot wipe only the turban, except for necessity: such as coldness, or illness, and is mentioned regarding bandages.

The Prophet alayhi as salam sent out a delegation, and it was extremely cold, so ordered them to wipe over their turbans and their (tasakheen) stockings. The stockings were a type of cloth they used to wipe their feet in order to keep them warm.

This is similar to what is used sometimes of Khuffs (leather socks) or strongly fixed socks.

And likewise it is permissible to wipe bandages, and turbans that are tightly wrapped on the head. Unwrapping these types of turbans is very difficult.

To summarize, Ibnul Qayyim says, “Sometimes the Prophet alayhi as salam wiped the forelock under the turban only, and other times he wiped the turban along with the forelock, and sometimes he wiped the turban only with the forelock. All of these have been narrated in the texts, and whoever follows any one of them it will suffice him. And Allah knows best.”

There is another study regarding the use of the letter ‘ب’ in the ayah which says, wipe “bi ru’oosikum” literally (with your heads), which the Shafii’ say means, part of the head.

However, other scholars, especially those of language reject this view.

The Hanifiyya say the ‘ب’ refers to sticking to something, “ilsaaq” and this wiping is sticking of the hand to the head, or at least the forelock.

Other Ulema say the presence of the ‘ب’ simply indicates that there is something used to wipe the head, namely the water.

In Arabic they say, “I wiped the head of the orphan,” with using the ‘ب’,

Or the they say, “I wiped the head of the orphan,” using the ‘ب’, meaning something was in their hand, like oil.

On this occasion, let me mention that this same difference of opinion 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?

And Allah knows best.

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 Nisaai].

The Explanation:

The Author brings this narration, which is regarding the Hajj of the Prophet alayhi as salam, and we are in the Chapter of Wudu.

What is the relationship between the actions of Hajj with the wudu?

The Author wants, by bringing this phrase which is regarding Hajj, to show that it also relates to all actions.

And this shows that the Author accepted Qiyaas, or juristic analogy, since he will make analogy between wudu with the actions of Hajj.

And the general meaning of the words regarding the way of the Hajj of the Prophet alayhi as asalam.

And the Hadith says: “Begin with what Allah begins with.”

It indicates that Safaa’ and Marwaa’, they are both limits in the Hajj, during the pacing between them. So if you begin from Safaa, and end at Marwaa, that is one lap.

And if you begin from Marwaa, and end at Safaa, that is also a lap. So going between these two places is a lap.

But this text shows us where to begin, since these two things are alike in every other way.

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 the fulfillment of the hadith of the Prophet, "Begin with what Allah begins with."

And in some narrations it says, "I begin with what Allah begins with." And this has the same meaning, because the Prophet said, "Take your rituals from me."

Allah knows best.

End of Class 30.